

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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STATE OF MAINE

As Passed by the One Hundredth Legislature

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the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State recklessly, or in a wanton manner causing injury to any person or property, shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than 3 months, or by both. Whoever is convicted a 2nd time for a violation of this section shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 11 months, or by both.

Sec. 6-D. Intoxication; drugs. Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

Sec. 6-E. Enforcement. Every law enforcement officer in this State, including harbor masters and their deputies, shall have the authority to enforce sections 6-A to 6-E, and in the exercise thereof shall have the authority to stop and board any such watercraft, vessel or motorboat found in violation of said sections. It shall be unlawful for the operator of any such watercraft, vessel or motorboat to fail to stop upon hail from any such officer, and a violation of the same shall be punished as provided in section 6-B.'

Effective September 16, 1961

Chapter 327

AN ACT Regulating Mechanical Rides by Insurance Department.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 100, §§ 69-A - 69-F, additional. Chapter 100 of the Revised Statutes is amended by adding 6 new sections 69-A - 69-F, to read as follows:

'Mechanical Rides.

Sec. 69-A. Definition of mechanical ride. "Mechanical ride" means a power-operated device by which a person is conveyed, where control by the rider over the speed or direction of travel is incomplete. It does not include a vehicle or device the operation of which is regulated as to safety by any other provision of law except a municipal ordinance under chapter 90-A, section 3.

Sec. 69-B. License required. A person or organization may not operate a mechanical ride which is open to the public without first obtaining a license from the Insurance Commissioner.

I. Inspection and license fee. On receipt of an application for a license and a license fee of \$15 for each mechanical ride, the commissioner shall have it inspected.

A. Exception. A traveling amusement show or other organization which pays a license fee under section 56 need not pay this license fee.

II. License issued. On inspection, if the mechanical ride appears to be in a safe operating condition, the commissioner shall issue the license. The license is valid for a period of one year from date of issue. A license issued under this section does not exempt the holder from the nuisance provisions of chapter 141, section 8.

Sec. 69-C. Use of fees. The license fees must be credited to the Division of State Fire Prevention to defray its expenses. Any balance of the fees remaining at the end of any fiscal period is carried forward as a continuing account to be spent for the same purposes.

Sec. 69-D. Regulations. The Insurance Commissioner may adopt and amend reasonable regulations for the proper operation of mechanical rides.

Sec. 69-E. Dangerous operation. The Insurance Commissioner or any person designated by him may order that a mechanical ride being operated in a manner which is dangerous to the safety of the public be stopped until the condition is remedied.

Sec. 69-F. Violation and penalty provisions. A person or organization which operates a mechanical ride without first being licensed as provided in section 69-B, or which operates a mechanical ride in violation of a regulation adopted by the Insurance Commissioner or in violation of section 69-E shall be punished by a fine of not more than \$500 or by imprisonment for not more than 30 days, or by both.'

Sec. 2. R. S., c. 100, §§ 69 and 70, repealed. Sections 69 and 70 of chapter 100 of the Revised Statutes are repealed.

Sec. 3. R. S., c. 90-A, § 3, sub-§ V, ¶ G, additional. Subsection V of section 3 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957 and amended by chapter 260 of the public laws of 1959, is further amended by adding a new paragraph G, to read as follows:

'G. Regulating the operation of mechanical rides as defined by chapter 100, section 69-A.'

Effective September 16, 1961

Chapter 328

AN ACT Relating to Form of Standard Fire Insurance Policy.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 60, § 105, repealed and replaced. Section 105 of chapter 60 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 105. Form of standard policy. The standard form of fire insurance policy shall be plainly printed, and no portion thereof shall be in type smaller than 8-point, with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer, and shall be as follows: