

**CHAPTER 28**

**BOARD OF COSMETOLOGY AND HAIRSTYLING**

**Authority**

N.J.S.A. 45:1-15.1 and 45:5B-6(r).

**Source and Effective Date**

R.2009 d.169, effective April 23, 2009.  
See: 40 N.J.R. 6739(a), 41 N.J.R. 2124(b).

**Chapter Expiration Date**

Chapter 28, Board of Cosmetology and Hairstyling, expires on April 23, 2014.

**Chapter Historical Note**

Chapter 28, originally Board of Beauty Culture Control, Subchapters 1 through 3, was adopted pursuant to N.J.S.A. 45:4A-13, and was filed and became effective prior to September 1, 1969. Subsequently, Chapter 28 was amended by the following rule adoptions:

R.1977 d.34, effective February 10, 1977. See: 8 N.J.R. 530(a), 9 N.J.R. 129(a).

R.1980 d.94, effective February 27, 1980. See: 11 N.J.R. 452(c), 12 N.J.R. 208(b).

R.1980 d.109, effective March 14, 1980. See: 11 N.J.R. 561(b), 12 N.J.R. 209(a).

R.1980 d.228, effective May 21, 1980. See: 12 N.J.R. 207(b), 12 N.J.R. 433(a).

R.1980 d.229, effective May 21, 1980. See: 12 N.J.R. 206(a), 12 N.J.R. 433(b).

R.1980 d.261, effective June 17, 1980. See: 12 N.J.R. 206(b), 12 N.J.R. 434(c).

R.1981 d.109, effective May 7, 1981. See: 13 N.J.R. 102(b), 13 N.J.R. 308(a).

R.1982 d.69, effective March 15, 1982. See: 13 N.J.R. 931(a), 14 N.J.R. 283(b).

R.1982 d.70, effective March 15, 1982. See: 13 N.J.R. 930(b), 14 N.J.R. 283(a).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Beauty Culture Industry, was readopted as R.1985 d.139, effective February 25, 1985. See: 17 N.J.R. 49(a), 17 N.J.R. 709(c). Pursuant to Executive Order No. 66(1978), Subchapter 2, Beauty Culture Schools, expired on February 25, 1985, and subsequently was adopted as new rules by R.1985 d.160, effective April 1, 1985. See: 17 N.J.R. 172(a), 17 N.J.R. 835(a). Subchapter 3, Forms, referencing a uniform penalty letter, was not readopted. Subchapter 4, Fees, was adopted as R.1985 d.464, effective September 3, 1985. See: 17 N.J.R. 1638(a), 17 N.J.R. 2139(c).

Chapter 28, Board of Beauty Culture Control, was repealed by R.1988 d.214 and a new Chapter 28, Board of Cosmetology and Hairstyling, Subchapters 1 through 6, was adopted, effective May 16, 1988. See: 20 N.J.R. 370(b), 20 N.J.R. 1088(a). A new Subchapter 5, Fees, was adopted as R.1988 d.343, effective July 18, 1988. See: 20 N.J.R. 886(a), 20 N.J.R. 1723(a).

Pursuant to Executive Order No. 66(1978), Chapter 28, Board of Cosmetology and Hairstyling, was readopted as R.1993 d.287, effective May 14, 1993. See: 25 N.J.R. 893(b), 25 N.J.R. 2485(b).

Pursuant to Executive Order No. 66(1978), Chapter 28, Board of Cosmetology and Hairstyling, was readopted as R.1998 d.285, effective May 8, 1998. See: 30 N.J.R. 972(a), 30 N.J.R. 2047(a).

Chapter 28, Board of Cosmetology and Hairstyling, was readopted as R.2003 d.458, effective October 27, 2003. See: 35 N.J.R. 2400(a), 35 N.J.R. 5429(a).

Chapter 28, Board of Cosmetology and Hairstyling, was readopted as R.2009 d.169, effective April 23, 2009. See: Source and Effective Date. See, also, section annotations.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. PRACTICING LICENSES, APPLICATION AND EXAMINATIONS**

- 13:28-1.1 Applicants for examination for licensure; acceptable documentation of credentials; license renewals; reinstatement; inactive status
- 13:28-1.2 Examination and reexaminations
- 13:28-1.3 Temporary permits and student permits
- 13:28-1.4 Application for license to teach or practice cosmetology and hairstyling by persons holding both a barber license and a beauty culture license
- 13:28-1.5 Lost licenses
- 13:28-1.6 Notification of change of address
- 13:28-1.7 Qualifications of teachers

**SUBCHAPTER 2. SHOP LICENSES**

- 13:28-2.1 Applications for initial shop license; changes to existing shops
- 13:28-2.2 Removal of a shop
- 13:28-2.3 Transfer of ownership
- 13:28-2.4 Renewal of shop license
- 13:28-2.5 Physical requirements for cosmetology and hairstyling shops applying for initial shop license
- 13:28-2.6 Physical requirements for manicuring shops applying for initial shop license
- 13:28-2.6A Physical requirements for skin care specialty shops applying for initial shop license
- 13:28-2.7 Shops within residential premises
- 13:28-2.7A Limitation of business activities within shops
- 13:28-2.8 Leasing space prohibited
- 13:28-2.9 Sale of merchandise
- 13:28-2.10 Ancillary services in licensed cosmetology and hairstyling and skin care specialty shops
- 13:28-2.11 No ancillary services at licensed manicuring shops
- 13:28-2.12 Posting of licenses and required notices
- 13:28-2.13 Supervision of shops and absence of experienced practicing licensee
- 13:28-2.14 Unlicensed personnel
- 13:28-2.15 Prohibited practices

**SUBCHAPTER 3. SAFETY AND SANITATION**

- 13:28-3.1 Premises
- 13:28-3.2 Sanitizing implements and tools
- 13:28-3.3 Personnel
- 13:28-3.4 Prohibited products
- 13:28-3.5 Manicure and pedicuring services
- 13:28-3.6 Animals and pets prohibited

**SUBCHAPTER 4. ENFORCEMENT**

- 13:28-4.1 Inspection of premises
- 13:28-4.2 Compliance with laws and rules
- 13:28-4.3 Responsibility for compliance with laws and rules
- 13:28-4.4 Verification of licensure
- 13:28-4.5 Record of practitioners
- 13:28-4.6 Grounds for suspension or revocation of license

**SUBCHAPTER 5. FEES**

- 13:28-5.1 Fee schedule

## SUBCHAPTER 6. SCHOOLS OF COSMETOLOGY AND HAIRSTYLING

- 13:28-6.1 Compliance with laws and rules
- 13:28-6.2 Application procedure for school licenses
- 13:28-6.3 Student registration
- 13:28-6.4 Name of school; advertisements; signs
- 13:28-6.5 School shops
- 13:28-6.6 Separate entrance for shop located on school premises
- 13:28-6.7 Size of schools; number of students
- 13:28-6.8 Student registration cards
- 13:28-6.9 Non-English speaking student enrollment
- 13:28-6.10 Commencement of classes
- 13:28-6.11 School credits by hour
- 13:28-6.12 Training schedules
- 13:28-6.13 School schedules
- 13:28-6.14 Smoking in schools
- 13:28-6.15 School records
- 13:28-6.16 Other trades; demonstrations
- 13:28-6.17 Transfer of school business, relocation, renewal
- 13:28-6.18 Supervising teacher
- 13:28-6.19 Branch schools licensed separately
- 13:28-6.20 Minimum equipment
- 13:28-6.21 Student standards and requirements
- 13:28-6.22 Application submission by schools
- 13:28-6.23 Number of teachers employed; teacher restrictions
- 13:28-6.24 Employment of licensed teachers
- 13:28-6.25 Refresher courses
- 13:28-6.26 Postgraduate courses
- 13:28-6.27 Clinical work prerequisites and limitations
- 13:28-6.28 Curriculum for 500-hour course for barbers who wish to obtain a cosmetology-hairstyling license
- 13:28-6.29 Curriculum for 1200-hour cosmetology and hairstyling course
- 13:28-6.30 Curriculum for 25 hour shaving course for beauticians who wish to obtain a cosmetology-hairstyling license
- 13:28-6.31 Curriculum for 500-hour teacher training course
- 13:28-6.32 Curriculum for Board administered and approved teacher shaving course
- 13:28-6.33 Curriculum for 300-hour manicuring course
- 13:28-6.34 Curriculum for 600-hour skin care specialty course
- 13:28-6.35 Bond for schools of cosmetology and hairstyling
- 13:28-6.36 Annex classrooms

## SUBCHAPTER 1. PRACTICING LICENSES, APPLICATION AND EXAMINATIONS

**13:28-1.1 Applicants for examination for licensure; acceptable documentation of credentials; license renewals; reinstatement; inactive status**

(a) Applications for examination may be procured from the office of the Board of Cosmetology and Hairstyling.

(b) All applications must be accompanied by satisfactory proof of age. The following are deemed to constitute such proof:

1. Birth Certificate or Baptism Certificate;
2. Passport, citizenship papers, immigration certificate or Alien Registration Card;
3. A valid New Jersey driver's license; or
4. Any other document or affidavit which constitutes a valid proof of age.

(c) All applications must be accompanied by proof of satisfactory completion of high school or its equivalent. The following are deemed to constitute such proof:

1. A high school diploma;
2. A certified high school transcript substantiating successful completion of a secondary program; or
3. A transcript or diploma issued after successful passage of the examination developed by the General Educational Development (GED) Testing Service.

(d) Except as provided in (d)1 below, all applications shall be accompanied by a certified transcript from a cosmetology and hairstyling school in New Jersey substantiating that the applicant has attained the requisite training in cosmetology and hairstyling as set forth in N.J.A.C. 13:28-6.

1. Applicants obtaining their cosmetology and hairstyling training in another state or country must demonstrate, by way of certification from that state's or country's licensing authority that such training conforms substantially with the standards applicable to cosmetology and hairstyling schools in the State of New Jersey. Applicants holding a license from another state who have engaged in the practice of cosmetology and hairstyling for at least three years in that state, may submit, in lieu of documentation of cosmetology and hairstyling training, a notarized affidavit of work experience and a letter of certification of licensure by the State's board.

(e) Application for licensure as a teacher must be accompanied by satisfactory proof of the requisite work experience in the form of affidavits from former employers. The required work experience shall consist of a minimum of 30 hours a week working in a licensed shop for six consecutive months. The affidavit shall list the location of the shop and the applicant's job description.

(f) All applications for licensure must be accompanied by the appropriate fee as set forth in N.J.A.C. 13:28-5.1. Application fees shall be non-refundable. If an applicant for licensure fails to complete the licensure application process within six months from the date of initial application, the Board shall administratively close the application. Following such action, an applicant who wishes to obtain a license shall reapply to the Board and shall comply with all requirements set forth in this section, including repayment of the application fee set forth in N.J.A.C. 13:28-5.1.

(g) The Board shall send a notice of renewal to all licensees at least 60 days prior to the date of license expiration. If the notice to renew is not sent at least 60 days prior to the license expiration date, no monetary penalties or fines shall apply to a licensee for any unlicensed practice during the period following licensure expiration, not to exceed the number of days short of 60 before the renewals were issued.