

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

Rural Resources," and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

**CHAPTER 533**

**H.P. 1256 - L.D. 1728**

**An Act to Enhance Amusement Ride Safety**

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

**Sec. 1. 8 MRSA §502, 2nd ¶**, as amended by PL 1991, c. 464, §3, is further amended to read:

~~No~~ A traveling circus, traveling amusement show or amusement device may not operate or exhibit any parade, show or entertainment in this State without first paying a license fee for each calendar year. Application for the license must be made to the Commissioner of Public Safety and contain the name of the person or corporation using or operating the traveling circus, traveling amusement show or amusement device, and a statement of proposed territory within the limits of the State, and names of the cities and towns in which the traveling circus, traveling amusement show or amusement device is to operate or exhibit. ~~No~~ A traveling circus or traveling amusement show or amusement device may not exhibit any parade, show or entertainment in this State without first furnishing the Commissioner of Public Safety, in an amount to be determined by the commissioner, a certificate of public liability insurance issued by an authorized insurer or approved surplus lines insurer pursuant to Title 24-A or any risk retention group registered in any state pursuant to 15 United States Code, Chapter 65 or through a purchasing group registered in any state pursuant to 15 United States Code, Chapter 65. Upon receipt of the application, accompanied by a certificate of public liability insurance and upon payment of the required fee, a license is issued. For amusement shows, carnivals, thrill shows, ice shows, rodeos or similar types of performances which that are held indoors or outdoors the fee is ~~\$250~~ \$300. For circuses which that are held outdoors or under tents or similar temporary cover or enclosure the fee is \$500. For circuses held indoors in an auditorium, arena, civic center or similar type building the fee is ~~\$250~~ \$300. For circuses produced in their entirety by a nonprofit, charitable organization a license is required but no fee is charged. The amusement device license fee is ~~\$37.50~~ \$50 per amusement device. A traveling amusement show, having amusement devices and having secured a traveling amusement show license, must pay an

additional amusement device license fee for each amusement device over 5 rides. "Amusement device" means a device by which a person is carried or conveyed, where control by the rider over the speed or direction of travel is incomplete or is allowed to move on, around or over a fixed course within a defined area intended to thrill, excite or amuse, including, but not limited to, bungee jumping and water slides, regardless of whether a fee to operate is required. 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 Title 30-A, section 3001 or any coin-operated kiddie amusement device on a nonmoving base which that is designed to accommodate one child.

**Sec. 2. 8 MRSA §563**, as repealed and replaced by PL 1983, c. 210, is amended to read:

**§563. Fees**

The fee for the inspection of all structures and the annual license for motor vehicle raceways ~~shall be \$250~~ is \$300. The fee permits the holder of any motor vehicle raceway license to provide entertainment events such as auto thrill shows, motorcycle acts and other spectacular stunts at the licensed raceway. These events ~~shall~~ must be included in the certificate of public liability required pursuant to section 562. These fees ~~shall~~ must accompany the application and ~~shall~~ be credited to the Department of Public Safety to defray the expenses of the division. Any balance of these fees ~~shall~~ does not lapse but ~~shall be~~ is carried forward as a continuing account to be expended for the same purposes in the following years.

**Sec. 3. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

**1996-97**

**PUBLIC SAFETY,  
DEPARTMENT OF**

**State Fire Marshal's Office**

All Other	\$5,250
Provides funds for additional general operating costs associated with licensing and inspections.	

See title page for effective date.