

16 DEPARTMENT OF PUBLIC SAFETY

219 OFFICE OF STATE FIRE MARSHAL

Chapter 28: RULES GOVERNING OPERATIONS OF AMUSEMENT DEVICES AND MIDWAYS

---

**SUMMARY:** This chapter establishes rules for the safe design, manufacture, set up, inspection, operation, dismantling and maintenance of amusement devices and midways.

---

1. This rule incorporates by reference the following American Standard for Testing and Materials (ASTM) standards. All rights reserved by the ASTM. Individual reprints (single or multiple) copies of these standards may be obtained by contacting ASTM at 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959 or by phone at (610) 832-9585 or [service@astm.org](mailto:service@astm.org) e-mail; or through the ASTM website, [www.astm.org](http://www.astm.org).

*ASTM # F 698-94, Standard Specification for Physical Information to be Provided for Amusement Rides and Devices, 2000 edition*

*ASTM # F 770-93, Standard Practice for Operation Procedures for Amusement Rides and Devices, 2000 edition*

*ASTM # F 747-97, Standard Terminology Relating to Amusement Rides and Devices, 1997 edition*

*ASTM # F 846-92, Standard Guide for Testing Performance of Amusement Rides and Devices, 2003 edition*

*ASTM # F 853-05, Standard Practice for Maintenance Procedures for Amusement Rides and Devices, 2005 edition*

*ASTM # 1159-03a, Standard Practice for Design and Manufacture of Patron Directed, Artificial Climbing Walls, Dry Slide, Coin Operated and Purposeful Water Immersion Amusement Rides and Devices and Air Supported Structures, 2003 edition*

*ASTM # 1193-04b, Standard Practice for Amusement Ride and Device Manufacturer Quality Assurance Program and Manufacturing Requirements, 2004 edition*

*ASTM # 1305-94, Standard Guide for Classification of Amusement Ride and Device Related to Injuries and Illnesses, 2002 edition*

*ASTM # 1950-99, Standard Specification for Physical Information to be Transferred With Used Amusement Rides and Devices, 2002 edition*

*ASTM # 2007-00, Standard Practice for the Classification, Design, Manufacture, and Operation of Concession Go-Karts and Facilities, 2000 edition*

---

## 2. CERTIFICATE OF LIABILITY

1. A person, persons, firm or corporation owning or controlling midways and amusement devices shall furnish a certificate of public liability insurance, in an amount of \$1,000,000.00, as a minimum.

## 3. ELECTRICAL REQUIREMENTS

1. All electrical equipment and installations shall comply with NFPA # 70 (National Electrical Code) as adopted by the Electricians Examining Board, Department of Business Regulation, State of Maine.

## 4. MEANS OF EGRESS AND ACCESS NOT PROVIDED BY THE MANUFACTURER

1. Platforms required for use in loading and unloading passengers of amusement rides, when raised four (4) feet or more above the ground or floor shall be provided with standard guard rails on all open sides. The loading or unloading side of the platform will not be required to be railed if passengers are not permitted on the loading platform until the conveyance is stopped for loading or unloading. Platforms may have sectional rails separating loading and waiting areas.
2. Inclined walkways or ramps for access to loading platforms, if used, shall be inclined so that the slope shall not exceed one (1) foot in eight (8) feet, and shall be securely fastened. Such ramps shall not be less than eighteen (18) inches wide. Wherever the gradient so warrants, cleats shall be secured across the walkway at uniform intervals not to exceed twelve (12) inches, or some other effective anti-slip surface shall be provided. Standard railings shall be provided on open sides of ramps in accordance with the requirements for stairways included in these rules.
3. Safe means shall be provided for reaching all elevated runways and platforms. Whenever in general use, they shall be equipped with a permanent stairway, or stationary ladder where it is impracticable to provide a stairway. The side rails of such stationary ladders shall extend at least forty-two (42) inches above the level served or handholds shall be provided to at least forty-two (42) inches above such level.
4. Standard railings shall be placed on all open sides of stairs or ramps and for such use may be from thirty (30) to thirty-six (36) inches high and serve as required handrails.
5. Stairs having more than four (4) risers and ramps more than thirty (30) inches high shall be equipped with permanent and substantial handrails for the full length of such stairs or ramps.
6. Handrails shall be placed:
  - A. On all open sides of stairs and ramps;
  - B. On one side of an enclosed stair four (4) feet or less in width,

- C. On both sides of any stair more than four (4) feet in width;
- D. On both sides and in the center of stairs more than eight (8) feet in width. The width of stairs shall be taken as the length of tread between stringers.

## **5. ACCIDENTS**

- 1. Evacuation procedures shall be established for each ride for use in case of emergency. Any necessary equipment needed for such evacuation shall be readily available for use.
- 2. It will be the responsibility of the ride owner or his representative to report to the State Fire Marshal's Office via Regional State Police Barracks any personal injury accident as follows:
  - A. Immediately if injury requires emergency room treatment or hospitalization;
  - B. Within twenty-four (24) hours if personal injury requires emergency first aid.

## **6. MIDWAYS**

- 1. Grounds
  - A. Rides and concessions shall not be set in natural drainage areas.
  - B. Rides and concessions shall be kept a minimum of ten (10) feet away from overhead electrical lines.
  - C. Roadways and walks shall be of sufficient width to allow access for public safety emergency vehicles.
  - D. Roadways and walks shall be free of debris, holes, and other hazards.
  - E. Except for an emergency response vehicle, no motor vehicle shall be permitted on the midway from the time the midway opens until closing including those operated by owners and operators, vendors and service vehicles.

## **7. FIRE PROTECTION**

- 1. The person, persons, firm or corporation owning the midway shall provide an adequate, as defined in subsection 2 below, and sufficient amount of fire fighting equipment for the entire midway.
- 2. An adequate and sufficient amount of fire fighting equipment includes a hose attached to a charged standpipe or portable fire extinguishing device located every 75 feet within the midway area.

**8. CONCESSION STANDS**

1. All electrical equipment and installations shall comply with NFPA #70, National Electrical Code, as adopted by the State Electricians Examining Board.
2. Hinges, awnings, and braces must be safety keyed, nails shall not be used for hinge or support pins.
3. Every effort shall be made to keep stakes and ropes from traffic areas. Where this is not possible, highly visible covers shall be provided.
4. Seats and counter areas must be free of nails, other similar protrusions, and splinters.
5. Shooting galleries, dart games, and ball pitch games shall have adequate ricochet protection to prevent projectiles from leaving the concession stand area and striking a passerby.
6. A 10 BC rated dry chemical fire extinguisher shall be provided where deep fat fryers are in use.
7. All tents and air-supported structures for public assembly, if used when natural light is not available, shall have emergency lighting in accordance with provisions in the Life Safety Code NFPA #101.

**9. UNLICENSED AMUSEMENT DEVICES**

1. All electrically powered, fixed, child amusement rides located in an established play area of a shopping center or restaurant do not require a license. All children rides in established play areas shall comply with the following safety requirements:
    - A. All rides limited to 4 or fewer seats or riders;
    - B. Every ride shall be controlled by an electrical switch located at least 6 feet above the floor.
    - C. The control switch shall be the type which must be manually engaged to operate the ride and shall, when released, return to the "off" position;
    - D. No ride shall operate at a rate exceeding 100 feet per minute.
    - E. No admission shall be charged;
    - F. The electrical installation shall comply with the National Electrical Code.
    - G. Operating safety instructions shall be posted by operator's switch.
-

STATUTORY AUTHORITY: 8 M.R.S.A. § 502

EFFECTIVE DATE:

August 2, 1979

AMENDED:

May 1, 1984

May 21, 1994

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 15, 1996

RENUMBERED:

August 7, 2001 – formerly Chapter 37

AMENDED:

August 17, 2002 – Section I

September 3, 2007 – filing 2007-374

November 24, 2010 – filing 2010-601

Document Source: <http://www.maine.gov/sos/cec/rules/16/219/219c028.doc>

Downloaded From: [www.InflatableStartup.com](http://www.InflatableStartup.com)

**Inflatable Startup** **PRO**  
*Start Your Own Inflatable Business!*