
SUBSTITUTE SENATE BILL 5762

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Commerce, Trade, Housing & Financial Institutions (originally sponsored by Senators Haugen and Goings; by request of Department of Licensing)

Read first time 03/03/1999.

1 AN ACT Relating to cosmetology; amending RCW 18.16.010, 18.16.020,
2 18.16.030, 18.16.060, 18.16.090, 18.16.100, 18.16.110, 18.16.140,
3 18.16.170, 18.16.175, 18.16.200, 18.16.210, 18.16.240, and 18.16.900;
4 reenacting and amending RCW 18.16.050; repealing RCW 18.16.165,
5 18.16.180, and 18.16.190; and providing an effective date.

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

7 **Sec. 1.** RCW 18.16.010 and 1984 c 208 s 1 are each amended to read
8 as follows:

9 The legislature recognizes that the practices of cosmetology,
10 barbering, manicuring, esthetics, and shampooing involve((s)) the use
11 of tools and chemicals which may be dangerous when mixed or applied
12 improperly, and therefore finds it necessary in the interest of the
13 public health, safety, and welfare to regulate ((the)) those practices
14 ((of cosmetology)) in this state.

15 **Sec. 2.** RCW 18.16.020 and 1991 c 324 s 1 are each amended to read
16 as follows:

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

1 (1) "Department" means the Washington department of licensing.

2 (2) "Board" means the cosmetology, barbering, esthetics, ((and))
3 manicuring, and shampooing advisory board.

4 ((+2)) (3) "Director" means the director of the department of
5 licensing or the director's designee.

6 ((+3)) (4) "The practice of cosmetology" means the practice of
7 arranging, dressing, cutting, trimming, styling, shampooing, permanent
8 waving, chemical relaxing ((or)), straightening, curling, bleaching,
9 ((or)) lightening, coloring, waxing, tweezing, shaving, mustache and
10 beard design of the hair of the face, neck, and scalp ((and));
11 temporary removal of superfluous hair by use of depilatories, waxing,
12 or tweezing; manicuring and pedicuring, limited to cleaning, shaping,
13 polishing, decorating, and caring for and treatment of the cuticles and
14 nails of the hands and feet; esthetics limited to toning the skin of
15 the scalp, stimulating the skin of the body by the use of preparations,
16 tonics, lotions, or creams; applying eyelashes; and tinting eyelashes
17 and eyebrows.

18 ((+4)) (5) "Cosmetologist" means a person licensed under this
19 chapter to engage in the practice of cosmetology ((and who has
20 completed sixteen hundred hours of instruction at a school licensed
21 under this chapter)).

22 ((+5)) (6) "The practice of barbering" means the cutting,
23 trimming, arranging, dressing, curling, ((waving and)) shampooing,
24 shaving, and mustache and beard design of the hair of the face, neck,
25 and scalp.

26 ((+6)) (7) "Barber" means a person licensed under this chapter to
27 engage in the practice of barbering.

28 ((+7)) (8) "Practice of manicuring" means the cleaning, shaping,
29 or polishing of the nails of the hands or feet, decoration of nails,
30 and the application and removal of sculptured or otherwise artificial
31 nails by hand or with mechanical or electrical apparatus or appliances.

32 ((+8)) (9) "Manicurist" means a person licensed under this chapter
33 to engage in the practice of manicuring.

34 ((+9)) (10) "Practice of esthetics" means ((skin care of the face,
35 neck, and hands)) stimulating of the skin of the body, except the
36 scalp, by application and use of preparations, antiseptics, tonics,
37 essential oils, exfoliants, or creams to induce chemical peel of the
38 face and body or by any device, electrical or otherwise, for the care
39 of the skin, but limited to the epidermis layer of the skin, body

1 wraps, cleansing, conditioning, product application and removal,
2 involving hot compresses, (~~massage,~~) or the use of approved
3 electrical appliances or nonabrasive chemical compounds formulated for
4 professional application only(~~(, and)~~); the temporary removal of
5 superfluous hair by means of lotions, creams, or mechanical or
6 electrical apparatus (~~(or)~~), appliance, waxing, tweezing, or
7 depilatories; application of eyelashes; tinting of eyelashes and
8 eyebrows; and lightening the hair, except the scalp, on another person.

9 (~~(10)~~) (11) "Esthetician" means a person licensed under this
10 chapter to engage in the practice of esthetics.

11 (~~(11)~~) (12) "Instructor-trainee" means a person who is currently
12 licensed in this state as a cosmetologist, barber, manicurist, (~~(or)~~)
13 esthetician, or shampooer, and is enrolled in an (~~(approved instructor-~~
14 ~~trainee program)~~) instructor-trainee curriculum in a school licensed
15 under this chapter.

16 (~~(12)~~) (13) "School" means any establishment offering curriculum
17 of instruction in the practice of cosmetology, (~~(or)~~) barbering, (~~(or)~~)
18 esthetics, (~~(or)~~) manicuring, shampooing, or instructor-trainee to
19 students and licensed under this chapter.

20 (~~(13)~~) (14) "Student" means a person sixteen years of age or
21 older who is enrolled in a school licensed under this chapter and
22 receives (~~(any phase)~~) instruction in any of the curriculums of
23 cosmetology, barbering, esthetics (~~(or)~~), manicuring (~~(instruction)~~),
24 shampooing, or instructor-training with or without tuition, fee, or
25 cost, and who does not receive any wage or commission.

26 (~~(14) "Instructor-operator-cosmetology")~~) (15) "Instructor" means
27 a person who gives instruction in (~~(the practice of cosmetology and~~
28 ~~instructor training in a school and who has the same qualifications as~~
29 ~~a cosmetologist,~~) a school in a curriculum in which he or she holds a
30 license under this chapter, has completed at least five hundred hours
31 of instruction in teaching techniques and lesson planning in a school
32 or has obtained a state certificate for vocational instructors through
33 a state approved vocational school, has one year of experience
34 practicing in the licensed practice, and has passed (~~(an)~~) a licensing
35 examination (~~(prepared or selected by the board and)~~) approved or
36 administered by the director. An applicant who holds a degree in
37 education from an accredited postsecondary institution and who is
38 otherwise qualified shall upon application be licensed as an
39 (~~(instructor-operator with a cosmetology endorsement)~~) instructor.

1 (~~(15)~~)—"Instructor operator barber" means a person who gives
2 instruction in the practice of barbering and instructor training in a
3 school, has the same qualifications as a barber, has completed at least
4 five hundred hours of instruction in teaching techniques and lesson
5 planning in a school, and has passed an examination prepared or
6 selected by the board and administered by the director. An applicant
7 who holds a degree in education from an accredited postsecondary
8 institution and who is otherwise qualified shall upon application be
9 licensed as an instructor operator with a barber endorsement.

10 (~~(16)~~)—"Instructor operator manicure" means a person who gives
11 instruction in the practice of manicuring and instructor training in a
12 school, has the same qualifications as a manicurist, has completed at
13 least five hundred hours of instruction in teaching techniques and
14 lesson planning in a school, and has passed an examination prepared or
15 selected by the board and administered by the director. An applicant
16 who holds a degree in education from an accredited postsecondary
17 institution and who is otherwise qualified shall upon application be
18 licensed as an instructor operator with a manicurist endorsement.

19 (~~(17)~~)—"Instructor operator esthetics" means a person who gives
20 instruction in the practice of esthetics and instructor training in a
21 school, has the same qualifications as an esthetician, has completed at
22 least five hundred hours of instruction in teaching techniques and
23 lesson planning in a school, and has passed an examination prepared or
24 selected by the board and administered by the director. An applicant
25 who holds a degree in education from an accredited postsecondary
26 institution and who is otherwise qualified shall upon application be
27 licensed as an instructor operator with an esthetics endorsement.

28 (~~(18)~~)—"Vocational student" is a person who in cooperation with any
29 senior high, vocational technical institute, community college, or prep
30 school, attends a cosmetology school and participates in its student
31 course of instruction and has the same rights and duties as a student
32 as defined in this chapter. The person must have academically
33 completed the eleventh grade of high school. Every such vocational
34 student shall receive credit for all creditable hours of the approved
35 course of instruction received in the school of cosmetology upon
36 graduation from high school. Hours shall be credited to a vocational
37 student if the student graduates from an accredited high school or
38 receives a certificate of educational competence.

1 ~~(19) "Booth renter" means a person who performs cosmetology,~~
2 ~~barbering, esthetics, or manicuring services where the use of the~~
3 ~~salon/shop facilities is contingent upon compensation to the owner of~~
4 ~~the salon/shop facilities and the person receives no compensation or~~
5 ~~other consideration from the owner for the services performed.~~

6 ~~(20))~~ (16) "Person" means any individual, partnership,
7 professional service corporation, joint stock association, joint
8 venture, or any other entity authorized to do business in this state.

9 ~~((21))~~ (17) "Salon/shop" means any building, structure, ~~((or~~
10 ~~motor home))~~ or any part thereof, other than a school, where the
11 commercial practice of cosmetology, barbering, esthetics, ~~((or))~~
12 manicuring, or shampooing is conducted; provided that any person,
13 except employees of a salon/shop, who operates from a salon/shop shall
14 be required to meet all salon/shop licensing requirements.

15 ~~((22))~~ (18) "Crossover training" means training approved by the
16 director as training hours that may be credited to current licensees
17 for similar training received in another profession licensed under this
18 chapter.

19 ~~((23))~~ (19) "Approved security" means surety bond, savings
20 assignment, or irrevocable letter of credit.

21 ~~((24) "Mobile operator" means any person possessing a valid~~
22 ~~cosmetology, barbering, manicuring, or esthetician's license that~~
23 ~~provides services in a mobile salon/shop.~~

24 ~~(25))~~ (20) "Personal services ~~((operator))~~" means ~~((any person~~
25 ~~possessing a valid))~~ a location license under this chapter where the
26 practice of cosmetology, barbering, manicuring, ~~((or esthetician's~~
27 license that provides services)) esthetics, or shampooing is performed
28 for clients in the client's home, office, or other location that is
29 convenient for the client.

30 (21) "Individual license" means a cosmetology, barber, manicurist,
31 esthetician, shampooer, or instructor license issued under this
32 chapter.

33 (22) "Location license" means a license issued under this chapter
34 for a salon/shop, school, personal services, or mobile unit.

35 (23) "Mobile unit" is a location license under this chapter where
36 the practice of cosmetology, barbering, esthetics, manicuring, or
37 shampooing is conducted in a mobile structure. Mobile units must
38 conform to the health and safety standards set by rule under this
39 chapter.

1 (24) "Curriculum" means the courses of study taught at a school,
2 set by rule under this chapter, and approved by the department. After
3 consulting with the board, the director may set by rule a percentage of
4 a school's approved hours in a curriculum that may be hours a student
5 receives while training in a salon/shop under a contract approved by
6 the department. Each curriculum must include at least the following
7 required hours:

8 (a) Cosmetologist, one thousand six hundred hours;

9 (b) Barber, one thousand hours;

10 (c) Manicurist, six hundred hours;

11 (d) Esthetician, six hundred hours;

12 (e) Shampooer, three hundred hours;

13 (f) Instructor-trainee, five hundred hours.

14 (25) "Student monthly report" means the student record of daily
15 activities that is prepared monthly by the school and provided to the
16 student, audited annually by the department including the number of
17 hours taken in each course of a curriculum, and kept on file by the
18 school for three years.

19 (26) "Practice of shampooing" means washing the hair of the scalp
20 with a cleansing agent and rinsing the hair of the scalp and may
21 include conditioning the hair of the scalp with a conditioning product.

22 (27) "Shampooer" means a person licensed under this chapter to
23 engage in the practice of shampooing.

24 **Sec. 3.** RCW 18.16.030 and 1991 c 324 s 2 are each amended to read
25 as follows:

26 In addition to any other duties imposed by law, the director shall
27 have the following powers and duties:

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

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

31 (3) To investigate alleged violations of this chapter and consumer
32 complaints involving the practice under this chapter of cosmetology,
33 barbering, esthetics, ~~((or))~~ manicuring, shampooing, instructing, and
34 schools offering ((training)) course curriculums in these ((areas))
35 practices, and salons/shops ((and booth renters offering)), personal
36 services, or mobile units where these ((services)) practices are
37 conducted;

- 1 (4) To issue subpoenas, statements of charges, statements of
2 intent, final orders, stipulated agreements, and any other legal
3 remedies necessary to enforce this chapter;
- 4 (5) To issue cease and desist (~~((letters))~~) orders and (~~((letters of~~
5 ~~warning))~~) notices of correction for infractions of this chapter;
- 6 (6) To conduct all disciplinary proceedings, impose sanctions, and
7 assess fines for violations of this chapter or any rules adopted under
8 it;
- 9 (7) To prepare and administer or approve the preparation and
10 administration of licensing examinations;
- 11 (8) To establish minimum safety and sanitation standards for
12 schools, instructors, cosmetologists, barbers, manicurists,
13 estheticians, (~~and~~) shampooer, salons/shops, personal services, and
14 mobile units;
- 15 (9) To establish (~~((minimum instruction guidelines))~~) curriculums for
16 the training of students under this chapter;
- 17 (10) To maintain the official department record of applicants and
18 licensees;
- 19 (11) To delegate in writing to a designee the authority to issue
20 subpoenas, statements of charges, cease and desist orders, and any
21 other documents necessary to enforce this chapter;
- 22 (12) To establish by rule the procedures for an appeal of an
23 examination failure;
- 24 (13) To employ such administrative, investigative, inspection,
25 audit, and clerical staff as needed to implement this chapter;
- 26 (14) To set license expiration dates and renewal periods for all
27 licenses consistent with this chapter; and
- 28 (15) To make information available to the department of revenue to
29 assist in collecting taxes from persons required to be licensed under
30 this chapter.

31 **Sec. 4.** RCW 18.16.050 and 1998 c 245 s 5 and 1998 c 20 s 1 are
32 each reenacted and amended to read as follows:

- 33 (1) There is created a state cosmetology, barbering, esthetics,
34 (~~and~~) manicuring, and shampooing advisory board consisting of nine
35 members appointed by the director. These members of the board shall
36 include: A representative of ((a)) private (~~((cosmetology))~~) schools
37 licensed under this chapter; a representative of ((a)) public
38 vocational technical schools (~~((involved in cosmetology training))~~)

1 licensed under this chapter; a consumer who is unaffiliated with the
2 cosmetology, barbering, esthetics, ~~((or))~~ manicuring, or shampooing
3 industry; and six members who are currently practicing licensees who
4 have been engaged in the practice of shampooing, manicuring, esthetics,
5 barbering, or cosmetology for at least three years. Members shall
6 serve a term of three years. Any board member may be removed for just
7 cause. The director may appoint a new member to fill any vacancy on
8 the board for the remainder of the unexpired term.

9 (2) Board members shall be entitled to compensation pursuant to RCW
10 43.03.240 for each day spent conducting official business and to
11 reimbursement for travel expenses as provided by RCW 43.03.050 and
12 43.03.060.

13 (3) The board may seek the advice and input of officials from the
14 following state agencies: (a) The work force training and education
15 coordinating board; (b) the department of employment security; (c) the
16 department of labor and industries; (d) the department of health; (e)
17 the department of licensing; and (f) the department of revenue.

18 **Sec. 5.** RCW 18.16.060 and 1991 c 324 s 4 are each amended to read
19 as follows:

20 (1) The director shall impose a fine of one thousand dollars on any
21 person who ~~((does))~~, after a hearing provided for in RCW 18.16.210, has
22 been found to have done any of the following without first obtaining
23 the license required by this chapter:

24 (a) Except as provided in subsection (2) of this section,
25 commercial practice of cosmetology, barbering, esthetics, manicuring,
26 shampooing, or instructing;

27 (b) Instructs in a school;

28 (c) Operates a school; or

29 (d) Operates a salon/shop, personal services, or mobile unit.
30 ~~((Each booth renter shall be considered to be operating an independent~~
31 ~~salon/shop and shall obtain a separate salon/shop license.))~~

32 (2) A person who receives a license~~((d))~~ as ~~((a cosmetology~~
33 ~~instructor-operator))~~ an instructor may engage in the commercial
34 practice ~~((of cosmetology))~~ for which he or she held a license when
35 applying for the instructor license without ~~((maintaining a~~
36 ~~cosmetologist))~~ renewing the previously held license. ~~((A person~~
37 ~~licensed as a barbering instructor operator may engage in the~~
38 ~~commercial practice of barbering without maintaining a barber license.~~

1 ~~A person licensed as a manicuring instructor operator may engage in the~~
2 ~~commercial practice of manicuring without maintaining a manicurist~~
3 ~~license. A person licensed as an esthetician instructor operator may~~
4 ~~engage in the commercial practice of esthetics without maintaining an~~
5 ~~esthetician license.))~~ A person whose license is not or at any time
6 was not renewed cannot engage in the commercial practice previously
7 permitted under that license unless that person renews the previously
8 held license.

9 **Sec. 6.** RCW 18.16.090 and 1991 c 324 s 5 are each amended to read
10 as follows:

11 Examinations for licensure under this chapter shall be conducted
12 ~~((monthly))~~ at such times and places as the director determines
13 appropriate. Examinations shall consist of tests designed to
14 reasonably measure the applicant's knowledge of safe and sanitary
15 practices and this chapter and rules adopted pursuant to this chapter.
16 After consulting with the board, the director shall establish by rule
17 a practical examination and the minimum passing score for all
18 examinations and the requirements for reexamination of applicants who
19 fail the examination or examinations. The director may allow an
20 independent person to conduct the examinations at the expense of the
21 applicants.

22 The director shall take steps to ensure that after completion of
23 the required course, applicants may promptly take the examination and
24 receive the results of the examination.

25 **Sec. 7.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to read
26 as follows:

27 (1) Upon completion of an application approved by the department
28 and payment of the proper fee, the director shall issue the appropriate
29 license to any person who:

30 (a) Is at least seventeen years of age or older;

31 (b) Has completed and graduated from a ~~((course))~~ school licensed
32 under this chapter in a curriculum approved by the director of sixteen
33 hundred hours of training in cosmetology, one thousand hours of
34 training in barbering, ~~((five))~~ six hundred hours of training in
35 manicuring, ~~((five))~~ six hundred hours of training in esthetics, three
36 hundred hours of training in shampooing, and/or five hundred hours of

1 training as an instructor-trainee, or has met the requirements in RCW
2 18.16.020 or 18.16.130; and

3 (c) Has received a passing grade on the appropriate licensing
4 examination approved or administered by the director.

5 (2) A person currently licensed under this chapter may qualify for
6 examination and licensure, after the required examination is passed(~~(~~
7 ~~in another category if he or she has completed the crossover training~~
8 ~~course approved by the director)~~).

9 (3) Upon completion of an application approved by the department,
10 certification of insurance, and payment of the proper fee, the director
11 shall issue a ~~((salon/shop))~~ location license to the ~~((operator of a~~
12 ~~salon/shop if the salon/shop meets the other requirements of this~~
13 ~~chapter as demonstrated by information submitted by the operator))~~
14 applicant.

15 (4) The director may consult with the state board of health and the
16 department of labor and industries in establishing training and
17 examination requirements.

18 **Sec. 8.** RCW 18.16.110 and 1991 c 324 s 7 are each amended to read
19 as follows:

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

22 (2) Failure to renew ~~((a))~~ an individual license before its
23 expiration date subjects the holder to a penalty fee and payment of
24 each year's renewal fee, at the current rate(~~(, up to a maximum of four~~
25 ~~years as established by the director in accordance with RCW~~
26 ~~43.24.086))~~). A person whose license has not been renewed ~~((for four~~
27 ~~years))~~ within one year after its expiration date shall be canceled and
28 shall be required to submit an application, fee, meet current licensing
29 requirements, and pass the applicable examination or examinations
30 before the license may be reinstated~~((: PROVIDED, That the director~~
31 ~~may waive this requirement for good cause shown))~~).

32 (3) To renew a salon/shop, personal services, or mobile unit
33 license, the licensee shall ~~((provide proof of))~~ certify insurance as
34 required by RCW 18.16.175(1)~~((h))~~ (g).

35 ~~((2))~~ (4) Upon request and payment of an additional fee to be
36 established by the director, the director shall issue a duplicate
37 license to an applicant.

1 **Sec. 9.** RCW 18.16.140 and 1991 c 324 s 11 are each amended to read
2 as follows:

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

6 (a) The names and addresses of all owners, managers, and
7 instructors;

8 (b) A copy of the school's curriculum satisfying the (~~training~~
9 ~~guidelines~~) curriculum requirements established by the director;

10 (c) A sample copy of the school's catalog, brochure, enrollment
11 contract, and cancellation and refund policies that will be used or
12 distributed by the school to students and the public;

13 (d) (~~A description and floor plan of the school's physical~~
14 ~~equipment and facilities;~~

15 ~~(e))~~) A surety bond, irrevocable letter of credit, or savings
16 assignment in an amount not less than ten thousand dollars, or ten
17 percent of the annual gross tuition collected by the school, whichever
18 is greater. The approved security shall not exceed fifty thousand
19 dollars and shall run to the state of Washington for the protection of
20 unearned prepaid student tuition. The school shall attest to its gross
21 tuition at least annually on forms provided by the department. When a
22 new school license is being applied for, the applicant will estimate
23 its annual gross tuition to establish a bond amount. This subsection
24 shall not apply to community colleges and vocational technical schools.

25 Upon approval of the application and documents, the director shall
26 issue a license to operate a school (~~with the appropriate~~
27 ~~certification or certifications~~)).

28 (2) Changes to the information provided by schools shall be
29 submitted to the department within fifteen days of the implementation
30 date.

31 (3) A change involving the controlling interest of the school
32 requires a new license application and fee. The new application shall
33 include all required documentation, proof of ownership change, and be
34 approved prior to a license being issued.

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

37 **Sec. 10.** RCW 18.16.170 and 1991 c 324 s 9 are each amended to read
38 as follows:

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

3 (a) A salon/shop, personal services, or mobile unit license expires
4 one year from issuance or when the insurance required by RCW
5 18.16.175(1)((+h)) (g) expires, whichever occurs first;

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

7 (c) Cosmetologist, barber, manicurist, esthetician, shampooer, and
8 instructor licenses expire two years from issuance.

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

12 **Sec. 11.** RCW 18.16.175 and 1997 c 178 s 2 are each amended to read
13 as follows:

14 (1) A salon/shop or mobile unit shall meet the following minimum
15 requirements:

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

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

21 ~~((Be operated under the direct supervision of a licensed~~
22 ~~cosmetologist except that a salon/shop that is limited to barbering may~~
23 ~~be directly supervised by a barber, a salon/shop that is limited to~~
24 ~~manicuring may be directly supervised by a manicurist, and a salon/shop~~
25 ~~that is limited to esthetics may be directly supervised by an~~
26 ~~esthetician;~~

27 ~~(d))~~ Any room used wholly or in part as a salon/shop or mobile
28 unit shall not be used for residential purposes, except that toilet
29 facilities may be used jointly for residential and business purposes;

30 ~~((+e))~~ (d) Meet the zoning requirements of the county, city, or
31 town, as appropriate;

32 ~~((+f))~~ (e) Provide for safe storage and labeling of chemicals used
33 in the practice ~~((of cosmetology))~~ under this chapter;

34 ~~((+g))~~ (f) Meet all applicable local and state fire codes;

35 ~~((+h) Provide proof)~~ (g) Certify that the salon/shop or mobile
36 unit is covered by a public liability insurance policy in an amount not
37 less than one hundred thousand dollars for combined bodily injury and
38 property damage liability; and

1 (~~(i)~~) (h) Other requirements which the director determines are
2 necessary for safety and sanitation of salons/shops, personal services,
3 or mobile units. The director may consult with the state board of
4 health and the department of labor and industries in establishing
5 minimum salon/shop, personal services, and mobile unit safety
6 requirements.

7 (2) (~~(A salon/shop shall post the notice to customers described in~~
8 ~~RCW 18.16.180.)~~) Personal services license holders shall certify
9 coverage of a public liability insurance policy in an amount not less
10 than one hundred thousand dollars for combined bodily injury and
11 property damage liability.

12 (3) Upon receipt of a written complaint that a salon/shop or mobile
13 unit has violated any provisions of this chapter or the rules adopted
14 under this chapter or at least once every two years for an existing
15 salon/shop or mobile unit, the director or the director's designee
16 shall inspect each salon/shop or mobile unit. If the director
17 determines that any salon/shop or mobile unit is not in compliance with
18 this chapter, the director shall send written notice to the salon/shop
19 or mobile unit. A salon/shop or mobile unit which fails to correct the
20 conditions to the satisfaction of the director within a reasonable time
21 shall, upon due notice, be subject to the penalties imposed by the
22 director under RCW 18.16.210. The director may enter any salon/shop or
23 mobile unit during business hours for the purpose of inspection. The
24 director may contract with health authorities of local governments to
25 conduct the inspections under this subsection.

26 (4) A salon/shop, (~~(including a salon/shop operated by a booth~~
27 ~~renter,~~) personal services, or mobile unit shall obtain a certificate
28 of registration from the department of revenue.

29 (5) This section does not prohibit the use of motor homes as mobile
30 (~~salon/shops~~) units if the motor home meets the health and safety
31 standards of this section.

32 (6) Salon/shop or mobile unit licenses issued by the department
33 shall be posted in the salon/shop or mobile unit's reception area.

34 (7) Cosmetology, barbering, esthetics, manicuring, and shampooing
35 licenses issued by the department shall be posted at the licensed
36 person's work station.

37 **Sec. 12.** RCW 18.16.200 and 1991 c 324 s 14 are each amended to
38 read as follows:

1 Any applicant or licensee under this chapter may be subject to
2 disciplinary action by the director if the licensee or applicant:

3 (1) Has been found guilty of a crime (~~((related to the practice of~~
4 ~~cosmetology, barbering, esthetics, manicuring, or instructing))~~ within
5 the prior ten years involving moral turpitude or has been found to have
6 violated any provisions of chapter 19.86 RCW;

7 (2) Has made a material misstatement or omission in connection with
8 an original application or renewal;

9 (3) Has engaged in false or misleading advertising;

10 (4) Has performed services in an unsafe or unsanitary manner;

11 (5) Has aided and abetted unlicensed activity;

12 (6) Has engaged in the commercial practice of cosmetology,
13 barbering, manicuring, esthetics, or shampooing, or has instructed in
14 or operated a school, salon/shop, personal services, or mobile unit
15 without first obtaining the license required by this chapter;

16 (7) Has engaged in the commercial practice of cosmetology,
17 barbering, manicuring, esthetics, or shampooing in a school;

18 (8) Has not provided a safe, sanitary, and good moral environment
19 for students and public;

20 (9) Has not provided records as required by this chapter;

21 (10) Has not cooperated with the department in supplying records or
22 assisting in an inspection, investigation, or disciplinary procedure;
23 (~~(or)~~)

24 (11) Failed to display licenses required in this chapter; or

25 (12) Has violated any provision of this chapter or any rule adopted
26 under it.

27 **Sec. 13.** RCW 18.16.210 and 1984 c 208 s 14 are each amended to
28 read as follows:

29 If, following a hearing, the director finds that any person or an
30 applicant or licensee has violated any provision of this chapter or any
31 rule adopted under it, the director may impose one or more of the
32 following penalties:

33 (1) Denial of a license or renewal;

34 (2) Revocation or suspension of a license;

35 (3) A fine of not more than five hundred dollars per violation;

36 (4) Issuance of a reprimand or letter of censure;

37 (5) Placement of the licensee on probation for a fixed period of
38 time;

- 1 (6) Restriction of the licensee's authorized scope of practice;
2 (7) Requiring the licensee to make restitution or a refund as
3 determined by the director to any individual injured by the violation;
4 or
5 (8) Requiring the licensee to obtain additional training or
6 instruction.

7 **Sec. 14.** RCW 18.16.240 and 1997 c 58 s 815 are each amended to
8 read as follows:

9 The department shall immediately suspend the license of a person
10 who has been certified pursuant to RCW 74.20A.320 by the department of
11 social and health services as a person who is not in compliance with a
12 support order (~~(or a residential or visitation order)~~). If the person
13 has continued to meet all other requirements for reinstatement during
14 the suspension, reissuance of the license shall be automatic upon the
15 department's receipt of a release issued by the department of social
16 and health services stating that the licensee is in compliance with the
17 order.

18 NEW SECTION. **Sec. 15.** The following acts or parts of acts are
19 each repealed:

- 20 (1) RCW 18.16.165 (Licenses issued, students enrolled before
21 January 1, 1992--Curricula updates) and 1991 c 324 s 8;
22 (2) RCW 18.16.180 (Salon/shop--Notice required) and 1991 c 324 s
23 16; and
24 (3) RCW 18.16.190 (Location of practice--Penalty--Placebound
25 clients) and 1991 c 324 s 20.

26 NEW SECTION. **Sec. 16.** This act takes effect January 1, 2000.

27 **Sec. 17.** RCW 18.16.900 and 1984 c 208 s 20 are each amended to
28 read as follows:

29 This act shall be known and may be cited as the "Washington
30 cosmetologists, barbers, ~~((and))~~ manicurists, estheticians, and
31 shampooers act".

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