

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 250 Department or Agency Board of Cosmetology and Barbering
Rule No. 250-X-3-.01
Rule Title: General Requirements
 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date 7/18/19

(DATE FILED)
(STAMP)

Alabama Board of Cosmetology and Barbering

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Cosmetology and Barbering

RULE NO. & TITLE: 250-X-3-.01 General Requirements

INTENDED ACTION: To amend this rule.

SUBSTANCE OF PROPOSED ACTION:

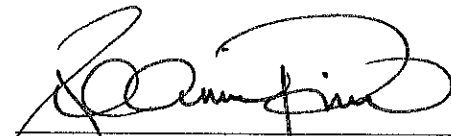
To correct Code of Alabama reference.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present comments in writing following publication of this notice to Jeannie G. Price, CPA, Executive Director of the Alabama Board of Cosmetology and Barbering, 100 N. Union Street, Suite 324, Montgomery, AL 36130-1750. Comments may be presented in person or orally to the Executive Director at the above address on Thursday, October 3, 2019 at 9:00 a.m. Requests for comments in person must be submitted in writing in advance. Copies of proposed rule changes are available at the Board's office at 334-242-1918.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: October 3, 2019

CONTACT PERSON AT AGENCY:



Jeannie G. Price, CPA
Executive Director
Ala. Board of Cosmetology & Barbering
100 N. Union St., Suite 324
Montgomery, A: 36130-1750

CHAPTER 250-X-3 SHOP REQUIREMENTS

250-X-3-.01 General Requirements.

- (1) Proper application, payment of applicable fee and physical inspection and approval of premises by an authorized member of the Board staff are required to receive a license for a shop.
- (2) Applicant for a shop must provide proof that it will operate in a location properly zoned by the appropriate governing authority.
- (3) Shop entrance and exit must comply with federal, state and local building codes.
- (4) Shop must be adequately ventilated to allow proper air circulation.
- (5) Premises, including walls, floors, workstations, furniture and equipment must be kept clean and free from dust. Trash must not be allowed to accumulate between clients.
- (6) Shop must be adequately and safely lighted.
- (7) Shop must have adequate toilet facilities either on premises or within 300 feet of entrance with at least one water closet and one sink equipped with hot and cold water. Exceptions to the 300 feet rule for toilet may be granted to shops located in shopping malls. Toilet must be equipped with proper tissue, soap dispenser with soap or other hand cleanser, waste receptacle and sanitary towels or electric wall-mounted hand dryer. Toilet/lavatory must be adequately lighted, ventilated and clean at all times.
- (8) A shop may be located in a residence where not prohibited by any governing authority. Such shop must be separated from living quarters by a permanent, finished, ceiling-high partition. A separate shop entrance from living quarters entrance and a toilet/lavatory facility with a separate entrance from living quarters must be provided. Toilet/lavatory must comply with requirements of Section 250-X-3-.01-(7).
- (9) The use of a shop as a living, dining or sleeping quarters is prohibited.
- (10) Shop shall display licenses and permits consistent with the following guidelines:
 - (a) Shop license must be displayed at the reception area near entrance. (Code of AL, 1975 §34-7B-7 (d)(4).)
 - (b) Personal licenses must be posted near individual work stations.
 - (c) The most recent inspection report must be posted near shop license.
 - (d) Apprentice permits, examination permits and student permits must be posted near the appropriate work station.
- (11) Shop must have a copy of the most recent laws and rules of the Board readily available for employees and patrons.
- (12) No licensee shall perform any service outside the scope of practice authorized by the license held.
- (13) No licensee shall perform any service authorized by a license issued by the Board in a facility not licensed by the Board.

Author: Jeannie G. Price, CPA

Statutory Authority: Code of AL 1975, § 34-7B-7d.

History: Filed Oct. 25, 2013; Effective Nov. 29, 2013

Filed: July 18, 2019