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11/96

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 250 Department or Agency Board of Cosmetology

Rule No. 250-X-3

Rule Title: Shop Requirements

New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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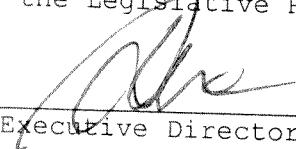
Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

  
\_\_\_\_\_  
Bob McKee, Executive Director

Date August 20, 2013

(DATE FILED)  
(STAMP)

ALABAMA BOARD OF COSMETOLOGY

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Cosmetology

RULE NO. & TITLE: 250-X-3 Shop Requirements

INTENDED ACTION: To repeal and replace this chapter

SUBSTANCE OF PROPOSED ACTION: To adopt new rules consistent with new law Act 2013-371.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present comments in writing at any time during the thirty-five (35) day period following publication of this notice to Bob McKee, Executive Director of the Alabama Board of Cosmetology, 100 North Union St., Suite 320, Montgomery, AL 36130-1750. Comments may be presented in person to the Executive Director at the above address on Monday, October 7, 2013 at 10:00 AM. Requests for comments in person must be submitted in writing in advance. Copies of proposed rule changes are available at the Executive Director's office at 334-242-1918.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: October 7, 2013



CONTACT PERSON AT AGENCY:

Bob McKee, Executive Director  
Alabama Board of Cosmetology  
RSA Union Building  
100 North Union St., Suite 320  
Montgomery, AL 36130-1750

## CHAPTER 250-X-3 SHOP REQUIREMENTS

### 250-X-3-.01 General Requirements.

(1) Proper application, payment of applicable fee and physical inspection and approval of premises by an authorized member of the Board staff are required to receive a license for a shop.

(2) Applicant for a shop must provide proof that it will operate in a location properly zoned by the appropriate governing authority.

(3) Shop entrance and exit must comply with federal, state and local building codes.

(4) Shop must be adequately ventilated to allow proper air circulation.

(5) Premises, including walls, floors, workstations, furniture and equipment must be kept clean and free from dust. Trash must not be allowed to accumulate between clients.

(6) Shop must be adequately and safely lighted.

(7) Shop must have adequate toilet facilities either on premises or within 300 feet of entrance with at least one water closet and one sink equipped with hot and cold water. Exceptions to the 300 feet rule for toilet may be granted to shops located in shopping malls. Toilet must be equipped with proper tissue, soap dispenser with soap or other hand cleanser, waste receptacle and sanitary towels or electric wall-mounted hand dryer. Toilet/lavatory must be adequately lighted, ventilated and clean at all times.

(8) A shop may be located in a residence where not prohibited by any governing authority. Such shop must be separated from living quarters by a permanent, finished, ceiling-high partition. A separate shop entrance from living quarters entrance and a toilet/lavatory facility with a separate entrance from living quarters must be provided. Toilet/lavatory must comply with requirements of Section 250-X-3-.01-(8).

(9) The use of a shop as a living, dining or sleeping quarters is prohibited.

(10) Shop shall display licenses and permits consistent with the following guidelines:

(a) Shop license must be displayed at the reception area near entrance. (*Code of AL, 1975, § 34-7B-(d)(4)*)

(b) Personal licenses must be posted near individual work stations.

(c) The most recent inspection report must be posted near shop license.

(d) Apprentice permits, examination permits and student permits must be posted near the appropriate work station.

(11) Shop must have a copy of the most recent laws and rules of the Board readily available for employees and patrons.

(12) No licensee shall perform any service outside the scope of practice authorized by the license held.

(13) No licensee shall perform any service authorized by a license issued by the Board in a facility not licensed by the Board.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-4(b); d(1)

**History: Filed:** August 20,2013

### 250-X-3-.02 Products Sanitation and Care.

(1) No licensee shall conduct services at any location which does not meet proper health, safety and sanitation requirements. Compliance with rules of this chapter does not infer

compliance with other requirements of federal, state, and local laws, codes, ordinances, and regulations.

(2) Possession or storage of any equipment, supplies or product associated with any act of barbering or cosmetology will be prima facie evidence of use.

(3) No licensee shall use any equipment, supplies or product banned for use by the United States Food and Drug Administration or other federal, state, or local governmental agency for barbering or cosmetology purposes.

(4) No licensee shall use styptic pencils.

(5) No licensee shall use methyl methacrylate or any other product considered poisonous or unsafe.

(6) No licensee shall use any drill or other equipment, supply or product for any purpose other than that for which it was intended. Only drills marked by the manufacturer "For Human Nails" are acceptable.

(7) No Licensee shall use any craft or hobby tools or modified craft or hobby tools in providing services.

(8) No licensee shall perform any service outside the scope of the Board's regulatory authority. The Board's scope of licensure is confined to non-invasive services performed on the epidermis, specifically the stratum corneum and must not alter, cut or damage living cells.

(9) No licensee shall use callous razors in any practice of cosmetology or manicure.

(10) No licensee shall perform services on the skin or scalp of any person which is broken, inflamed, cut, abraded, eroded or infected.

(11) No licensee may perform eyebrow tinting with a product which contains aniline derivative.

(12) No licensee shall practice photo rejuvenation, permanent makeup, electrolysis, tattoo, or any other act outside the regulatory authority of the Board.

(13) No person with an infectious or communicable disease may work in a salon licensed by the Board.

(14) The practice of natural hairstyling is limited to cleansing, extending, locking, braiding or arranging without cutting, relaxing, removing, or applying permanent waving or chemical treatments to the natural hair.

(15) The scope of waxing for manicurist/waxer is limited to treatment above the neck.

(16) All sanitized instruments and sanitary disposable articles must be stored in clean, closed containers free of other supplies.

(17) Cosmetics or preparations used on clients must be kept in closed containers at all times when not in use.

(18) Shop must use containers for professional products which are designed to prevent contamination of the unused portion. All creams and bulk substances must be removed from containers with spatulas or clean tools. Bulk supplies which may be contaminated by unsanitized tools or spatulas during preparation or application of single service portions must be discarded.

(19) Shop must use wet sanitizers with hospital grade or EPA approved disinfectant. A wet sanitizer is any receptacle with a proper cover large enough to completely immerse items to be sanitized which contains an approved disinfectant. A hospital grade or EPA approved disinfectant shall be defined as:

(a) For all combs, brushes, tools, metal implements, instruments with a cutting edge and implements which have not come into contact with blood or body fluids: a disinfectant

which indicates on its label that it has been registered with the Environmental Protection Agency as a hospital grade bactericide, viricide and fungicide.

(b) For all combs, brushes, tools, metal implements, implements with a cutting edge and implements which have come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the EPA as a hospital grade tuberculocidal.

(20) All tools, implements, supplies, linens and equipment must be safely stored. Pre-sanitized tools, implements, linens and equipment must be stored in an enclosed sanitary cabinet or covered container. After use on each patron, implements and tools and soiled linens must be deposited in a closed receptacle separate from those which are clean and pre-sanitized.

(21) All chemicals and products for patron use must be properly labeled and identified.

(22) All sanitizing products and chemicals for patron use or cleaning must be used and stored according to the manufacturer's directions and in a manner consistent with public safety and health interests. Flammable chemicals must be stored in a flame retardant cabinet or in a well ventilated storage area away from combustible materials. Chemicals such as oxidizers, catalysts and solvents must be segregated in storage.

(23) Chemicals requiring mixing must be mixed in a well-ventilated area at least twenty-five feet from an open flame or electrical device. Chemical saturated towels and chemical waste must be removed from work and storage areas and placed in covered containers.

(24) Material safety data sheets (MSDS) defining product content, hazards precautions and first aid/medical treatment should be on containers and must be available upon request for products considered dangerous to public health.

(25) Any comb, brush, tool or implement which cannot be cleaned and sanitized is prohibited after initial use. Single-use articles and disposable supplies must be disposed of immediately after use in a covered container.

(26) Any disposable material which has come in contact with blood or body fluids shall be disposed of in a plastic bag.

(27) All combs, brushes and implements must be sanitized before use on any patron.

(28) No combs, brushes, tools or implements may be carried in licensee's pockets.

(29) Pedicure vats must be cleansed and sanitized after each service to a patron.

(30) During barber, cosmetology or esthetics services a proper sanitary cover must be placed around patron's neck to avoid direct contact with protective cape.

(31) Shop must maintain an adequate supply of linens and products for proper hygiene.

(32) Shop must be insect, rodent and animal free except for guide or service animals of visually handicapped or otherwise physically disabled persons. Fish in sanitary and properly maintained aquariums are permitted.

(33) Shop must keep on premises a first aid kit which must be replenished as necessary.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-4(b);d(1)

**History: Filed:** August 20, 2013

### **250-X-3-.03 Shops**

(1) Shops are required to have equipment, furnishings and implements only for the services they provide.

(2) Shops providing barber services must have at least the following equipment and supplies:

(a) One shampoo bowl if this service is provided.

- (b) One sink near work stations
- (c) One barber chair
- (d) One work station and mirror
- (e) Proper containers for clean and soiled towels
- (f) One covered trash container

(3) Shops providing cosmetology services must have at least the following equipment and supplies:

- (a) One shampoo bowl
- (b) One sink near work stations
- (c) One shampoo chair
- (d) One all purpose chair
- (e) Sufficient hair drying facilities
- (f) One covered trash container
- (g) For cosmetology shops also offering manicure, one manicure table with light and chair.
- (h) For shops also offering esthetics, one facial chair and one magnifying glass.

(4) Shops providing esthetics services must at least the following equipment or services:

- (a) One facial chair
- (b) One magnifying glass
- (c) One sink near work stations
- (d) One covered trash container

(5) Shops providing Manicure/Nail services must have at least the following equipment or services:

- (a) One manicure table with proper light.
- (b) One manicure chair
- (c) One sink near work stations
- (d) One covered trash container

(6) Shops providing Natural Hair stylist services have at least the following equipment or services:

- (a) One shampoo bowl
- (b) One all purpose chair
- (c) One hair dryer
- (d) One sink near work stations
- (e) One covered trash container

(7) Shops providing threading services must have at least the following equipment and supplies:

- (a) One all purpose chair
- (b) One sink near work stations

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-4(b)

**History: Filed:** August 20, 2013

**250-X-3-.07 Unlicensed Personnel**

Any person, shop or corporation employing any unlicensed person to practice when a license is required by this chapter shall be guilty of a violation of this chapter and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the *Code of AL, 1975, Section 34-7B-10*

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-10

**History: Filed:** August 20, 2013

**250-X-3-.08 Inspections.**

(1) All shops and schools licensed by the Board are subject to periodic inspections by Board staff to monitor compliance with Alabama law and Board rules and regulations.

(2) Any portion of a multi-purpose facility licensed by the Board must comply with the same regulations and inspection requirements as any other shop licensed by the Board

(3) For inspection purposes, shops or schools with no license when one is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the *Code of Alabama, 1975, § 34-7B-10(a)g(3)*.

(4) For inspection purposes, shops or schools with unlicensed personnel when a license is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the *Code of Alabama, 1975, § 34-7B-10-(a)g(3)*.

(5) Shops or schools issued a score of less than 80 for any violation except for license violations on an inspection report shall be re inspected for compliance, and any shop or school receiving a score of less than 80 on a re-inspection will be in violation of the laws and regulations of the Board and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the *Code of Alabama, 1975, §34-7B-10-(a)g(3)*.

(6) Any deficiency noted on shop or school inspection reports must be corrected or the points for that deficiency may be increased on future inspections.

(7) Any shop or school closed by Board action because of violations must post in a conspicuous location outside the facility a sign furnished by the Board giving the reason for such closure.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-10(a)g(3).

**History: Repealed; Filed:** August 20, 2013

ALABAMA BOARD OF COSMETOLOGY  
ADMINISTRATIVE CODE

CHAPTER 250-X-3  
SALON REQUIREMENTS

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250-X-3-.01 General Requirements.

(1) Proper application, payment of applicable fee and physical inspection and approval of premises by an authorized member of the Board staff are required to receive a license for a salon.

(2) A salon may provide only services for which it is licensed.

(3) Applicant for a salon must provide proof that it will operate in a location properly zoned by the appropriate governing authority.

(4) Salon entrance and exit must comply with federal, state and local building codes.

(5) Salon must be adequately ventilated to allow proper air circulation.

(6) Premises, including walls, floors, workstations, furniture and equipment must be kept clean and free from dust. Trash must not be allowed to accumulate between clients.

(7) Salon must be adequately and safely lighted.

(8) Salon must have adequate toilet facilities either on premises or within 300 feet of entrance with at least one water closet and one sink equipped with hot and cold water.



Exceptions to the 300 feet rule for toilet may be granted to salons located in shopping malls. Toilet must be equipped with proper tissue, soap dispenser with soap or other hand cleanser, waste receptacle and sanitary towels or electric wall-mounted hand dryer. Toilet/lavatory must be adequately lighted, ventilated and clean at all times.

(9) A salon may be located in a residence where not prohibited by any governing authority. Such salon must be separated from living quarters by a permanent, finished, ceiling-high partition. A salon entrance separate from living quarters entrance and a toilet/lavatory facility with a separate entrance from living quarters must be provided. Toilet/lavatory must comply with requirements of Section 250-X-3-.01-(9).

(10) The use of a salon as a living, dining or sleeping quarters is prohibited.

(11) Salon shall display licenses and permits consistent with the following guidelines:

(a) Salon license must be displayed at the reception area.

(b) Independent contractor licenses must be posted at individual rental or work stations.

(c) Personal licenses must be posted at individual work stations.

(d) The most recent inspection report must be posted near salon license.

(e) Apprentice permits, examination permits and student permits must be posted at the appropriate work station.

(12) Salon must have a copy of the most recent laws and rules of the Board readily available for employees and patrons.

(13) No licensee shall perform any service outside the scope of practice authorized by the license held.

(14) No licensee shall perform any service authorized by a license issued by the board in a facility not licensed by the board.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, §34-7A-3(4).

**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Amended:** Filed

July 1, 2002; effective August 5, 2002. **Repealed (See Ed. Note):**  
Filed July 1, 2002; effective August 5, 2002. **Repealed and New**  
**Rule:** Filed September 7, 2005; effective October 12, 2005.  
**Amended:** Filed May 15, 2007; effective June 19, 2007. **Amended:**  
Filed August 31, 2010; effective October 4, 2010.

**Ed. Note:** Rule 250-X-3-.01.01, Requirements, was renumbered  
250-X-3-.01 after the original 250-X-3-.01, Electrologist was  
repealed as per certification filed July 1, 2002 effective  
August 5, 2002.

250-X-3-.02 General Sanitation And Care Of Products.

- (1) No licensee shall conduct services at any location which does not meet proper health, safety and sanitation requirements. Compliance with rules of this chapter does not infer compliance with other requirements of federal, state, and local laws, codes, ordinances, and regulations.
- (2) Possession or storage of any equipment, supplies or product associated with any act of cosmetology will be prima facie evidence of use.
- (3) No licensee shall use any equipment, supplies or product banned for use by the United States Food and Drug Administration or other federal, state, or local governmental agency for cosmetology purposes.
- (4) No licensee shall use styptic pencils.
- (5) No licensee shall use methyl methacrylate or any other product considered poisonous or unsafe.
- (6) No licensee shall use any drill or other equipment, supply or product for any purpose other than that for which it was intended.
- (7) Salon must be insect, rodent and animal free except for guide or service animals of visually handicapped or otherwise physically disabled persons. Fish in sanitary and properly maintained aquariums are permitted.
- (8) No licensee shall use callous razors in any practice of cosmetology or manicure.

(9) No licensee shall perform services on the skin or scalp of any person which is broken, inflamed, cut, abraded, eroded or infected.

(10) No licensee may perform eyebrow tinting with a product which contains aniline derivative.

(11) No licensee shall practice microdermabrasion or dermaplaning without documenting specific certified training approved by the Board.

(12) No licensee shall practice photo rejuvenation, permanent makeup, electrolysis, tattoo or any other act outside the regulatory authority of the Board.

(13) No person with an infectious or communicable disease may work in a salon licensed by the Board.

(14) All sterilized instruments and sanitary disposable articles must be stored in clean, closed containers free of other supplies.

(15) Cosmetics or preparations used on clients must be kept in closed containers at all times when not in use.

(16) Salon must use containers for professional products which are designed to prevent contamination of the unused portion. All creams and bulk substances must be removed from containers with spatulas or clean tools. Bulk supplies which may be contaminated by unsanitized tools or spatulas during preparation or application of single service portions must be discarded.

(17) Salon must use wet sanitizers with hospital grade or EPA approved disinfectant. A wet sanitizer is any receptacle with a proper cover and large enough to completely immerse items to be sanitized which contains an approved disinfectant. A hospital grade or EPA approved disinfectant shall be defined as:

(a) For all combs, brushes, tools, metal implements, instruments with a cutting edge and implements which have not come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the Environmental Protection Agency as a hospital grade bactericide, viricide and fungicide.

(b) For all combs, brushes, tools, metal implements, implements with a cutting edge and implements which have come into contact with blood or body fluids: a disinfectant which

indicates on its label that it has been registered with the EPA as a hospital grade tuberculocidal.

(18) All tools, implements, supplies, linens and equipment must be safely stored. Pre-sanitized tools, implements, linens and equipment must be stored in an enclosed sanitary cabinet or covered container. After use on patrons, soiled linens, implements and tools must be deposited in a closed receptacle separate from those clean and pre-sanitized.

(19) All chemicals and products for patron use must be properly labeled and identified.

(20) All sanitizing and sterilizing products and chemicals for patron use or cleaning must be used and stored according to the manufacturer's directions and in a manner consistent with public safety and health interests. Flammable chemicals must be stored in a flame retardant cabinet or in a well-ventilated storage area away from combustible materials. Chemicals such as oxidizers, catalysts and solvents must be segregated in storage.

(21) Chemicals requiring mixing must be mixed in a well-ventilated area at least twenty-five feet from an open flame or electrical device. Chemical saturated towels and chemical waste must be removed from work and storage areas and placed in covered containers.

(22) Material safety data sheets (MSDS) defining product content, hazard precautions and first aid/medical treatment must be available upon request for products considered dangerous to public health.

(23) Any comb, brush, tool or implement which cannot be cleaned and sanitized is prohibited after initial use. Immediately after use all single-use articles and disposable supplies must be disposed of in a covered container.

(24) Any disposable material which has come in contact with blood or body fluids shall be disposed of in a sealed plastic bag.

(25) All combs, brushes and implements must be sanitized before use on any patron.

(26) No combs, brushes, tools or implements may be carried in licensee's pockets.

(27) Pedicure vats must be cleansed and sanitized after each service to a patron.

(28) During cosmetology or esthetics service a proper sanitary cover must be placed around patron's neck to avoid direct contact with protective cape.

(29) Salon must maintain an adequate supply of linens and products for proper hygiene.

(30) Salon must keep on premises a first aid kit which must be replenished as necessary.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, §34-7A-3(4).

**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007. **Amended:** Filed November 6, 2007; effective December 11, 2007. **Amended:** Filed April 18, 2008; effective May 23, 2008. **Amended:** Filed November 17, 2010; effective December 22, 2010.

**Ed. Note:** Rule 250-X-3-.05-.01, General Sanitation And Safe Products, was renumbered 250-X-3-.05 after the original 250-X-3-.05, Shop Licenses Not Transferable was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-3-.03 Cosmetology Salons.

(1) Cosmetology salons must maintain the following equipment or services:

- (a) At least one shampoo bowl
- (b) At least one shampoo chair
- (c) At least one all purpose chair
- (d) Sufficient hair drying facilities
- (e) Shampoo bowls must be equipped with hot and cold water in an area designated for cosmetology services.
- (f) For salons offering manicure, at least one manicure table with light and chair.

(g) For salons offering esthetics, at least one facial chair and one magnifying glass.

(2) Esthetics salons must maintain the following equipment or services:

(a) At least one facial chair.

(b) At least one magnifying lamp.

(3) Manicure/Nail Tech salons must maintain the following equipment or services:

(a) At least one manicure table with proper light.

(b) At least one manicure chair.

(4) Salons are required to have equipment, furnishings and implements only for the services they offer.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, §34-7A-3(4).

**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

**Ed. Note:** Rule 250-X-3-.05-.01, General Sanitation And Safe Products, was renumbered 250-X-3-.05 after the original 250-X-3-.05, Shop Licenses Not Transferable was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-3-.04 Manicure Salons.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, §34-7A-3(4).

**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Repealed:** Filed May 15, 2007; effective June 19, 2007.

**Ed. Note:** Rule 250-X-3-.04-.01, Manicure Salon Requirements, was renumbered 250-X-3-.04 after the original 250-X-3-.04, Change Of Name Or Ownership Of Beauty Shop Or Booth Rental was repealed as per certification filed July 1, 2002; effective August 5, 2002.

**250-X-3-.05 Esthetics Salons.****Author:** Bob McKee**Statutory Authority:** Code of Ala. 1975, §34-7A-21, 3(4).**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Repealed:** Filed May 15, 2007; effective June 19, 2007.**Ed. Note:** Rule 250-X-3-.03.01, Esthetic Salon Requirements, was renumbered 250-X-3-.03 after the original 250-X-3-.03, Application To Open A Beauty Shop Or Booth Rental was repealed as per certification filed July 1, 2002; effective August 5, 2002.**250-X-3-.06 Change Or Vacancy Of Licensee On Duty.**

(1) Salons must notify the Board of any change or vacancy in manager, master or instructor on duty.

(2) Salons must fill a vacancy in manager, master or instructor on duty within thirty (30) days after the vacancy occurs or cease operation until replacement is acquired.

**Author:** Bob McKee**Statutory Authority:** Code of Ala. 1975, §34-7A-3(d).**History:** Filed September 24, 1982. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed April 1, 2004; effective May 6, 2004. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005.**250-X-3-.07 Unlicensed Personnel.** Any person, salon or corporation employing any unlicensed person to practice when a license is required by this chapter shall be guilty of a violation of this chapter and shall be subject to disciplinary action as decided by the board, which may include but not be limited to a fine as provided in Section 34-7A-15(2)(c), Code of Ala. 1975.**Author:** Bob McKee**Statutory Authority:** Code of Ala. 1975, §34-7A-9.**History:** Filed September 24, 1982. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

250-X-3-.08 Inspections.

- (1) All salons and schools licensed by the Board are subject to periodic inspections by Board staff to monitor compliance with Alabama law and Board rules and regulations.
- (2) Any portion of a multi-purpose facility licensed by the Board must comply with the same regulations and inspection requirements as any other salon licensed by the Board
- (3) For inspection purposes, salons or schools with no license when one is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7A-15(c); -7A-3(4,5).
- (4) For inspection purposes, salons or schools with unlicensed personnel when a license is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7A-15(c); 7A-3(4,5).
- (5) Salons or schools issued a score of less than 80 for any violation except for license violations on an inspection report must be re-inspected within ninety (90) days, and any salon or school receiving a score of less than 80 on a re-inspection within ninety (90) days will be in violation of the laws and regulations of the Board and may be subject to disciplinary action as decided by the board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7A-15(c); 7A-3(4,5).
- (6) Any deficiency noted on salon or school inspection reports must be corrected or the points for that deficiency may be increased on future inspections.
- (7) Any salon or school closed by Board action because of violations must post in a conspicuous location outside the facility a sign furnished by the Board giving the reason for such closure.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, §34-7A-3(4).

**History:** Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed (See Ed. Note):**



Chapter 250-X-3

Cosmetology

Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005.  
**Amended:** Filed May 15, 2007; effective June 19, 2007.

**Ed. Note:** Rule 250-X-3-.02.01, Inspections, was renumbered 250-X-3-.02 after the original 250-X-3-.02, Preparation Of Food For Resale was repealed as per certification filed July 1, 2002; effective August 5, 2002.