

32 §14224. GENERAL PROVISIONS; LICENSES

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1. Practice; license required. A person may not practice cosmetology, barbering, manicuring or aesthetics in this State unless that person has first obtained a license as provided in this chapter or unless that person is acting within the scope of employment as a trainee.

[1993, c. 630, Pt. B, §15 (AMD) .]

2. Operation of shop; license required. A person, firm or corporation may not provide services in, operate or cause to be operated a shop where cosmetology, barbering, manicuring or aesthetics is practiced unless that shop has been duly licensed by the director. A license issued pursuant to this subsection authorizes the operation of the establishment only at the location for which the license is issued. Operation of the establishment at any other location is unlawful unless a license for the new location has been obtained in compliance with this chapter and applicable rules.

The director shall furnish to each licensed cosmetologist, barber, manicurist or aesthetician a license certifying that the holder of that license is entitled to practice in this State. The licensee shall post the license in a conspicuous place where it may be readily seen and read by all persons served. The reproduction, altering or defacing of any license is prohibited.

Booths attached to or within a licensed shop that are operated independently are subject to licensure, fees and applicable rules in the same manner as independent shops.

The exceptions listed in section 14203, subsection 3 do not permit the practice of cosmetology, barbering, manicuring or aesthetics in food establishments or food preparation areas.

[2009, c. 369, Pt. B, §11 (AMD) .]

2-A. Operation of tanning device; public access. An establishment in which a tanning device as that term is defined in rules adopted by the Department of Health and Human Services is operated on the effective date of this subsection is not required to partition off the working area of the establishment or maintain a separate entrance in order to provide public access to the tanning device. If such an establishment undergoes a material alteration or adds more tanning devices, then the establishment may be prohibited from providing public access to the tanning device through the working area.

[1995, c. 187, §2 (AMD); 2003, c. 689, Pt. B, §6 (REV) .]

2-B. Change of ownership; change of location. The owner of a new shop is required to apply to the director for licensure of that shop. The owner of a licensed shop that undergoes a change in location is required to reapply to the director for licensure. The owner or owners of a licensed shop that undergoes a change in ownership shall notify the director within 7 days of the change. If a shop has more than one owner and the change in ownership results from the death or divorce of one of the owners, the notice must be provided to the director as set forth in subsection 2-C. Whenever there is a change of ownership, the shop license is valid for 30 days from the transaction date to allow the new owner to comply with this section.

[2009, c. 369, Pt. B, §12 (AMD) .]

2-C. Ownership changes resulting from death or divorce of an owner. If a licensed shop has more than one owner and ownership changes as a result of the death or divorce of one of the owners, the director shall reissue the license for the remaining license period as long as a remaining owner is named on the existing license and the director is notified within 30 days of the divorce decree or the date of death. A shop license is valid for 60 days following the death of the person in whose name the shop is licensed.

[2009, c. 369, Pt. B, §13 (AMD) .]

2-D. Special inspections. A shop that requires a special inspection, such as a new shop or a shop that changes location or ownership, may be assessed a separate inspection fee.

[1997, c. 622, §2 (NEW) .]

3. Trainee. A trainee cosmetologist, barber, manicurist or aesthetician licensed pursuant to section 14232 may not independently conduct a practice but may, as a trainee, do any or all acts constituting the practice under the immediate personal supervision of a person duly licensed and approved by the director in a licensed shop.

[2009, c. 369, Pt. B, §14 (AMD) .]

4. Student license required. A student enrolled in the study of cosmetology, barbering, manicuring or aesthetics must be licensed with the director pursuant to section 14233.

[2009, c. 369, Pt. B, §15 (AMD) .]

A person who violates this section is subject to the provisions of section 14236-A and Title 10, section 8003-C. [2007, c. 402, Pt. HH, §10 (NEW).]

SECTION HISTORY

1991, c. 397, §6 (NEW). 1993, c. 630, §B15 (AMD). 1993, c. 659, §A14 (AMD). 1995, c. 187, §2 (AMD). 1997, c. 622, §§1,2 (AMD). 1999, c. 386, §U2 (AMD). 2003, c. 689, §B6 (REV). 2007, c. 402, Pt. HH, §10 (AMD). 2009, c. 369, Pt. B, §§11-15 (AMD).

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