

**CHAPTER 22****MOTOR VEHICLE RACING****§561. License required; issuance of license**

No person or organization shall operate any type of motor vehicle racing within the State unless such person or organization has obtained a license therefor from the Commissioner of Public Safety. [PL 1973, c. 662, §2 (NEW).]

A license for the operation of motor vehicle racing may be issued by the commissioner to the person or organization applying for such license if the commissioner is satisfied that such person or organization has complied with all the provisions of this chapter and all the rules and regulations promulgated by the commissioner pursuant to section 562 and that such person or organization has furnished the commissioner, in an amount to be determined by him, a certificate of public liability insurance to cover the losses, damages or injuries that might ensue to persons or property by reason of the operation of motor vehicle racing. [PL 1973, c. 662, §2 (NEW).]

All licenses issued for the operation of any type of motor vehicle racing shall expire December 31st of each year unless sooner revoked by the commissioner for violation of any provision of this chapter or for violation of any rule or regulation promulgated by the commissioner pursuant to section 562. Any such license issued shall not be transferable or assignable. [PL 1973, c. 662, §2 (NEW).]

**SECTION HISTORY**

PL 1973, c. 662, §2 (NEW).

**§562. Rules**

The Commissioner of Public Safety shall make, amend or rescind, after public hearing, notice of which has been duly advertised in the state paper, reasonable rules to be enforced with respect to the location, erection, construction and maintenance of grandstands, bleachers, stadiums, arenas, fences, safety barriers or other like structures intended primarily to support or protect spectators during any type of motor vehicle racing and with respect to public liability insurance coverage required by section 561. [PL 1997, c. 728, §4 (AMD).]

Rules become effective when reviewed for form and legality by the Office of the Attorney General and approved in writing by the Commissioner of Public Safety and when a certified copy of the rules has been filed with the Secretary of State. [PL 1997, c. 728, §4 (AMD).]

The Commissioner of Public Safety may waive the requirements of any rules to cover any special circumstances or conditions when the commissioner is satisfied that the special circumstances or conditions provide at least the same amount of safety to spectators at motor vehicle races that the rules, the waiver of which is requested, were intended to provide. [PL 1997, c. 728, §4 (AMD).]

**SECTION HISTORY**

PL 1973, c. 662, §2 (NEW). PL 1975, c. 771, §108 (AMD). PL 1979, c. 156, §§1,2 (AMD). PL 1997, c. 728, §4 (AMD).

**§563. Fees**

The fee for the inspection of all structures and the annual license for motor vehicle raceways is \$300. The fee permits the holder of any motor vehicle raceway license to provide entertainment events such as auto thrill shows, motorcycle acts and other spectacular stunts at the licensed raceway. These events must be included in the certificate of public liability required pursuant to section 562. These fees must accompany the application and be credited to a special revenue account to defray expenses in

carrying out this section. Any balance of these fees does not lapse but is carried forward as a continuing account to be expended for the same purposes in the following years. [PL 1997, c. 728, §5 (AMD).]

#### SECTION HISTORY

PL 1973, c. 662, §2 (NEW). PL 1983, c. 210 (RPR). PL 1995, c. 533, §2 (AMD). PL 1997, c. 728, §5 (AMD).

#### **§564. Appeal**

Any person aggrieved by any rule or regulation adopted by the Commissioner of Public Safety pursuant to this chapter, or the reasonableness of such rule or regulation, or any act or order of the commissioner in enforcing such rule or regulation, may appeal to the Superior Court by filing a complaint therefor, and the court shall fix a time and place of hearing, and cause notice thereof to be given to the commissioner. After the hearing, the court may affirm or reverse the rule, regulation, act or order of the commissioner. [PL 1973, c. 662, §2 (NEW).]

#### SECTION HISTORY

PL 1973, c. 662, §2 (NEW).

#### **§565. Penalties**

Any person or organization who operates any type of motor vehicle racing without a license duly issued therefor shall be punished by a fine of not more than \$1,000. [PL 1973, c. 662, §2 (NEW).]

Any person or organization who operates any type of motor vehicle racing or who locates, erects, constructs or maintains any motor vehicle racing structure except as provided for in the rules and regulations of the Commissioner of Public Safety shall be punished by a fine of not more than \$500 for each offense. [PL 1973, c. 662, §2 (NEW).]

#### SECTION HISTORY

PL 1973, c. 662, §2 (NEW).

#### **§566. Injunctions**

In addition to any other remedy set forth in this chapter for the enforcement of this chapter or any rule, order or decision of the Commissioner of Public Safety, the Superior Court has jurisdiction upon complaint filed by the commissioner, or any person duly authorized to act for the commissioner, to restrain or enjoin any person or organization from operating any type of motor vehicle racing or doing any act prohibited by this chapter or prohibited by any rule of the commissioner. If it is established upon hearing that the person or organization, or the officers, agents, servants or employees of such person or organization, charged has been or is operating any type of motor vehicle racing in violation of any rule, order or decision of the commissioner, the court shall enter a decree enjoining that person or organization and the officers, agents, servants and employees of that person or organization and any other person from further operation of such motor vehicle racing. In case of violation of any injunction issued under this section, the court shall summarily try and punish the person for contempt of court. The existence of other civil or criminal remedies is not a defense to this proceeding. The commissioner or the commissioner's authorized agent is not required to give or post a bond when making an application for an injunction under this section. [RR 2023, c. 1, Pt. C, §42 (COR).]

#### SECTION HISTORY

PL 1973, c. 662, §2 (NEW). RR 2023, c. 1, Pt. C, §42 (COR).

#### **§567. Motorcycle racing excluded**

This chapter shall not apply to motorcycle racing. [PL 1973, c. 662, §2 (NEW).]

#### SECTION HISTORY

PL 1973, c. 662, §2 (NEW).

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