
SENATE BILL 5762

State of Washington 56th Legislature 1999 Regular Session

By Senators Haugen and Goings; by request of Department of Licensing
Read first time 02/08/1999. Referred to Committee on Commerce, Trade,
Housing & Financial Institutions.

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, and 18.16.240; reenacting
4 and amending RCW 18.16.050; repealing RCW 18.16.165, 18.16.180, and
5 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, and esthetics involve(~~s~~) the use of tools and
11 chemicals which may be dangerous when mixed or applied improperly, and
12 therefore finds it necessary in the interest of the public health,
13 safety, and welfare to regulate (~~the~~) those practices (~~of~~
14 ~~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 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,~~)
8 permanent waving, chemical relaxing (~~or~~), straightening, curling,
9 bleaching, (~~or~~) lightening, coloring, waxing, tweezing, shaving,
10 mustache and beard design of the hair of the face, neck, and scalp
11 (~~and~~); temporary removal of superfluous hair by use of depilatories,
12 waxing, or tweezing; manicuring and pedicuring, limited to cleaning,
13 shaping, polishing, decorating, and caring for and treatment of the
14 cuticles and nails of the hands and feet; esthetics limited to toning
15 the skin of the scalp, stimulating the skin of the body by the use of
16 preparations, tonics, lotions, or creams; applying eyelashes; and
17 tinting eyelashes 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 electrical
3 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, or depilatories; application of
7 eyelashes; tinting of eyelashes and eyebrows; and lightening the hair,
8 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, and ~~((is enrolled in an approved instructor-trainee~~
14 ~~program))~~ has practiced one year prior to enrolling in an instructor-
15 trainee curriculum in a school licensed 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, or instructor-trainee to students and
19 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 or instructor-training with or without tuition, fee, or cost, and who
25 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 and has passed ((an)) a licensing examination ((prepared or selected by
33 the board and)) approved or administered by the director. An applicant
34 who holds a degree in education from an accredited postsecondary
35 institution and who is otherwise qualified shall upon application be
36 licensed as an ((instructor-operator with a cosmetology endorsement))
37 instructor.

38 ~~((15) "Instructor-operator barber" means a person who gives~~
39 ~~instruction in the practice of barbering and instructor training in a~~

1 school, has the same qualifications as a barber, has completed at least
2 five hundred hours of instruction in teaching techniques and lesson
3 planning in a school, and has passed an examination prepared or
4 selected by the board and administered by the director. An applicant
5 who holds a degree in education from an accredited postsecondary
6 institution and who is otherwise qualified shall upon application be
7 licensed as an instructor-operator with a barber endorsement.

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

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

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

37 (19) "Booth renter" means a person who performs cosmetology,
38 barbering, esthetics, or manicuring services where the use of the
39 salon/shop facilities is contingent upon compensation to the owner of

1 ~~the salon/shop facilities and the person receives no compensation or~~
2 ~~other consideration from the owner for the services performed.~~

3 ~~(20))~~ (16) "Person" means any individual, partnership,
4 professional service corporation, joint stock association, joint
5 venture, or any other entity authorized to do business in this state.

6 ~~((21))~~ (17) "Salon/shop" means any building, structure, ~~((or~~
7 ~~motor-home))~~ or any part thereof, other than a school, where the
8 commercial practice of cosmetology, barbering, esthetics, or manicuring
9 is conducted.

10 ~~((22))~~ (18) "Crossover training" means training approved by the
11 director as training hours that may be credited to current licensees
12 for similar training received in another profession licensed under this
13 chapter.

14 ~~((23))~~ (19) "Approved security" means surety bond, savings
15 assignment, or irrevocable letter of credit.

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

19 ~~(25))~~ (20) "Personal services ~~((operator))~~" means ~~((any person~~
20 ~~possessing a valid))~~ a location license under this chapter where the
21 practice of cosmetology, barbering, manicuring, or ((esthetician's
22 license that provides services)) esthetics is performed for clients in
23 the client's home, office, or other location that is convenient for the
24 client.

25 (21) "Individual license" means a cosmetology, barbering,
26 manicurist, esthetician, or instructor license issued under this
27 chapter.

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

30 (23) "Mobile unit" is a location license under this chapter where
31 the practice of cosmetology, barbering, esthetics, or manicuring is
32 conducted in a mobile structure. Mobile units must conform to the
33 health and safety standards set by rule under this chapter.

34 (24) "Curriculum" means the courses of study taught at a school,
35 set by rule under this chapter, and approved by the department. Up to
36 ten percent of a school's approved hours in a curriculum may be hours
37 a student receives while training in a salon/shop under a contract
38 approved by the department. Each curriculum must include at least the
39 following required hours:

- 1 (a) Cosmetologist, 1600 hours;
- 2 (b) Barber, 1000 hours;
- 3 (c) Manicurist, 600 hours;
- 4 (d) Esthetician, 600 hours;
- 5 (e) Instructor-trainee, 500 hours.

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

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

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

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

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

18 (3) To investigate alleged violations of this chapter and consumer
19 complaints involving the practice under this chapter of cosmetology,
20 barbering, esthetics, ~~((or))~~ manicuring, instructing, and schools
21 offering ~~((training))~~ course curriculums in these ~~((areas))~~ practices,
22 and salons/shops ~~((and booth renters offering))~~, personal services, or
23 mobile units where these ~~((services))~~ practices are conducted;

24 (4) To issue subpoenas, statements of charges, statements of
25 intent, final orders, stipulated agreements, and any other legal
26 remedies necessary to enforce this chapter;

27 (5) To issue cease and desist ~~((letters))~~ orders and ~~((letters of~~
28 warning)) notices of correction for infractions of this chapter;

29 (6) To conduct all disciplinary proceedings, impose sanctions, and
30 assess fines for violations of this chapter or any rules adopted under
31 it;

32 (7) To prepare and administer or approve the preparation and
33 administration of licensing examinations;

34 (8) To establish minimum safety and sanitation standards for
35 schools, instructors, cosmetologists, barbers, manicurists,
36 estheticians, ~~((and))~~ salons/shops, personal services, and mobile
37 units;

1 (9) To establish (~~minimum instruction guidelines~~) curriculums for
2 the training of students;

3 (10) To maintain the official department record of applicants and
4 licensees;

5 (11) To delegate in writing to a designee the authority to issue
6 subpoenas, statements of charges, cease and desist orders, and any
7 other documents necessary to enforce this chapter;

8 (12) To establish by rule the procedures for an appeal of an
9 examination failure;

10 (13) To employ such administrative, investigative, inspection,
11 audit, and clerical staff as needed to implement this chapter;

12 (14) To set license expiration dates and renewal periods for all
13 licenses consistent with this chapter; and

14 (15) To make information available to the department of revenue to
15 assist in collecting taxes from persons required to be licensed under
16 this chapter.

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

19 (1) There is created a state cosmetology, barbering, esthetics, and
20 manicuring advisory board consisting of nine members appointed by the
21 director. These members of the board shall include: A representative
22 of ((a)) private ((~~cosmetology~~) schools licensed under this chapter;
23 a representative of ((a)) public vocational technical schools
24 ((~~involved in cosmetology training~~) licensed under this chapter; a
25 consumer who is unaffiliated with the cosmetology, barbering,
26 esthetics, or manicuring industry; and six members who are currently
27 practicing licensees who have been engaged in the practice of
28 manicuring, esthetics, barbering, or cosmetology for at least three
29 years. Members shall serve a term of three years. Any board member
30 may be removed for just cause. The director may appoint a new member
31 to fill any vacancy on the board for the remainder of the unexpired
32 term.

33 (2) Board members shall be entitled to compensation pursuant to RCW
34 43.03.240 for each day spent conducting official business and to
35 reimbursement for travel expenses as provided by RCW 43.03.050 and
36 43.03.060.

37 (3) The board may seek the advice and input of officials from the
38 following state agencies: (a) The work force training and education

1 coordinating board; (b) the department of employment security; (c) the
2 department of labor and industries; (d) the department of health; (e)
3 the department of licensing; and (f) the department of revenue.

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

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

10 (a) Except as provided in subsection (2) of this section,
11 commercial practice of cosmetology, barbering, esthetics, manicuring,
12 or instructing;

13 (b) Instructs in a school;

14 (c) Operates a school; or

15 (d) Operates a salon/shop, personal services, or mobile unit.

16 ~~((Each booth renter shall be considered to be operating an independent
17 salon/shop and shall obtain a separate salon/shop license.))~~

18 (2) A person who receives a license~~((d))~~ as ~~((a cosmetology
19 instructor-operator))~~ an instructor may engage in the commercial
20 practice ~~((of cosmetology))~~ for which he or she held a license when
21 applying for the instructor license without ~~((maintaining a
22 cosmetologist))~~ renewing the previously held license. ~~((A person
23 licensed as a barbering instructor-operator may engage in the
24 commercial practice of barbering without maintaining a barber license.
25 A person licensed as a manicuring instructor-operator may engage in the
26 commercial practice of manicuring without maintaining a manicurist
27 license. A person licensed as an esthetician instructor-operator may
28 engage in the commercial practice of esthetics without maintaining an
29 esthetician license.))~~ A person whose license is not or at any time
30 was not renewed cannot engage in the commercial practice previously
31 permitted under that license unless that person renews the previously
32 held license.

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

35 Examinations for licensure under this chapter shall be conducted
36 ~~((monthly))~~ at such times and places as the director determines
37 appropriate. Examinations shall consist of tests designed to

1 reasonably measure the applicant's knowledge of safe and sanitary
2 practices and this chapter and rules adopted pursuant to this chapter.
3 The director shall establish by rule the minimum passing score for all
4 examinations and the requirements for reexamination of applicants who
5 fail the examination or examinations.

6 The director shall take steps to ensure that after completion of
7 the required course, applicants may promptly take the examination and
8 receive the results of the examination.

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

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

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

15 (b) Has completed and graduated from a ~~((course))~~ school licensed
16 under this chapter in a curriculum approved by the director of sixteen
17 hundred hours of training in cosmetology, one thousand hours of
18 training in barbering, ~~((five))~~ six hundred hours of training in
19 manicuring, ~~((five))~~ six hundred hours of training in esthetics, and/or
20 five hundred hours of training as an instructor-trainee, or has met the
21 requirements in RCW 18.16.020 or 18.16.130; and

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

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

28 (3) Upon completion of an application approved by the department,
29 certification of insurance, and payment of the proper fee, the director
30 shall issue a ~~((salon/shop))~~ location license to the ~~((operator of a~~
31 ~~salon/shop if the salon/shop meets the other requirements of this~~
32 ~~chapter as demonstrated by information submitted by the operator))~~
33 applicant.

34 (4) The director may consult with the state board of health and the
35 department of labor and industries in establishing training and
36 examination requirements.

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

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

5 (2) Failure to renew ((a)) an individual license before its
6 expiration date subjects the holder to a penalty fee and payment of
7 each year's renewal fee, at the current rate(~~(, up to a maximum of four~~
8 ~~years as established by the director in accordance with RCW~~
9 ~~43.24.086))~~). A person whose license has not been renewed ((~~for four~~
10 ~~years~~)) within one year after its expiration date shall be canceled and
11 shall be required to submit an application, fee, meet current licensing
12 requirements, and pass the applicable examination or examinations
13 before the license may be reinstated(~~(: PROVIDED, That the director~~
14 ~~may waive this requirement for good cause shown))~~).

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

18 ((~~2~~)) (4) Upon request and payment of an additional fee to be
19 established by the director, the director shall issue a duplicate
20 license to an applicant.

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

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

26 (a) The names and addresses of all owners, managers, and
27 instructors;

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

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

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

35 (e)) A surety bond, irrevocable letter of credit, or savings
36 assignment in an amount not less than ten thousand dollars, or ten
37 percent of the annual gross tuition collected by the school, whichever
38 is greater. The approved security shall not exceed fifty thousand

1 dollars and shall run to the state of Washington for the protection of
2 unearned prepaid student tuition. The school shall attest to its gross
3 tuition at least annually on forms provided by the department. When a
4 new school license is being applied for, the applicant will estimate
5 its annual gross tuition to establish a bond amount. This subsection
6 shall not apply to community colleges and vocational technical schools.

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

10 (2) Changes to the information provided by schools shall be
11 submitted to the department within fifteen days of the implementation
12 date.

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

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

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

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

23 (a) A salon/shop, personal services, or mobile unit license expires
24 one year from issuance or when the insurance required by RCW
25 18.16.175(1)(~~(h)~~) (g) expires, whichever occurs first;

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

27 (c) Cosmetologist, barber, manicurist, esthetician, and instructor
28 licenses expire two years from issuance.

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

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

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

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

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

4 (c) ~~((Be operated under the direct supervision of a licensed~~
5 ~~cosmetologist except that a salon/shop that is limited to barbering may~~
6 ~~be directly supervised by a barber, a salon/shop that is limited to~~
7 ~~manicuring may be directly supervised by a manicurist, and a salon/shop~~
8 ~~that is limited to esthetics may be directly supervised by an~~
9 ~~esthetician;~~

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

13 ~~((e))~~ (d) Meet the zoning requirements of the county, city, or
14 town, as appropriate;

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

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

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

22 ~~((i))~~ (h) Other requirements which the director determines are
23 necessary for safety and sanitation of salons/shops or mobile units.
24 The director may consult with the state board of health and the
25 department of labor and industries in establishing minimum salon/shop
26 and mobile unit safety requirements.

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

32 (3) Upon receipt of a written complaint that a salon/shop or mobile
33 unit has violated any provisions of this chapter or the rules adopted
34 under this chapter or at least once every two years for an existing
35 salon/shop or mobile unit, the director or the director's designee
36 shall inspect each salon/shop or mobile unit. If the director
37 determines that any salon/shop or mobile unit is not in compliance with
38 this chapter, the director shall send written notice to the salon/shop
39 or mobile unit. A salon/shop or mobile unit which fails to correct the

1 conditions to the satisfaction of the director within a reasonable time
2 shall, upon due notice, be subject to the penalties imposed by the
3 director under RCW 18.16.210. The director may enter any salon/shop or
4 mobile unit during business hours for the purpose of inspection. The
5 director may contract with health authorities of local governments to
6 conduct the inspections under this subsection.

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

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

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

15 (7) Cosmetology, barbering, esthetics, and manicuring licenses
16 issued by the department shall be posted at the licensed person's work
17 station.

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

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

22 (1) Has been found guilty of a crime related to the practice of
23 cosmetology, barbering, esthetics, manicuring, or instructing;

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

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

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

28 (5) Has aided and abetted unlicensed activity;

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

33 (7) Has engaged in the commercial practice of cosmetology,
34 barbering, manicuring, or esthetics in a school;

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

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

1 (10) Has not cooperated with the department in supplying records or
2 assisting in an inspection, investigation, or disciplinary procedure;
3 ((or))

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

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

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

9 If, following a hearing, the director finds that any person or an
10 applicant or licensee has violated any provision of this chapter or any
11 rule adopted under it, the director may impose one or more of the
12 following penalties:

13 (1) Denial of a license or renewal;

14 (2) Revocation or suspension of a license;

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

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

17 (5) Placement of the licensee on probation for a fixed period of
18 time;

19 (6) Restriction of the licensee's authorized scope of practice;

20 (7) Requiring the licensee to make restitution or a refund as
21 determined by the director to any individual injured by the violation;
22 or

23 (8) Requiring the licensee to obtain additional training or
24 instruction.

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

27 The department shall immediately suspend the license of a person
28 who has been certified pursuant to RCW 74.20A.320 by the department of
29 social and health services as a person who is not in compliance with a
30 support order ((~~or a residential or visitation order~~)). If the person
31 has continued to meet all other requirements for reinstatement during
32 the suspension, reissuance of the license shall be automatic upon the
33 department's receipt of a release issued by the department of social
34 and health services stating that the licensee is in compliance with the
35 order.

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

3 (1) RCW 18.16.165 (Licenses issued, students enrolled before
4 January 1, 1992--Curricula updates) and 1991 c 324 s 8;

5 (2) RCW 18.16.180 (Salon/shop--Notice required) and 1991 c 324 s
6 16; and

7 (3) RCW 18.16.190 (Location of practice--Penalty--Placebound
8 clients) and 1991 c 324 s 20.

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

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