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SENATE BILL DRS35078-NBf-78

Short Title: Mobile Barbershops.

(Public)

Sponsors: Senators Mayfield, Krawiec, and Waddell (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE AND REGULATE THE OPERATION AND SANITATION OF  
3 MOBILE BARBERSHOPS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) Chapter 86A of the General Statutes reads as rewritten:

6 "§ 86A-1. Necessity for certificate of registration and shop or school permit.

7 No person or combination of persons shall, either directly or indirectly, practice or attempt  
8 to practice barbering in the State of North Carolina without first obtaining a certificate of  
9 registration either as a registered apprentice or as a registered barber issued pursuant to provisions  
10 of this Chapter by the State Board of Barber Examiners. No person or combination of persons,  
11 or corporation, shall operate, manage or attempt to operate or manage a barber school,  
12 barbershop, mobile barbershop, or any other place where barber services are rendered, after July  
13 1, 1945, without first obtaining a shop permit, or school permit, issued by the State Board of  
14 Barber Examiners, pursuant to the provisions of this Chapter.

15 ...

16 "§ 86A-5. Powers and duties of the Board.

17 (a) The Board has the following powers and duties:

- 18 (1) To see that inspections of mobile barbershops, barbershops and schools are  
19 conducted to determine compliance with sanitary regulations. The Board may  
20 appoint inspectors as necessary.
- 21 (2) To adopt sanitary regulations concerning barber ~~schools and shops~~ schools,  
22 barbershops, and mobile barbershops and procedural rules in accordance with  
23 the guidelines established in G.S. 86A-15.

24 ...

25 "§ 86A-13. ~~Barbershop~~ Barbershop, mobile barbershops, and barber school permits.

26 (a) Any person, firm or corporation, before establishing or opening a ~~barbershop~~  
27 barbershop, mobile barbershop, or barber school not heretofore licensed by the State or the Board  
28 shall make application to the Board on forms to be furnished by the Board, for a permit to operate  
29 a ~~barbershop~~ barbershop, mobile barbershop, or barber school, and the shop or school of the  
30 applicant shall be inspected and approved by the State Board of Barber Examiners or an agent  
31 designated for that purpose by the Board, before the ~~barbershop~~ barbershop, mobile barbershop,  
32 or barber school may open for business. It is unlawful to open a new or reopened ~~barbershop~~  
33 barbershop, mobile barbershop, or barber school until that shop or school has been inspected and  
34 determined by the Board to be in compliance with the requirements of G.S. 86A-13A and  
35 G.S. 86A-15 in the case of mobile barbershops, G.S. 86A-15 in the case of shops and  
36 G.S. 86A-15 and 86A-22 in the case of schools. Upon compliance by the applicant with all



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1 requirements set forth in G.S. 86A-15, or G.S. 86A-15 and G.S. 86A-13A for mobile  
2 barbershops, and the payment of the prescribed fee the Board shall issue to the applicant the  
3 permit applied for. Notwithstanding any other provision of this Chapter, no person, firm, or  
4 corporation shall be issued a permit to operate a ~~barbershop~~ barbershop or mobile barbershop in  
5 a location registered as a barber school, nor shall any person, firm, or corporation be issued a  
6 permit to operate a barber school in a location registered as a ~~barbershop~~ barbershop or mobile  
7 barbershop.

8 (b) The owners of every registered ~~barbershop~~ barbershop, mobile barbershop, and  
9 barber school shall annually, on or before May 31 of each year, renew the ~~barbershop's~~  
10 barbershop's, mobile barbershop's, or barber school's certificate of registration and pay the  
11 required renewal fee. Every certificate of registration for any ~~barbershop~~ barbershop, mobile  
12 barbershop, or barber school shall expire on the 31st day of May in each year. Any certificate of  
13 registration issued under this Chapter shall be suspended automatically by operation of law after  
14 failure to renew the certificate of registration by the expiration date. The owner of any ~~barbershop~~  
15 barbershop, mobile barbershop, or barber school whose certificate of registration has expired  
16 may, after the ~~barbershop~~ barbershop, mobile barbershop, or barber school has been inspected as  
17 required in subsection (a) of this section, have the certificate restored immediately upon paying  
18 all lapsed renewal fees and the required late fee.

19 ...

20 **"§ 86A-15. Sanitary rules and regulations; inspections.**

21 (a) Each barber and each owner or manager of a barbershop, mobile barbershop, barber  
22 school or college, or any other place where barber service is rendered, shall comply with the  
23 following sanitary rules and regulations:

24 (1) Proper quarters. –

25 a. Every barbershop, or other place where barber service is rendered,  
26 shall be located in ~~buildings~~ buildings, mobile units, or rooms of such  
27 construction that they may be easily cleaned, well lighted, well  
28 ventilated and kept in an orderly and sanitary condition.

29 ...

30 d. Running water, hot and cold, shall be provided, and sinks shall be  
31 located at a convenient place in each barbershop so that barbers may  
32 wash their hands after each haircut. Tanks and lavatories shall be of  
33 such construction that they may be easily cleaned. The lavatory must  
34 have a drain pipe to drain all waste water out of the ~~building~~ building  
35 or into a holding receptacle for a mobile unit.

36 ...

37 f. If a mobile barbershop, all applicable requirements of G.S. 86A-13A.

38 ...

39 (5) The owner or manager of a ~~barbershop~~ barbershop, mobile barbershop, or any  
40 other place where barber service is rendered shall post a copy of these rules  
41 and regulations in a conspicuous place in the shop or other place where the  
42 services are rendered.

43 ...

44 **"§ 86A-25. Fees collectible by Board.**

45 The State Board of Barber Examiners shall charge fees not to exceed the following:

46	Certificate of registration or renewal as a barber .....	\$ 50.00
47	Certificate of registration or renewal as an apprentice barber .....	50.00
48	Barbershop permit or renewal .....	50.00
49	<u>Mobile barbershop permit or renewal</u> .....	<u>50.00</u>
50	Examination to become a registered barber .....	85.00
51	Examination to become a registered apprentice barber .....	85.00

1	Late fee for restoration of an expired barber certificate within	
2	first year after expiration .....	35.00
3	Late fee for restoration of an expired barber certificate after first	
4	year after expiration but within five years after expiration .....	70.00
5	Late fee for restoration of an expired apprentice certificate	
6	within first year after expiration .....	35.00
7	Late fee for restoration of an expired apprentice certificate after	
8	first year after expiration but within three years of first	
9	issuance of the certificate .....	45.00
10	Late fee for restoration of an expired barbershop certificate .....	45.00
11	<u>Late fee for restoration of an expired mobile barbershop certificate</u> .....	<u>45.00</u>
12	Examination to become a barber school instructor .....	165.00
13	Student permit .....	25.00
14	Issuance of any duplicate copy of a license, certificate, or permit .....	10.00
15	Barber school permit or renewal .....	130.00
16	Late fee for restoration of an expired barber school certificate .....	85.00
17	Barber school instructor certificate or renewal .....	85.00
18	Late fee for restoration of an expired barber school instructor	
19	certificate within first year after expiration .....	45.00
20	Late fee for restoration of an expired barber school instructor	
21	certificate after first year after expiration but within	
22	three years after expiration .....	85.00
23	Inspection of newly established barbershop .....	120.00
24	<u>Inspection of newly established mobile barbershop</u> .....	<u>120.00</u>
25	Inspection of newly established barber school .....	220.00
26	Issuance of a registered barber or apprentice certificate	
27	by certification .....	120.00
28	Barbers 70 years and older certificate or renewal .....	No charge
29	Reasonable charges for certified copies of public documents	
30	Reasonable charges for duplication services and material.	

31 ...."

32 **SECTION 1.(b)** Chapter 86A of the General Statutes is amended by adding a new  
 33 section to read:

34 **"§ 86A-13A. Mobile barbershops.**

35 (a) A motor home as defined in Article 1 of Chapter 20 of the General Statutes may be  
 36 used as a mobile barbershop for the practice of barbering.

37 (b) The Board shall issue a license to operate a mobile barbershop to any applicant who  
 38 submits a properly completed application on a form approved by the Board, pays the required  
 39 fee, and is determined after inspection to be in compliance with the provisions of this Chapter  
 40 and the Board's rules.

41 (c) The Board shall adopt rules for the operation, licensure, and inspection of mobile  
 42 barbershops, including standards for facilities, personnel, and safety and sanitary requirements.  
 43 All licensure and operating requirements provided by this Chapter or by rules adopted by the  
 44 Board pursuant to this Chapter that apply to barbershops shall also apply to mobile barbershops,  
 45 except to the extent that the requirements conflict with this section or with any rules adopted by  
 46 the Board pursuant to this section.

47 (d) In addition to the requirements of this Chapter, individuals and the vehicles they  
 48 operate while providing mobile barbershop services shall be subject to the provisions of (i)  
 49 Chapter 20 of the General Statutes, (ii) Title 19A of the North Carolina Administrative Code,  
 50 (iii) all applicable OSHA requirements, and (iv) all local laws and ordinances regulating business  
 51 establishments.

1       (e) A mobile barbershop must be equipped with a functional sink and toilet facilities and  
2 must maintain an adequate supply of clean water and wastewater storage capacity.

3       (f) No barbering or service may be performed in a mobile barbershop while the  
4 barbershop is moving. The mobile barbershop must be safely parked in a legal parking spot at all  
5 times while patrons are present inside the barbershop.

6       (g) A mobile barbershop owner must maintain a permanent business address at which  
7 records of appointments, itineraries, license numbers, and vehicle identification numbers for each  
8 mobile barbershop being operated shall be kept and made available for verification and  
9 inspection by the Board and at which all correspondence from the Board can be received.

10       (h) To facilitate periodic inspections of mobile barbershops, prior to the beginning of  
11 each month, the owner of the barbershop shall provide to the Board a written monthly itinerary  
12 listing locations, dates, and hours of operation for the barbershop."

13       **SECTION 2.** The State Board of Barber Examiners shall adopt rules to regulate the  
14 disposal of wastewater in a barbershop and mobile barbershop, advertising by licensees with  
15 permits to operate mobile barbershops, and inspection and sanitation requirements for mobile  
16 barbershops, and other necessary rules to implement the provisions of this act.

17       **SECTION 3.** This act becomes effective October 1, 2021.