
SUBSTITUTE SENATE BILL 6663

State of Washington

61st Legislature

2010 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Kilmer, Keiser, and Kauffman)

READ FIRST TIME 02/05/10.

1 AN ACT Relating to tanning facilities; adding a new chapter to
2 Title 19 RCW; prescribing penalties; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Approved eyewear" means eye protection approved for use by the
7 United States food and drug administration under 21 C.F.R. Sec.
8 1040.20.

9 (2) "Department" means the department of health.

10 (3) "Phototherapy device" means equipment that emits ultraviolet
11 radiation used by a health care professional in the treatment of
12 disease.

13 (4) "Tanning device" means any equipment that emits electromagnetic
14 radiation with wavelengths in the air between two hundred and four
15 hundred nanometers used for tanning of the skin, including, but not
16 limited to, a sunlamp, tanning booth, or tanning bed. Tanning device
17 does not include a phototherapy device.

18 (5) "Tanning facility" means any commercial location, place, area,

1 structure, or business that provides a person access to a tanning
2 device.

3 NEW SECTION. **Sec. 2.** (1) A tanning facility must post a written
4 health notice in a conspicuous location that is readily visible to a
5 person intending to use a tanning device.

6 (2) It is unlawful for an operator or employee of a tanning
7 facility to allow a minor under age eighteen to use a tanning device.

8 (3) The department must adopt by rule standards for the health
9 notice required by subsection (1) of this section.

10 (4) A violation of this section is a class 1 civil infraction.

11 NEW SECTION. **Sec. 3.** (1) The department, in consultation with
12 representatives from the tanning facility industry, shall adopt by rule
13 a program to train operators of tanning devices. The training program
14 must include, at a minimum, information regarding the following issues:

15 (a) The manufacturer's recommended operation of a tanning device;

16 (b) The proper use of approved eye wear;

17 (c) The radiation output of tanning equipment as measured under
18 standard operating conditions by a typical user;

19 (d) Sanitation standards; and

20 (e) Other issues the department and industry representatives deem
21 necessary.

22 (2) The department, in consultation with representatives from the
23 tanning facility industry, shall also determine by rule the frequency
24 of training and retraining of operators of tanning devices.

25 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2011.

26 NEW SECTION. **Sec. 5.** Sections 1 through 3 of this act constitute
27 a new chapter in Title 19 RCW.

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