

**§8304-A. Fire safety**

**1. Inspection required.** As an ongoing condition of licensure, the Commissioner of Public Safety must provide at least biennially to the department a written statement that the child care facility or family child care provider complies with applicable fire safety rules adopted pursuant to Title 25, section 2452. The Commissioner of Public Safety shall adopt rules in accordance with the Maine Administrative Procedure Act to implement this subsection. The rules must provide for at least the following.

A. The Commissioner of Public Safety shall issue a fire safety technician certificate to any person who successfully completes a training course established by the Department of Public Safety. A person who receives a fire safety technician certificate pursuant to this paragraph may perform fire safety inspections under this section. [PL 1997, c. 728, §13 (AMD).]

B. In addition to ongoing license requirements, inspection is required under this section whenever a child care facility or family child care provider changes or augments a heating system or makes major structural alterations to the facility or home. [PL 2021, c. 35, §27 (AMD).]  
[PL 2021, c. 35, §27 (AMD).]

**2. Fees.** The department shall establish and pay reasonable fees to the Department of Public Safety for services rendered under this section. Fees collected by the Department of Public Safety under this section must be deposited into a special revenue account to carry out the purposes of this section. A balance remaining in the account at the end of the fiscal year may not lapse but must be carried forward into subsequent fiscal years.  
[PL 1997, c. 728, §13 (AMD).]

**3. Inspectors.** The Commissioner of Public Safety may appoint subject to the Civil Service Law employees needed to carry out the purposes of this section. A person appointed pursuant to this subsection is under the administrative and supervisory direction of the Commissioner of Public Safety.  
[PL 1997, c. 728, §13 (AMD).]

**SECTION HISTORY**

PL 1993, c. 158, §5 (NEW). PL 1997, c. 494, §13 (AMD). PL 1997, c. 494, §15 (AFF). PL 1997, c. 728, §13 (AMD). PL 2001, c. 645, §8 (AMD). PL 2005, c. 530, §11 (AMD). PL 2021, c. 35, §27 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through January 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.