

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 1117 - L.D. 1534

An Act To Amend Maine Fireworks Laws To Include Flame Effects**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 8 MRSA §221-A, sub-§3, as enacted by PL 1999, c. 671, §2, is amended to read:

3. Display. "Display" means an entertainment feature where the public or a private group is admitted or permitted to view the display or discharge of fireworks, flame effects or special effects. "Display" includes a special effects display.

Sec. 2. 8 MRSA §227-A, sub-§1, as amended by PL 2003, c. 521, §1, is further amended to read:

1. Permits; requirements. A person may not conduct a display without a permit. The commissioner shall issue a permit to possess and conduct a fireworks or flame effects display to an applicant who:

A. Applies in writing to the commissioner for a permit at least 20 days in advance of the proposed display;

B. Applies on forms furnished by the department. An application for a permit must include:

(1) A certificate of public liability insurance in the amount of \$1,000,000 to cover loss, damage or injuries to persons or property that might result from the display; and

(2) A site plan for the proposed display depicting a diagram of the grounds or facilities at which or in which the display will be held. The diagram must show points of discharge, fallout areas, any buildings or other structures in proximity to the display site and the location of any audience that may be present. Distances of and distances between the points of discharge and any buildings or structures must be stated on the diagram; and

C. Submits with the application fees set out in subsection 3.

Sec. 3. 8 MRSA §227-A, sub-§3, as amended by PL 2003, c. 521, §2, is further amended to read:

3. Fees. The fee for a permit is \$30 per display and the fee for a site inspection is \$111. The fee for all ~~monitored~~ inspected indoor pyrotechnic and flame effects events that occur outside of normal business hours is \$100.

Sec. 4. 8 MRSA §227-A, sub-§§4 and 5, as enacted by PL 2003, c. 452, Pt. C, §6 and affected by Pt. X, §2, are amended to read:

4. Permits; violation. A person may not conduct a fireworks or flame effects display in violation of the permit issued under subsection 1.

5. Penalties. The following penalties apply.

A. A person who conducts a fireworks or flame effects display without a permit commits a Class D crime.

B. A person who conducts a fireworks or flame effects display in violation of a permit issued under subsection 1 commits a Class E crime.

Sec. 5. 8 MRSA §227-A, sub-§7, as enacted by PL 2003, c. 521, §3, is amended to read:

7. Indoor pyrotechnics and flame effects. All indoor pyrotechnic and flame effects events must be ~~monitored~~ inspected by the State Fire Marshal or the State Fire Marshal's designee.