
SENATE BILL 6663

State of Washington

61st Legislature

2010 Regular Session

By Senators Kohl-Welles, Kilmer, Keiser, and Kauffman

Read first time 01/20/10. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to tanning facilities; adding a new chapter to
2 Title 19 RCW; prescribing penalties; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Approved eyewear" means eye protection approved for use by the
7 United States food and drug administration under 21 C.F.R. Sec.
8 1040.20.

9 (2) "Department" means the department of health.

10 (3) "Phototherapy device" means equipment that emits ultraviolet
11 radiation used by a health care professional in the treatment of
12 disease.

13 (4) "Tanning device" means any equipment that emits electromagnetic
14 radiation with wavelengths in the air between two hundred and four
15 hundred nanometers used for tanning of the skin, including, but not
16 limited to, a sunlamp, tanning booth, or tanning bed. Tanning device
17 does not include a phototherapy device.

18 (5) "Tanning facility" means any commercial location, place, area,

1 structure, or business that provides a person access to a tanning
2 device.

3 NEW SECTION. **Sec. 2.** (1) A tanning facility must:

4 (a) Annually obtain a permit to do business as a tanning facility
5 from the local health department with jurisdiction over the location in
6 which the tanning facility is located;

7 (b) Post a written health notice in a conspicuous location that is
8 readily visible to a person intending to use a tanning device; and

9 (c) Comply with the minor consent requirements established in
10 subsection (2) of this section.

11 (2)(a) It is unlawful for an operator or employee of a tanning
12 facility to allow a minor under age fourteen to use a tanning device
13 unless the minor or the minor's parent or guardian presents a written
14 prescription for receiving ultraviolet radiation treatment from a
15 physician licensed under chapter 18.57 or 18.71 RCW.

16 (b) It is unlawful for an operator or employee of a tanning
17 facility to allow a minor over age fourteen but under age eighteen to
18 use a tanning device unless the minor's parent or legal guardian:

19 (i) Appears in person at the tanning facility the first time that
20 the minor uses a tanning device; and

21 (ii) Signs a written consent form.

22 (c) The written consent required by (b) of this subsection must be
23 signed and dated and must include at least:

24 (i) Information concerning the health risks associated with the use
25 of a tanning device; and

26 (ii) A statement that:

27 (A) The parent or legal guardian of the minor has read and
28 understood the warnings given by the tanning facility and consents to
29 the minor's use of a tanning device;

30 (B) The minor's parent or legal guardian agrees that the minor must
31 use approved eyewear; and

32 (C) The parent or legal guardian of the minor may revoke the
33 written consent to the minor's use of a tanning device at any time
34 after the consent form has been signed.

35 (3) The department must adopt by rule standards for: (a) The
36 health notice required by subsection (1)(b) of this section; and (b)

1 the written consent form required by subsection (2)(b)(ii) of this
2 section.

3 (4) A violation of this section is a class 1 civil infraction, and
4 may also result in the revocation of a permit to do business as a
5 tanning facility.

6 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2011.

7 NEW SECTION. **Sec. 4.** Sections 1 and 2 of this act constitute a
8 new chapter in Title 19 RCW.

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