

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2022 to December 31, 2022**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5*

**Agency name:** Department of Public Safety, **Maine Emergency Medical Services (Maine EMS)**  
**Umbrella-Unit:** **16-163**  
**Statutory authority:** 32 MRS §§ 81-A, 84, 88  
**Chapter number/title:** **Ch. 21** (*New*), Immunization Requirements for EMS Personnel  
**Filing number:** **2022-132**  
**Effective date:** 8/7/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The purpose of this rule is to adopt a list of vaccine preventable diseases for which licensees must obtain immunization or provide appropriate exemption documentation.

**Basis statement:**

Chapter 21 is a new chapter to be added to the Maine EMS rules. No entity may permit a covered emergency medical services person to provide direct patient care as defined by the rule without a Certificate of Immunization, or documentation of an exemption pertaining to the diseases enumerated in the chapter. New employees must have begun the COVID-19 series, or have an approved medical exemption, prior to providing direct patient care, and come into compliance with the remaining administrations in accordance with the U.S. Centers for Disease Control & Prevention dosing recommendation.

**Fiscal impact of rule:**

None.

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**Umbrella-Unit:** **16-163**

**Statutory authority:** 32 MRS §§ 81-A, 84, 88

**Chapter numbers/titles:** **Ch. 2**, Definitions  
**Ch. 5**, Personnel Licenses  
**Ch. 5B**, Emergency Medical Services Ambulance Operator Licenses  
**Ch. 17**, Minimum Required Equipment Lists for Maine EMS Services and Regional EMS Radio Frequencies  
**Ch. 22**, Emergency Medical Services Data  
**Ch. 23**, Registry of Automated External Defibrillators

**Filing number:** **2022-243 to 248**

**Effective date:** 12/24/2022

**Type of rule:** Routine Technical

**Emergency rule:** No

**Principal reason or purpose:**  
*(See Basis Statement)*

**Basis statement:**

**Chapter 2** is updated to reflect the addition of certain terms to the Maine EMS rules.

**Chapter 5** is updated to facilitate the transition to the National Core Competency Requirements (NCCR) for continuing education to renew clinical licensure. Additionally, Chapter 5 extends the duration for continuing education accepted as part of a license renewal application to “within the current license cycle,” and adds a requirement to our rules that a licensee must complete the most recent Maine EMS pre-hospital protocol update, including all necessary skills expansion, in order to perform emergency medical treatment.

**Chapter 5B** is adopted to facilitate the licensure of ambulance vehicle operator licenses. It establishes minimum standards for licensing, including training, continuing education, and other requirements in accordance with 32 MRS §85-B.

**Chapter 17** is updated to account for recent changes to Maine EMS pre-hospital treatment protocols, adding required equipment for EMT and advanced EMT agencies to deliver nebulized medication, and identifying optional equipment for EMT agencies to deliver continuous positive airway pressure and to obtain a 12 lead EKG. The addition of a pediatric transport device is also included.

**Chapter 22** is adopted to allow Maine EMS to receive data into our reporting system from Health Info Net, the State of Maine’s health information exchange, regarding patient outcomes. Additionally, chapter 22 incorporates direct entry of patient care reports into the State of Maine provided run reporting system.

**Chapter 23** is adopted to implement a statewide registry of publicly accessible automated external defibrillators for the purpose of assisting a person or a law enforcement officer, firefighter or emergency medical services person who calls 9-1-1 in an emergency situation.

**Fiscal impact of rule:**  
None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §2452  
**Chapter number/title:** **Ch. 10**, Stationary Combustion Engines and Gas Turbines  
**Filing number:** **2022-170**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule will address life safety issues applicable to both portable engines and stationary engines.

**Basis statement:**

Ch. 10 will incorporate the 2021 National Fire Protection Association's Standard #37 for Stationary Combustion Engines and Gas Turbines. The new edition will address safety issues for both portable engines and the growing number of stationary engines.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §2452  
**Chapter number/title:** **Ch. 14**, National Fuel Gas Code  
**Filing number:** **2021-171**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule requires appliances to be listed to and in compliance with the appropriate ANSI/CSA listed standard to ensure safety.

**Basis statement:**

This code is a safety code that shall apply to the installation of fuel gas piping systems, applications, equipment and related accessories.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §2452  
**Chapter number/title:** **Ch. 15**, Fire Protection for Medical Facilities and Equipment  
**Filing number:** **2022-008**  
**Effective date:** 1/18/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This chapter contains specific information, regulations and minimum requirements relating to inhalation anesthetics, respiratory therapy, laboratories in health-related institutions, hypobaric facilities, nonflammable medical gas systems, and inhalation anesthetics in ambulatory care facilities.

**Basis statement:**

This routine technical rule addresses the numerous technological changes made to, and materials used in, medical facilities today as opposed to 2005.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §§ 2452, 2482  
**Chapter number/title:** **Ch. 16**, Storage and Handling of Liquefied Petroleum Gases  
**Filing number:** **2022-172**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule provides clarification for fire protection systems citing additional existing NFPA standards.

**Basis statement:**

This rule applies to the storage, handling, transportation, and use of LP-gas and the design, construction, location, installation, operation, and maintenance of refrigerated and non-refrigerated utility gas plants.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §2452  
**Chapter number/title:** **Ch. 19**, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations  
**Filing number:** **2022-009**  
**Effective date:** 1/18/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This routine technical rule addresses changes in the operation of commercial and private cooking operations made since 2008.

**Basis statement:**

This rule provides minimum fire safety requirements (preventative and operative) related to the design, installation, operation, inspection, and maintenance of public and private cooking operations.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §2452  
**Chapter number/title:** **Ch. 21**, Tents, Grandstands, Air Supported Structures for Places of Assembly  
**Filing number:** **2022-173**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**  
*(See Basis Statement)*

**Basis statement:**

This rule will incorporate the 2021 edition of National Fire Protection Associations Standard #102, Standard for Grandstands, Folding and Telescoping Seating, Tents and Membrane Structures, 2021 edition. The rule defines baseline requirements for life safety as it pertains to fire, storm, collapse, and crowd behavior in tents, membrane structures, and assembly seating.

**Fiscal impact of rule:**  
None.



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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 25 MRS §§ 2452, 2465  
**Chapter number/title:** **Ch. 22**, Chimneys, Fireplaces, Bents and Solid Fuel Burning Appliances  
**Filing number:** **2022-174**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This rule provides much needed guidance for the removal of waste gases, the reduction of fire hazards associated with construction and installation of chimneys, fireplaces and venting systems for residential, commercial and industrial appliances and the installation of solid fuel burning appliances.

**Basis statement:**

This rule will incorporate the 2019 edition of National Fire Protection Association's Standard #211, *Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances*. The rule provides guidance for the removal of waste gases, the reduction of fire hazards associated with construction and installation of chimneys, fireplaces, and venting systems for residential, commercial and industrial appliances and the installation of solid fuel burning appliances.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 8 MRS §236  
**Chapter number/title:** **Ch. 25**, Rules for the Display of Fireworks  
**Filing number:** **2022-175**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This rule provides new information on multi-sized device spacing to address the separation distances required at a given location. It also provides guidance for the use of flammable liquid fireball effects.

**Basis statement:**

This rule incorporates the 2022 edition of National Fire Protection Association's Code #1123, *Code for Fireworks Display*. The rule establishes the rules and regulations for the manufacture, transportation, storage and display of fireworks, pyrotechnic articles, and model rocketry.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 8 MRS §236  
**Chapter number/title:** **Ch. 36**, Standard for the Use of Pyrotechnics before a Proximate Audience  
**Filing number:** **2022-176**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule provides users of pyrotechnic devices guidelines to follow in order to protect audiences near the use of these devices.

**Basis statement:**

The rule provides much needed guidance to individuals and organizations using pyrotechnic entertainment devices before a proximate audience. This rule provides clarification with regards to the definition of effect simulation equipment.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Public Safety, **Office of State Fire Marshal**  
**Umbrella-Unit:** **16-219**  
**Statutory authority:** 8 MRS §502  
**Chapter number/title:** **Ch. 27** (*Repeal*), Rules and Regulations Governing the Tents and Equipment of Circuses and Traveling Amusement Shows  
**Filing number:** **2022-152**  
**Effective date:** 8/23/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**  
(See Basis Statement)

**Basis statement:**  
Chapter 27 has outdated content and content now incorporated into other rules.

**Fiscal impact of rule:**  
None.

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**Agency name:** Department of Public Safety, **Maine State Police**  
**Umbrella-Unit:** **16-222**  
**Statutory authority:** 29-A MRS §1769  
**Chapter number/title:** **Ch. 1**, Maine Motor Vehicle Inspection Manual  
**Filing number:** **2022-014**  
**Effective date:** 1/31/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**  
*(See Basis Statement)*

**Basis statement:**

The principal reason for this amendment to the existing regulation is to update and make various changes – some technical, some substantive – to the regulation to ensure for the effective administration of Maine motor vehicle inspection program.

The final rule is the same as the proposed rule with two exceptions: (1) a ten dollar (\$10) licensing fee that appeared at page 1 of the supplemental information documentation appended to the rule was removed due to lack of statutory authority for that fee; and (2) changes were made throughout the rule to ensure that the language complied with PL 2021 ch. 348 section 58.

**Fiscal impact of rule:**

No additional fiscal impact is anticipated due to the amendments to the existing regulation.

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**Agency name:** Department of Public Safety, **Gambling Control Board/Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 8 MRS §1003(1)(B),(1)(L),2(U), and §1071-1072  
**Chapter number/title:** **Ch. 13**, Exclusion  
**Filing number:** **2022-162**  
**Effective date:** 8/29/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule package adds the requirement for a reinstatement interview with a problem gambling service agency approved by the Board.

**Basis statement:**

This is an amendment to Board rules Chapter 13, regarding updates to add the requirement for a reinstatement interview with a problem gambling service agency approved by the Board.

**Fiscal impact of rule:**

\$3,000 to set up initial training of staff through Adcare.

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**Agency name:** Department of Public Safety, **Gambling Control Board/Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 17 MRS ch. 62 §§ 317, 1843  
**Chapter number/title:** **Ch. 32**, Rules Relating to Games of Chance  
**Filing number:** **2022-039**  
**Effective date:** 3/20/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

These rules are to update areas of concern from prior changes in 2018.

**Basis statement:**

This is an amendment to Board rule ch. 32, *Rules Relating to Games of Chance*. The amended rules include the addition of a “distributor” definition, distributor application and operational requirements, sealed tickets sales requirements, a requirement for approval from the local governing authority for licenses to conduct a card or tournament game and minimum requirements for rules of play. The amended rules modify who can participate in a game of chance or sealed ticket game. In addition, the amended rules contain grammatical and formatting changes to make the language readily understood by the general public.

**Fiscal impact of rule:**

Only in the area of certifying electronic video machines of which Maine has less than a dozen.

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**Agency name:** Department of Public Safety, **Gambling Control Board/Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** PL 2021 ch. 636 §4 (unallocated language;  
17 MRS §§ 1837-C, 1843  
**Chapter number/title:** **Ch. 32**, Rules Relating to Games of Chance  
**Filing number:** **2022-189**  
**Effective date:** 9/26/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

These rules are to update areas of concern from prior changes that include immediate family member definition, authority to close sealed ticket games, posting of top awards, the reporting of winners of five dollars or more and the repeal of registrants from sub 6 reports and records required.

**Basis statement:**

This is an amendment to Gambling Control Unit Rules; Chapter 32, *Rules Relating to Games of Chance*, with updates as directed by the Veteran's and Legal Affairs legislative committee through Bill LD 1980 that no later than September 30, 2022, the Department of Public Safety, Gambling Control Unit shall adopt rules relating to games of chance to add a definition of "immediate family member" and, for a Lucky Seven or similar sealed ticket game of chance, to allow limited posting of whether a prize has been awarded and to eliminate the requirement to sell an entire box of serial-numbered tickets before the end of that serial-numbered game. The Gambling Control Unit shall hold a public hearing regarding the adoption of rules required by this section and, after the public hearing, shall allow the submission of written comments regarding the rules for a period of 30 days.

**Fiscal impact of rule:**

N/A