

§475. Traveling circus and amusement devices

1. License required. A traveling circus may not operate or exhibit any parade, show or entertainment in this State without first obtaining a license from the commissioner for each calendar year. An amusement device may not be operated in this State without first obtaining a license from the commissioner. A license application must include the following:

- A. The name of the person or corporation using or operating the traveling circus or amusement device; [PL 2015, c. 148, §1 (NEW).]
- B. A statement of proposed territory within the limits of the State, including the names of the cities and towns, in which the traveling circus or amusement device is to exhibit or operate; and [PL 2015, c. 148, §1 (NEW).]
- C. A certificate of public liability insurance from an insurer approved by the commissioner in an amount to be determined by the commissioner by rule. [PL 2015, c. 148, §1 (NEW).]

Upon receipt of the application, accompanied by a certificate of public liability insurance and, for a traveling circus required to pay a license fee under subsection 2, payment of the required fee, the commissioner shall issue a license.

[PL 2015, c. 148, §1 (NEW).]

2. License fees. The following license fees apply.

- A. For traveling circuses that are held outdoors or under tents or similar temporary cover or enclosure, the fee is \$500. [PL 2015, c. 148, §1 (NEW).]
- B. For traveling circuses held indoors in an auditorium, arena, civic center or similar type building, the fee is \$300. [PL 2015, c. 148, §1 (NEW).]

For traveling circuses produced in their entirety by a nonprofit charitable organization, a license is required but no fee is charged.

[PL 2015, c. 148, §1 (NEW).]

3. Inspection fee. An amusement device may be inspected as determined necessary to protect the public safety by the commissioner. The amusement device inspection fee is \$100 per amusement device. If an amusement device is not available for inspection by the Office of the State Fire Marshal at the time agreed upon by the amusement ride inspector and the owner or operator of the device, the owner or operator of the amusement device must still pay the \$100 inspection fee for the amusement device and an additional \$100 per amusement device each time an amusement ride inspector must return to inspect a device that was not available for inspection during the prior inspection.

[PL 2015, c. 421, §4 (AMD).]

4. Amusement device defined. For purposes of this section, "amusement device" means a device by which a person is carried or conveyed 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 use the device is charged. "Amusement device" does not include:

- A. An amusement ride; [PL 2015, c. 421, §4 (NEW).]
- B. An inflatable bounce house or similar inflatable structure; [PL 2015, c. 421, §4 (NEW).]
- C. 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 [PL 2015, c. 421, §4 (NEW).]
- D. A coin-operated amusement device on a nonmoving base that is designed to accommodate one child. [PL 2015, c. 421, §4 (NEW).]

[PL 2015, c. 421, §4 (AMD).]

SECTION HISTORY

PL 2015, c. 148, §1 (NEW). PL 2015, c. 421, §4 (AMD).

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