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SENATE BILL 6357

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State of Washington

63rd Legislature

2014 Regular Session

By Senator Angel

Read first time 01/22/14. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to cosmetology, hair design, barbering, esthetics,  
2 and manicuring; amending RCW 18.16.030, 18.16.050, 18.16.060,  
3 18.16.110, 18.16.130, 18.16.140, 18.16.170, 18.16.175, 18.16.180,  
4 18.16.190, 18.16.200, 18.16.290, and 18.16.900; and reenacting and  
5 amending RCW 18.16.020.

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

7 **Sec. 1.** RCW 18.16.020 and 2013 c 187 s 1 are each reenacted and  
8 amended to read as follows:

9 As used in this chapter, the following terms have the meanings  
10 indicated unless the context clearly requires otherwise:

11 (1) "Apprentice" means a person who is engaged in a state-approved  
12 apprenticeship program and who must receive a wage or compensation  
13 while engaged in the program.

14 (2) "Apprentice monthly report" means the apprentice record of  
15 daily activities and the number of hours completed in each course of a  
16 curriculum that is prepared monthly by the approved apprenticeship  
17 program and provided to the apprentice, audited annually by the  
18 department, and kept on file by the approved apprenticeship program for  
19 three years.

1 (3) "Apprentice trainer" means a person who gives training to an  
2 apprentice in an approved apprenticeship program and who is approved  
3 under RCW 18.16.280.

4 (4) "Apprenticeship program" means a state-approved apprenticeship  
5 program pursuant to chapter 49.04 RCW and approved under RCW 18.16.280  
6 for the training of cosmetology, hair design, barbering, esthetics,  
7 master esthetics, and manicuring.

8 (5) "Apprenticeship training committee" means a committee approved  
9 by the Washington apprenticeship and training council established in  
10 chapter 49.04 RCW.

11 (6) "Approved apprenticeship shop" means a salon/shop that has been  
12 approved under RCW 18.16.280 and chapter 49.04 RCW to participate in an  
13 apprenticeship program.

14 (7) "Approved security" means surety bond.

15 (8) "Barber" means a person licensed under this chapter to engage  
16 in the practice of barbering.

17 (9) "Board" means the cosmetology, hair design, barbering,  
18 esthetics, and manicuring advisory board.

19 (10) "Booth renter" means any person licensed in cosmetology, hair  
20 design, natural hair braiding, barbering, esthetics, or manicuring who  
21 rents or leases a section of a building, structure, salon/shop or any  
22 part thereof, other than a school, where the commercial practice of  
23 cosmetology, hair design, natural hair braiding, barbering, esthetics,  
24 or manicuring is conducted. Any person who operates from such a  
25 location is required to meet all salon/shop licensing requirements.

26 (11) "Cosmetologist" means a person licensed under this chapter to  
27 engage in the practice of cosmetology.

28 ((+11+)) (12) "Crossover training" means training approved by the  
29 director as training hours that may be credited to current licensees  
30 for similar training received in another profession licensed under this  
31 chapter.

32 ((+12+)) (13) "Curriculum" means the courses of study taught at a  
33 school, ((or)) online by a school, in an approved apprenticeship  
34 program established by the Washington state apprenticeship and training  
35 council and conducted in an approved salon/shop, or online by an  
36 approved apprenticeship program, set by rule under this chapter, and  
37 approved by the department. After consulting with the board, the  
38 director may set by rule a percentage of hours in a curriculum, up to

1 a maximum of ten percent, that could include hours a student receives  
2 while training in a salon/shop under a contract approved by the  
3 department. Each curriculum must include at least the following  
4 required hours:

5 (a) School curriculum:

6 (i) Cosmetologist, (~~(one)~~) two thousand six hundred fifty hours;

7 (ii) Hair design, one thousand six hundred hours;

8 (iii) Barber, one thousand hours;

9 (~~(iii)~~) (iv) Manicurist, six hundred hours;

10 (~~(iv)~~) (v) Esthetician, seven hundred fifty hours;

11 (~~(v)~~) (vi) Master esthetician either:

12 (A) One thousand two hundred hours; or

13 (B) Esthetician licensure plus four hundred fifty hours of  
14 training;

15 (vi) Instructor-trainee, five hundred hours.

16 (b) Apprentice training curriculum:

17 (i) Cosmetologist, (~~(two)~~) three thousand hours;

18 (ii) Hair design, two thousand hours;

19 (iii) Barber, one thousand two hundred hours;

20 (~~(iii)~~) (iv) Manicurist, eight hundred hours;

21 (~~(iv)~~) (v) Esthetician, eight hundred hours;

22 (~~(v)~~) (vi) Master esthetician, one thousand four hundred hours.

23 (~~(13)~~) (14) "Department" means the department of licensing.

24 (~~(14)~~) (15) "Director" means the director of the department of  
25 licensing or the director's designee.

26 (~~(15)~~) (16) "Distance or online learning" means theory training  
27 provided online, by a school licensed under this chapter or an approved  
28 apprenticeship program established by the Washington state  
29 apprenticeship and training council, in the areas of cosmetology,  
30 manicuring, barbering, esthetics, and instructor-training.

31 (17) "Esthetician" means a person licensed under this chapter to  
32 engage in the practice of esthetics.

33 (~~(16)~~) (18) "Hair design" means the practice of arranging,  
34 dressing, cutting, trimming, styling, extensions, weaving, shampooing,  
35 permanent waving, chemical relaxing, straightening, curling, bleaching,  
36 lightening, coloring, mustache and beard design, and massage of the  
37 scalp.

1        (19) "Hair designer" means a person licensed under this chapter to  
2 engage in the practice of hair design.

3        (20) "Individual license" means a cosmetology, hair design, barber,  
4 manicurist, esthetician, master esthetician, or instructor license  
5 issued under this chapter.

6        ~~((+17))~~ (21) "Instructor" means a person who gives instruction in  
7 a school, or who provides classroom theory training to apprentices in  
8 locations other than in a school, in a curriculum in which he or she  
9 holds a license under this chapter, has completed at least five hundred  
10 hours of instruction in teaching techniques and lesson planning in a  
11 school, and has passed a licensing examination approved or administered  
12 by the director. An applicant who holds a degree in education from an  
13 accredited postsecondary institution shall upon application be licensed  
14 as an instructor to give instruction in a school, or to provide  
15 classroom theory training to apprentices in locations other than in a  
16 school, in a curriculum in which he or she holds a license under this  
17 chapter. An applicant who holds an instructional credential from an  
18 accredited community or technical college and who has passed a  
19 licensing examination approved or administered by the director shall  
20 upon application be licensed as an instructor to give instruction in a  
21 school, or to provide classroom theory training to apprentices in  
22 locations other than in a school, in a curriculum in which he or she  
23 holds a license under this chapter. To be approved as an "instructor"  
24 in an approved apprenticeship program, the instructor must be a  
25 competent instructor as defined in rules adopted under chapter 49.04  
26 RCW.

27        ~~((+18))~~ (22) "Instructor-trainee" means a person who is currently  
28 licensed in this state as a cosmetologist, barber, manicurist,  
29 esthetician, or master esthetician, and is enrolled in an instructor-  
30 trainee curriculum in a school licensed under this chapter.

31        ~~((+19))~~ (23) "Location license" means a license issued under this  
32 chapter for a salon/shop, school, personal services, or mobile unit.

33        ~~((+20))~~ (24) "Manicurist" means a person licensed under this  
34 chapter to engage in the practice of manicuring.

35        ~~((+21))~~ (25) "Master esthetician" means a person licensed under  
36 this chapter to engage in the practice of master esthetics.

37        ~~((+22))~~ (26) "Mobile unit" is a location license under this  
38 chapter where the practice of cosmetology, barbering, esthetics, master

1 esthetics, or manicuring is conducted in a mobile structure. Mobile  
2 units must conform to the health and safety standards set by rule under  
3 this chapter.

4 ~~((+23))~~ (27) "Person" means any individual, partnership,  
5 professional service corporation, joint stock association, joint  
6 venture, or any other entity authorized to do business in this state.

7 ~~((+24))~~ (28) "Personal services" means a location licensed under  
8 this chapter where the practice of cosmetology, barbering, manicuring,  
9 esthetics, or master esthetics is performed for clients in the client's  
10 home, office, or other location that is convenient for the client.

11 ~~((+25))~~ (29) "~~The~~ Practice of barbering" means the cutting,  
12 trimming, arranging, dressing, curling~~((7))~~ and shampooing of the head,  
13 and shaving, ~~((and))~~ mustache, and beard design of the hair of the  
14 face~~((7))~~ and neck, and stimulation of the scalp.

15 ~~((+26))~~ (30) "~~The~~ Practice of cosmetology" means ~~((arranging,~~  
16 ~~dressing, cutting, trimming, styling, shampooing, permanent waving,~~  
17 ~~chemical relaxing, straightening, curling, bleaching, lightening,~~  
18 ~~coloring, waxing, tweezing, shaving, and mustache and beard design of~~  
19 ~~the hair of the face, neck, and scalp; temporary removal of superfluous~~  
20 ~~hair by use of depilatories, waxing, or tweezing; manicuring and~~  
21 ~~pedicuring, limited to cleaning, shaping, polishing, decorating, and~~  
22 ~~caring for and treatment of the cuticles and nails of the hands and~~  
23 ~~feet, excluding the application and removal of sculptured or otherwise~~  
24 ~~artificial nails; esthetics limited to toning the skin of the scalp,~~  
25 ~~stimulating the skin of the body by the use of preparations, tonics,~~  
26 ~~lotions, or creams; and tinting eyelashes and eyebrows)) the practice  
27 of hair design, manicuring, and esthetics as defined in this section.~~

28 ~~((+27))~~ (31) "Practice of esthetics" means the care of the skin  
29 for compensation by application, use of preparations, antiseptics,  
30 tonics, essential oils, exfoliants, superficial and light peels, or by  
31 any device, except laser, or equipment, electrical or otherwise, or by  
32 wraps, compresses, cleansing, conditioning, stimulation, superficial  
33 skin stimulation, pore extraction, or product application and removal;  
34 temporary removal of superfluous hair by means of lotions, creams,  
35 appliance, waxing, threading, tweezing, or depilatories, including  
36 chemical means; and application of product to the eyelashes and  
37 eyebrows, including extensions, design and treatment, tinting and

1 lightening of the hair, excluding the scalp. Under no circumstances  
2 does the practice of esthetics include the administration of  
3 injections.

4 ~~((+28))~~ (32) "Practice of manicuring" means the cleaning, shaping,  
5 polishing, decorating, and caring for and treatment of the cuticles and  
6 the natural nails of the hands or feet, and the application ~~((and))~~,  
7 maintenance, removal ~~((of sculptured or otherwise artificial nails by  
8 hand or with mechanical or electrical apparatus or appliances))~~, and  
9 repairs of all types of artificial nails and tips. Natural and  
10 artificial manicuring may be performed by the use of mechanical or  
11 electrical apparatus or appliances or by hand. Manicuring includes the  
12 stimulation and care of the skin of the hands and arms up to and  
13 including the elbow, feet, and legs up to and including the knee.

14 ~~((+29))~~ (33) "Practice of master esthetics" means the care of the  
15 skin for compensation including all of the methods allowed in the  
16 definition of the practice of esthetics. It also includes the  
17 performance of medium depth peels and the use of medical devices for  
18 care of the skin and permanent hair reduction. The medical devices  
19 include, but are not limited to, lasers, light, radio frequency,  
20 plasma, intense pulsed light, and ultrasound. The use of a medical  
21 device must comply with state law and rules, including any laws or  
22 rules that require delegation or supervision by a licensed health  
23 professional acting within the scope of practice of that health  
24 profession.

25 ~~((+30))~~ (34) "Salon/shop" means any building, structure, or any  
26 part thereof, other than a school, where the commercial practice of  
27 cosmetology, barbering, esthetics, master esthetics, or manicuring is  
28 conducted; provided that any person, except employees of a salon/shop,  
29 who operates from a salon/shop is required to meet all salon/shop  
30 licensing requirements and may participate in the apprenticeship  
31 program when certified as established by the Washington state  
32 apprenticeship and training council established in chapter 49.04 RCW.

33 ~~((+31))~~ (35) "School" means any establishment that offers  
34 curriculum of instruction in the practice of cosmetology, barbering,  
35 esthetics, master esthetics, manicuring, or instructor-trainee to  
36 students and is licensed under this chapter.

37 ~~((+32))~~ (36) "Student" means a person sixteen years of age or  
38 older who is enrolled in a school licensed under this chapter and

1 receives instruction in any of the curricula of cosmetology, barbering,  
2 esthetics, master esthetics, manicuring, or instructor-training with or  
3 without tuition, fee, or cost, and who does not receive any wage or  
4 commission.

5 ~~((+33+))~~ (37) "Student monthly report" means the student record of  
6 daily activities and the number of hours completed in each course of a  
7 curriculum that is prepared monthly by the school and provided to the  
8 student, audited annually by the department, and kept on file by the  
9 school for three years.

10 **Sec. 2.** RCW 18.16.030 and 2013 c 187 s 2 are each amended to read  
11 as follows:

12 In addition to any other duties imposed by law, including RCW  
13 18.235.030 and 18.235.040, the director shall have the following powers  
14 and duties:

15 (1) To set all license, examination, and renewal fees in accordance  
16 with RCW 43.24.086;

17 (2) To adopt rules necessary to implement this chapter;

18 (3) To prepare and administer or approve the preparation and  
19 administration of licensing examinations;

20 (4) To establish minimum safety and sanitation standards for  
21 schools, instructors, cosmetologists, barbers, manicurists,  
22 estheticians, master estheticians, salons/shops, personal services, and  
23 mobile units;

24 (5) To establish curricula for the training of students and  
25 apprentices under this chapter;

26 (6) To maintain the official department record of applicants and  
27 licensees;

28 (7) To establish by rule the procedures for an appeal of an  
29 examination failure;

30 (8) To set license expiration dates and renewal periods for all  
31 licenses consistent with this chapter; and

32 ~~(9) ((To ensure that all informational notices produced and mailed  
33 by the department regarding statutory and regulatory changes affecting  
34 any particular class of licensees are mailed to each licensee in good  
35 standing or on inactive status in the affected class whose mailing  
36 address on record with the department has not resulted in mail being  
37 returned as undeliverable for any reason; and~~

1       ~~(10)~~) To make information available to the department of revenue  
2 to assist in collecting taxes from persons required to be licensed  
3 under this chapter.

4       **Sec. 3.** RCW 18.16.050 and 2013 c 187 s 3 are each amended to read  
5 as follows:

6       (1) There is created a state cosmetology, hair design, barbering,  
7 esthetics, and manicuring advisory board consisting of a maximum of ten  
8 members appointed by the director. These members of the board shall  
9 include: A representative of private schools licensed under this  
10 chapter; a representative from an approved apprenticeship program  
11 conducted in an approved salon/shop; a representative of public  
12 vocational technical schools licensed under this chapter; a consumer  
13 who is unaffiliated with the cosmetology, hair design, barbering,  
14 esthetics, master esthetics, or manicuring industry; and six members  
15 who are currently practicing licensees who have been engaged in the  
16 practice of manicuring, esthetics, master esthetics, barbering, hair  
17 design, or cosmetology for at least three years. Members shall serve  
18 a term of three years. Any board member may be removed for just cause.  
19 The director may appoint a new member to fill any vacancy on the board  
20 for the remainder of the unexpired term.

21       (2) Board members shall be entitled to compensation pursuant to RCW  
22 43.03.240 for each day spent conducting official business and to  
23 reimbursement for travel expenses as provided by RCW 43.03.050 and  
24 43.03.060.

25       (3) The board may seek the advice and input of officials from the  
26 following state agencies: (a) The workforce training and education  
27 coordinating board; (b) the employment security department; (c) the  
28 department of labor and industries; (d) the department of health; (e)  
29 the department of licensing; and (f) the department of revenue.

30       **Sec. 4.** RCW 18.16.060 and 2013 c 187 s 4 are each amended to read  
31 as follows:

32       (1) It is unlawful for any person to engage in a practice listed in  
33 subsection (2) of this section unless the person has a license in good  
34 standing as required by this chapter. A license issued under this  
35 chapter shall be considered to be "in good standing" except when:



1 (a) The license has expired or has been canceled and has not been  
2 renewed in accordance with RCW 18.16.110;

3 (b) The license has been denied, revoked, or suspended under RCW  
4 18.16.210, 18.16.230, or 18.16.240, and has not been reinstated;

5 (c) The license is held by a person who has not fully complied with  
6 an order of the director issued under RCW 18.16.210 requiring the  
7 licensee to pay restitution or a fine, or to acquire additional  
8 training; or

9 (d) The license has been placed on inactive status at the request  
10 of the licensee, and has not been reinstated in accordance with RCW  
11 18.16.110(3).

12 (2) The director may take action under RCW 18.235.150 and  
13 18.235.160 against any person who does any of the following without  
14 first obtaining, and maintaining in good standing, the license required  
15 by this chapter:

16 (a) Except as provided in subsections (3) (~~and~~), (4), and (5) of  
17 this section, engages in the commercial practice of cosmetology, hair  
18 design, barbering, esthetics, master esthetics, or manicuring;

19 (b) Instructs in a school;

20 (c) Operates a school; or

21 (d) Operates a salon/shop, personal services, or mobile unit.

22 (3) A person who receives a license as an instructor may engage in  
23 the commercial practice for which he or she held a license when  
24 applying for the instructor license without also renewing the  
25 previously held license. However, a person licensed as an instructor  
26 whose license to engage in a commercial practice is not or at any time  
27 was not renewed may not engage in the commercial practice previously  
28 permitted under that license unless that person renews the previously  
29 held license.

30 (4) An apprentice actively enrolled in an apprenticeship program  
31 for cosmetology, barbering, esthetics, master esthetics, or manicuring  
32 may engage in the commercial practice as required for the  
33 apprenticeship program.

34 (5) This section does not apply to persons engaging in the practice  
35 of cosmetology for the sole purpose of preparing an individual for a  
36 professional photograph, or a theatrical, musical, film, video, or  
37 television performance; or for makeup application demonstration for the  
38 purpose of advertisement or sale of cosmetics.

1       **Sec. 5.** RCW 18.16.110 and 2004 c 51 s 3 are each amended to read  
2 as follows:

3       (1) The director shall issue the appropriate license to any  
4 applicant who meets the requirements as outlined in this chapter.

5       (2) Except as provided in RCW 18.16.260:

6       (a) Failure to renew a license by its expiration date subjects the  
7 holder to a penalty fee and payment of each year's renewal fee, at the  
8 current rate; and

9       (b) A person whose license has not been renewed within (~~one~~) ten  
10 years after its expiration date shall have the license canceled and  
11 shall be required to submit an application, pay the license fee, meet  
12 current licensing requirements, and pass any applicable examination or  
13 examinations, in addition to the other requirements of this chapter,  
14 before the license may be reinstated.

15       (3) In lieu of the requirements of subsection (2)(a) of this  
16 section, a license placed on inactive status under RCW 18.16.290 may be  
17 reinstated to good standing upon receipt by the department of: (a)  
18 Payment of a renewal fee, without penalty, for a two-year license  
19 commencing on the date the license is reinstated; and (b) if the  
20 license was on inactive status during any time that the board finds  
21 that a health or other requirement applicable to the license has  
22 changed, evidence showing that the holder of the license has  
23 successfully completed, from a school licensed under RCW 18.16.140, at  
24 least the number of curriculum clock hours of instruction that the  
25 board deems necessary for a licensee to be brought current with respect  
26 to such changes, but in no case may the number of hours required under  
27 this subsection exceed four hours per year that the license was on  
28 inactive status.

29       (4) Nothing in this section authorizes a person whose license has  
30 expired or is on inactive status to engage in a practice prohibited  
31 under RCW 18.16.060 until the license is renewed or reinstated.

32       (5) Upon request and payment of an additional fee to be established  
33 by rule by the director, the director shall issue a duplicate license  
34 to an applicant.

35       **Sec. 6.** RCW 18.16.130 and 2013 c 187 s 5 are each amended to read  
36 as follows:

37       (1) Any person who is properly licensed in any state, territory, or

1 possession of the United States, or foreign country shall be eligible  
2 for examination if the applicant submits the approved application and  
3 fee and provides proof to the director that he or she is currently  
4 licensed in good standing as a cosmetologist, hair designer, barber,  
5 manicurist, esthetician, instructor, or the equivalent in that  
6 jurisdiction. (~~Upon passage of the required examinations the~~  
7 ~~appropriate license will be issued.~~)

8 (2)(a) The director shall, upon passage of the required  
9 examinations, issue a license as master esthetician to an applicant who  
10 submits the approved application and fee and provides proof to the  
11 director that the applicant is currently licensed in good standing in  
12 esthetics in any state, territory, or possession of the United States,  
13 or foreign country and holds a diplomate of the comite international  
14 d'esthetique et de cosmetologie diploma, or an international therapy  
15 examination council diploma, or a certified credential awarded by the  
16 national coalition of estheticians, manufacturers/distributors &  
17 associations.

18 (b) The director may upon passage of the required examinations,  
19 issue a master esthetician license to an applicant that is currently  
20 licensed in esthetics in any other state, territory, or possession of  
21 the United States, or foreign country and submits an approved  
22 application and fee and provides proof to the director that he or she  
23 is licensed in good standing and:

24 (i) The licensing state, territory, or possession of the United  
25 States, or foreign country has licensure requirements that the director  
26 determines are substantially equivalent to a master esthetician license  
27 in this state; or

28 (ii) The applicant has certification or a diploma or other  
29 credentials that the director determines has licensure requirements  
30 that are substantially equivalent to the degree listed in (a) of this  
31 subsection.

32 **Sec. 7.** RCW 18.16.140 and 2002 c 111 s 9 are each amended to read  
33 as follows:

34 (1) Any person wishing to operate a school shall, before opening  
35 such a school, pay the license fee and file with the director for  
36 approval a license application containing the following information:

1 (a) The names and addresses of all owners, managers, and  
2 instructors;

3 (b) A copy of the school's curriculum satisfying the curriculum  
4 requirements established by the director;

5 (c) A ((~~sample~~)) current copy of the school's catalog, brochure,  
6 enrollment contract, and cancellation and refund policies that will be  
7 used or distributed by the school to students and the public;

8 (d) A surety bond in an amount not less than ten thousand dollars,  
9 or ten percent of the annual gross tuition collected by the school,  
10 whichever is greater. The approved security shall not exceed fifty  
11 thousand dollars and shall run to the state of Washington for the  
12 protection of unearned prepaid student tuition. The school shall  
13 attest to its gross tuition at least annually on forms provided by the  
14 department. When a new school license is being applied for, the  
15 applicant will estimate its annual gross tuition to establish a bond  
16 amount. This subsection shall not apply to community colleges and  
17 vocational technical schools;

18 (e) A floor plan that must identify space for the office,  
19 bathrooms, reception area, classrooms, practice or demonstration room,  
20 clinic, and dispensary.

21 Upon approval of the application and documents, the director shall  
22 issue a license to operate a school.

23 (2) Changes to the information provided by schools shall be  
24 submitted to the department within fifteen days of the implementation  
25 date.

26 (3) A change involving the controlling interest or physical  
27 location of the school requires a new license application and fee. The  
28 new application shall include all required documentation, proof of  
29 ownership change, and be approved prior to a license being issued.

30 (4) School and instructor licenses issued by the department shall  
31 be posted in the reception area of the school.

32 **Sec. 8.** RCW 18.16.170 and 2013 c 187 s 6 are each amended to read  
33 as follows:

34 (1) Subject to subsection (2) of this section, licenses issued  
35 under this chapter expire as follows:

36 (a) A salon/shop, booth renter, personal services, or mobile unit

1 license expires one year from issuance or when the insurance required  
2 by RCW 18.16.175(1)(g) expires, whichever occurs first;

3 (b) A school license expires one year from issuance; and

4 (c) Cosmetologist, hair designer, barber, manicurist, esthetician,  
5 master esthetician, and instructor licenses expire two years from  
6 issuance.

7 (2) The director may provide for expiration dates other than those  
8 set forth in subsection (1) of this section for the purpose of  
9 establishing staggered renewal periods.

10 **Sec. 9.** RCW 18.16.175 and 2013 c 187 s 7 are each amended to read  
11 as follows:

12 (1) A salon/shop, booth renter, or mobile unit shall meet the  
13 following minimum requirements:

14 (a) Maintain an outside entrance separate from any rooms used for  
15 sleeping or residential purposes;

16 (b) Provide and maintain for the use of its customers adequate  
17 toilet facilities located within or adjacent to the salon/shop or  
18 mobile unit;

19 (c) Any room used wholly or in part as a salon/shop or mobile unit  
20 shall not be used for residential purposes, except that toilet  
21 facilities may be used for both residential and business purposes;

22 (d) Meet the zoning requirements of the county, city, or town, as  
23 appropriate;

24 (e) Provide for safe storage and labeling of chemicals used in the  
25 practices under this chapter;

26 (f) Meet all applicable local and state fire codes; and

27 (g) Certify that the salon/shop or mobile unit is covered by a  
28 public liability insurance policy in an amount not less than one  
29 hundred thousand dollars for combined bodily injury and property damage  
30 liability.

31 (2) The director may by rule determine other requirements that are  
32 necessary for safety and sanitation of salons/shops, booth renters,  
33 personal services, or mobile units. The director may consult with the  
34 state board of health and the department of labor and industries in  
35 establishing minimum salon/shop, personal services, and mobile unit  
36 safety requirements.

1 (3) Personal services license holders shall certify coverage of a  
2 public liability insurance policy in an amount not less than one  
3 hundred thousand dollars for combined bodily injury and property damage  
4 liability.

5 (4) Upon receipt of a written complaint that a salon/shop ((~~or~~)),  
6 booth renter, mobile unit, or personal service license holder has  
7 violated any provisions of this chapter, chapter 18.235 RCW, or the  
8 rules adopted under either chapter, or at least once every two years  
9 for an existing salon/shop ((~~or~~)), booth renter, mobile unit, or  
10 personal service license holder, the director or the director's  
11 designee shall inspect each salon/shop, leased space, or mobile unit.  
12 If the director determines that any salon/shop ((~~or~~)), booth renter,  
13 mobile unit, or personal service license holder is not in compliance  
14 with this chapter, the director shall send written notice to the  
15 salon/shop or mobile unit. A salon/shop, booth renter, or mobile unit  
16 which fails to correct the conditions to the satisfaction of the  
17 director within a reasonable time shall, upon due notice, be subject to  
18 the penalties imposed by the director under RCW 18.235.110. The  
19 director may enter any salon/shop or mobile unit during business hours  
20 for the purpose of inspection. The director may contract with health  
21 authorities of local governments to conduct the inspections under this  
22 subsection.

23 (5) A salon/shop, booth renter, personal services, or mobile unit  
24 shall obtain a certificate of registration from the department of  
25 revenue.

26 (6) This section does not prohibit the use of motor homes as mobile  
27 units if the motor home meets the health and safety standards of this  
28 section.

29 (7) Salon/shop, booth renter, or mobile unit licenses issued by the  
30 department must be posted in direct public view within the salon/shop,  
31 rented or leased space, or mobile unit's reception area.

32 (8) Cosmetology, hair design, barbering, esthetics, master  
33 esthetics, and manicuring licenses issued by the department must be  
34 posted at the licensed person's work station.

35 **Sec. 10.** RCW 18.16.180 and 2013 c 187 s 8 are each amended to read  
36 as follows:

37 (1) The director shall prepare and provide to all licensed

1 salons/shops, booth renters, and mobile units a notice to consumers.  
2 At a minimum, the notice shall state that cosmetology, hair design,  
3 barber, esthetics, master esthetics, (~~and~~) manicure salons/shops,  
4 booth renters, and mobile units are required to be licensed, that  
5 salons/shops, booth renters, and mobile units are required to maintain  
6 minimum safety and sanitation standards, that customer complaints  
7 regarding salons/shops, booth renters, and mobile units may be reported  
8 to the department, and a telephone number and address where complaints  
9 may be made.

10 (2) An approved apprenticeship shop must post a notice to consumers  
11 in the reception area of the salon/shop stating that services may be  
12 provided by an apprentice. At a minimum, the notice must state: "This  
13 shop is a participant in a state-approved apprenticeship program.  
14 Apprentices in this program are in training and have not yet received  
15 a license."

16 **Sec. 11.** RCW 18.16.190 and 2013 c 187 s 9 are each amended to read  
17 as follows:

18 It is a violation of this chapter for any person to engage in the  
19 commercial practice of cosmetology, hair design, barbering, esthetics,  
20 master esthetics, or manicuring, except in a licensed salon/shop or the  
21 home, office, or other location selected by the client for obtaining  
22 the services of a personal service operator, or with the appropriate  
23 individual license when delivering services to placebound clients.  
24 Placebound clients are defined as persons who are ill, disabled, or  
25 otherwise unable to travel to a salon/shop.

26 **Sec. 12.** RCW 18.16.200 and 2013 c 187 s 10 are each amended to  
27 read as follows:

28 In addition to the unprofessional conduct described in RCW  
29 18.235.130, the director may take disciplinary action against any  
30 applicant or licensee under this chapter if the licensee or applicant:

31 (1) Has been found to have violated any provisions of chapter 19.86  
32 RCW;

33 (2) Has engaged in a practice prohibited under RCW 18.16.060  
34 without first obtaining, and maintaining in good standing, the license  
35 required by this chapter;

- 1 (3) Has engaged in the commercial practice of cosmetology, hair
- 2 design, barbering, manicuring, esthetics, or master esthetics in a
- 3 school;
- 4 (4) Has not provided a safe, sanitary, and good moral environment
- 5 for students in a school or the public;
- 6 (5) Has failed to display licenses required in this chapter; or
- 7 (6) Has violated any provision of this chapter or any rule adopted
- 8 under it.

9 **Sec. 13.** RCW 18.16.290 and 2013 c 187 s 12 are each amended to  
10 read as follows:

11 (1) If the holder of an individual license in good standing submits  
12 a written and notarized request that the licensee's cosmetology, hair  
13 design, barber, manicurist, esthetician and master esthetician, or  
14 instructor license be placed on inactive status, together with a fee  
15 equivalent to that established by rule for a duplicate license, the  
16 department shall place the license on inactive status until the  
17 expiration date of the license. If the date of the request is no more  
18 than six months before the expiration date of the license, a request  
19 for a two-year extension of the inactive status, as provided under  
20 subsection (2) of this section, may be submitted at the same time as  
21 the request under this subsection.

22 (2) If the holder of a license placed on inactive status under this  
23 section submits, by the expiration date of the license, a written and  
24 notarized request to extend that status for an additional two years,  
25 the department shall, without additional fee, extend the expiration  
26 date of: (a) The licensee's individual license; and (b) the inactive  
27 status for two years from the expiration date of the license.

28 (3) A license placed on inactive status under this section may not  
29 be extended more frequently than once in any twenty-four month period  
30 or for more than six consecutive years.

31 (4) If, by the expiration date of a license placed on inactive  
32 status under this section, a licensee is unable, or fails, to request  
33 that the status be extended and the license is not renewed, the license  
34 shall be canceled.

35 **Sec. 14.** RCW 18.16.900 and 2002 c 111 s 17 are each amended to  
36 read as follows:



1           This ((act)) chapter shall be known and may be cited as the  
2 "Washington cosmetologists, hair designers, barbers, manicurists, and  
3 estheticians act".

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