

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 176

Short Title: Mobile Barbershops. (Public)

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

Referred to: Rules and Operations of the Senate

March 3, 2021

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



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.