

NOTICE

This shop and the operators herein are licensed to engage in the practice of cosmetology and hairstyling by the State Board of Cosmetology and Hairstyling, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the manner in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling at 124 Halsey Street, Newark, New Jersey 07102, or the New Jersey Division of Consumer Affairs, Post Office Box 45003, Newark, New Jersey 07101.

Administrative Change to (a)4.
See: 25 N.J.R. 1516(b).
Amended by R.1993 d.287, effective June 7, 1993.
See: 25 N.J.R. 893(b), 25 N.J.R. 2485(b).

13:28-2.11 Supervision of shops and absence of experienced practicing licensee

(a) Each shop shall ensure that there is at least one experienced practicing licensee present to generally oversee the management of the shop. The experienced practicing licensee shall either:

1. Hold a beautician, barber or cosmetologist-hairstylist license and have three years of experience as a beautician, barber or cosmetologist; or
2. Hold a beautician or cosmetologist-hairstylist license and have been issued a manager-operator license by the Board of Beauty Culture Control.

(b) A shop which satisfies the requirements of (a) above by employing a practicing licensee who holds a barber license shall be prohibited from employing senior students unless the shop employs a practicing licensee who holds a license as a beautician or a cosmetologist-hairstylist and has at least three years of experience as a beautician or a cosmetologist-hairstylist, who shall supervise the rendering of cosmetological services by the senior students.

(c) A letter of permission shall be issued by the Board to allow a shop owner to operate his licensed shop for one day per week without the services of an experienced practicing licensee.

1. The shop owner shall furnish the Board with the name and license number of a New Jersey licensee, who has been licensed in the State for at least one year, who will be in charge of the licensed shop in the absence of the experienced practicing licensee.
2. This subsection is intended specifically to allow continuous operation of the licensed shop on the experienced practicing licensee's regularly scheduled day off. The day of the week must remain consistent. If the licensed shop owner desires to change his licensee-in-charge or experienced practicing licensee's day off, he must request a new letter of permission. The Board requires 30 days notice prior to approving any change.

(d) A letter of permission will be issued by the board to allow a shop owner to operate his licensed shop for a period of two weeks without the services of an experienced practicing licensee.

1. The shop owner shall furnish the Board with the name and license number of a New Jersey licensee, who has been licensed in the State for at least one year who will be in charge of the licensed shop in the absence of the experienced practicing licensee.
2. This subsection is intended specifically to allow continuous operation of the licensed shop during the experienced practicing licensee's vacation period. The Board will require 30 days notice before any vacation period will be approved.
3. No more than two vacation periods per year will be approved for a given shop.

SUBCHAPTER 3. SAFETY AND SANITATION**13:28-3.1 Premises**

(a) All licensed shops, including lavatories therein, shall be properly lighted and ventilated.

(b) All licensed shops shall have an adequate supply of potable water.

(c) All licensed shops shall dispose of wastes in a manner which shall not pose a public health hazard.

(d) All licensed shops and the furniture, fixtures, equipment and supply cabinets therein shall be maintained in a sanitary manner and in good repair. Floors shall be thoroughly cleaned daily.

(e) All linens and toweling used within a licensed shop shall be laundered and sanitized before each and every direct contact with a patron. In lieu of laundered and sanitized linens, disposable toweling may be used.

(f) All tools, implements and electrical appliances used within a licensed shop shall be maintained in a sanitary and safe manner. Tools and utensils applied directly to patrons shall be thoroughly cleaned and sanitized after each and every use in accordance with the provisions of N.J.A.C. 13:28-3.2.

Amended by R.1993 d.287, effective June 7, 1993.
See: 25 N.J.R. 893(b), 25 N.J.R. 2485(b).

13:28-3.2 Sanitizing implements and tools

- (a) A licensee shall sanitize all implements and tools by:
1. Cleaning all instruments thoroughly with a mild alkaline detergent to remove any soil, blood or any other foreign material;

2. Rinsing all instruments with tap water after cleaning;

3. Processing all instruments with a chemical disinfectant registered by the Environmental Protection Agency as being tuberculocidal when used at a recommended dilution;

4. Following a manufacturer's instructions when using chemical disinfectant; and

5. Storing clean instruments in a dry sanitizer.

(b) A licensee shall discard after each use all emery boards that cannot be sanitized.

New Rule, R.1993 d.287, effective June 7, 1993.

See: 25 N.J.R. 893(b), 25 N.J.R. 2485(b).

Old section "Personnel", recodified to 3.3.

13:28-3.3 Personnel

(a) All practitioners shall wash their hands before and after serving each patron.

(b) All practitioners shall be attired in clean outer garments.

(c) No practitioner shall serve a patron if the practitioner has a communicable disease which may be transmitted to patrons in the normal course of rendering cosmetological services.

(d) No practitioner shall serve a patron whom the practitioner knows or has reasonable grounds to believe has a communicable disease which may be transmitted in the normal course of rendering cosmetological services.

(e) All practitioners shall utilize safe practice techniques and follow manufacturers' instructions when utilizing any chemical preparations in the rendering of cosmetology and hairstyling services.

(f) No practitioner or patron shall smoke while services are being performed.

Recodified and amended by R.1993 d.287, effective June 7, 1993.
See: 25 N.J.R. 893(b), 25 N.J.R. 2485(b).

SUBCHAPTER 4. ENFORCEMENT

13:28-4.1 Inspection of premises

Any premises where it appears that cosmetology and hairstyling services have been or are being rendered shall be subject to inspection by the Board or its representative.

13:28-4.2 Compliance with statutes and rules

Any individual rendering cosmetology and hairstyling services shall be in compliance with all pertinent statutes and rules.

13:28-4.3 Responsibility for compliance with laws

The holder of a shop license, as well as the shop's supervisor, shall be responsible for compliance with all of the laws relating to the operation of the premises at which cosmetology and hairstyling services are rendered. Operators as well as supervisors shall be responsible for compliance with all the laws relating to the practice of cosmetology and hairstyling.

SUBCHAPTER 5. FEES

13:28-5.1 Fee schedule

(a) The following fees will be charged by the Board:

1. Student permit	\$ 5.00
2. Student registration card	5.00
3. Temporary permit	20.00
4. Examination fee (includes application fee)	40.00
5. Initial license fee (individual)	
i. If paid during the first year of a renewal cycle	36.00
ii. If paid during the second year of a renewal cycle	18.00
6. Biennial license renewal (individual)	36.00
7. Shop license application fee (includes shop inspection fee)	75.00
8. Initial license fee (shop)	
i. If paid during the first year of a renewal cycle	80.00
ii. If paid during the second year of a renewal cycle	40.00
9. Biennial license renewal (shop)	80.00
10. School License application fee (includes school inspection fee)	125.00
11. Initial license fee (school)	
i. If paid during the first year of a renewal cycle	180.00
ii. If paid during the second year of a renewal cycle	90.00
12. Biennial license renewal (school)	180.00
13. Annex classroom application fee (if not submitted with school application)	125.00
14. Initial license fee (annex classroom)	
i. If paid during the first year of a renewal cycle	240.00
ii. If paid during the second year of a renewal cycle	120.00
15. Biennial license renewal (annex classroom)	240.00
16. Endorsement (plus license fee)	50.00
17. Late fee (up to 180 days)	15.00
18. Restoration fee (plus license fee) (after six months to five years)	40.00
19. Duplicate license	15.00

Amended by R.1992 d.444, effective November 2, 1992.

See: 24 N.J.R. 2333(a), 24 N.J.R. 4057(a).

Added (a)17 and 18.

Repeal and New Rule, R.1994 d.415, effective August 1, 1994.

See: 26 N.J.R. 1947(a), 26 N.J.R. 3181(a).