

New Jersey Register  
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**TUESDAY, SEPTEMBER 3, 2002**  
**RULE ADOPTION**  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
**NEW JERSEY STATE BOARD OF COSMETOLOGY AND HAIRSTYLING**  
PHYSICAL REQUIREMENTS FOR MANICURING SHOPS APPLYING  
FOR INITIAL SHOP LICENSE; PHYSICAL REQUIREMENTS FOR SKIN CARE SPECIALTY SHOPS  
APPLYING FOR INITIAL SHOP LICENSE;  
SALE OF MERCHANDISE; ANCILLARY SERVICES; NO ANCILLARY SERVICES AT  
LICENSED MANICURING SHOPS  
OR LICENSED SKIN CARE SPECIALTY SHOPS; POSTING OF  
LICENSES AND REQUIRED NOTICES;  
SUPERVISION OF SHOPS AND ABSENCE OF EXPERIENCED  
PRACTICING LICENSEE; CURRICULUM FOR  
500 HOUR COURSE FOR STUDENT TEACHERS;  
CURRICULUM FOR 300 HOUR MANICURING COURSE

Adopted Amendments: N.J.A.C. 13:28-2.6, 2.9, 2.10, 2.11, 2.12, 2.13, 6.31 and 6.33

Adopted New Rule: N.J.A.C. 13:28-2.6A

Proposed: November 5, 2001 at 33 N.J.R. 3727(a).

Adopted: February 11, 2002 by the New Jersey State Board of Cosmetology and Hairstyling, Dennis Gullo, Chairperson.

Filed: July 30, 2002 as R.2002 d.279, without change.

Authority: N.J.S.A. 45:5B-6(r) and 45:1-15.1.

Effective Date: September 3, 2002.

Expiration Date: May 8, 2003.

### **Federal Standards Statement**

A Federal standards analysis is not required because the adopted amendments and new rule are governed by N.J.S.A. 45:5B-1 et seq., and are not subject to any mandated Federal requirements or standards.

### **Full text of the adoption follows:**

<< **NJ ADC 13:28-2.6** >>

#### **13:28-2.6 Physical requirements for manicuring shops applying for initial shop license**

(a) In addition to meeting the requirements of the introductory paragraph in N.J.A.C. 13:28-2.5(a) and of N.J.A.C. 13:28-2.5(a)1, (b) and (c), all manicuring shops shall contain the following:

1.-7. (No change.)

(b) Each shop shall ensure that there is at least one experienced practicing licensee, as defined in N.J.S.A. 45:5B-11(a), (b) or (c), present to generally oversee the management of the shop.

(c) (No change.)

<< NJ ADC 13:28-2.6A >>

**13:28-2.6A Physical requirements for skin care specialty shops applying for initial shop license**

(a) In addition to meeting the requirements of the introductory paragraph in N.J.A.C. 13:28-2.5(a) and of N.J.A.C. 13:28-2.5(a)1, (b) and (c), all skin care specialty shops shall contain the following:

1. At least one sink in the work area with hot and cold running water;
2. A dry sterilizer for each work area;
3. A wet sterilizer for each work area;
4. A closed container for clean linens;
5. A closed container for soiled linens;
6. A dispensary or place where supplies are prepared and dispensed; and
7. Such other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.

(b) Each skin care specialty shop shall ensure that there is at least one experienced practicing licensee, as defined in N.J.S.A. 45:5B-11(a), (b) or (d), present to generally oversee the management of the shop.

(c) All licensed skin care specialty shops shall display the following notice in a location clearly visible to all patrons:

**NOTICE**

This shop and the operators herein are licensed to provide skin care specialty services by the State Board of Cosmetology and Hairstyling, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the matter in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling or the New Jersey Division of Consumer Affairs, PO Box 45003, Newark, New Jersey 07101.

<< NJ ADC 13:28-2.9 >>

**13:28-2.9 Sale of merchandise**

The holder of a shop license may permit the sale of merchandise within licensed premises, provided that space allocated for such sales is in addition to the space required by N.J.A.C. 13:28-2.5, 2.6, or 2.6A.

<< NJ ADC 13:28-2.10 >>

**13:28-2.10 Ancillary services**

(a) The holder of a shop license, other than a manicuring shop license or a skin care specialty shop license, may offer ancillary services related to the beautification of the body or the enhancement of personal appearance, but not included in the definition of cosmetology and hairstyling, on the licensed premises, provided that these services are performed in a safe and sanitary manner by personnel who are adequately trained to render such services, and that the space allocated for such services is in addition to the space required by N.J.A.C. 13:28-2.5.

(b)-(e) (No change.)

<< NJ ADC 13:28-2.11 >>

### **13:28-2.11 No ancillary services at licensed manicuring shops or licensed skin care specialty shops**

(a) The holder of a manicuring shop license shall not offer on the licensed premises any ancillary services related to the beautification of the body or the enhancement of personal appearance or any services contained within the definition of cosmetology as set forth in N.J.S.A. 45:5B-3(j) except for the following:

1. Manicuring the fingernails;
2. Nail-sculpturing;
3. Pedicuring the toenails; or
4. Removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezing, but not by the use of electrolysis.

(b) The holder of a skin care specialty shop license shall not offer on the licensed premises any ancillary services related to the beautification of the body or the enhancement of personal appearance or any services contained within the definition of cosmetology as set forth in N.J.S.A. 45:5B-3(j) except for the following:

1. Applying cosmetic preparations, antiseptics, tonics, lotions, creams or makeup to the scalp, face or neck;
2. Massaging, cleansing or stimulating the face, neck or upper part of the body, with or without cosmetic preparations, either by hand, mechanical or electrical appliances; or
3. Removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezing, but not by the use of electrolysis.

<< NJ ADC 13:28-2.12 >>

### **13:28-2.12 Posting of licenses and required notices**

(a) (No change.)

(b) All licensed shops other than manicuring shops and skin care specialty shops shall display the following notice:

#### **NOTICE**

This shop and the operators herein are licensed to engage in the practice of cosmetology and hairstyling by the State of New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the manner in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling at 124 Halsey Street, Newark, New Jersey 07102, or the New Jersey Division of Consumer Affairs, Post Office Box 45003, Newark, New Jersey 07101.

<< NJ ADC 13:28-2.13 >>

### **13:28-2.13 Supervision of shops and absence of experienced practicing licensee**

(a) Each cosmetology and hairstyling shop shall ensure that there is at least one experienced practicing licensee present to generally oversee the management of the shop. The experienced practicing licensee shall hold a beautician, barber or cosmetologist-hairstylist license and have three years of experience as a beautician, barber or cosmetologist.

(b) Each manicuring shop shall ensure that there is at least one experienced practicing licensee present to generally oversee the management of the shop. The experienced practicing licensee shall hold a beautician, barber, cosmetology-hairstylist or manicuring license and have three years of experience as a beautician, barber, cosmetologist or manicurist.

(c) Each skin care specialty shop shall ensure that there is at least one experienced practicing licensee present to generally oversee the management of the shop. The experienced practicing licensee shall hold a beautician, barber, cosmetology-hairstylist or skin care specialty license and have three years of experience as a beautician, barber, cosmetologist or skin care specialist.

Recodify existing (b)-(d) as (d)-(f) (No change in text.)

<< NJ ADC 13:28-6.31 >>

**13:28-6.31 Curriculum for 500 hour course for student teachers**

**TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE**

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling Administrative Shop Operations	5	0	5
Sanitation & Sterilization	5	0	5
Facials, Massage, Skin Care, Make-up, Depilatory, Eyebrow Arching, Shaving	15	15	30
Shampooing--including Temporary & Semi-Permanent Rinses	5	10	15
Hair and Scalp Treatments, Reconditioning Treatments	5	10	15
Hair & Basic Layer & Clipper Cut--Razor, Scissors, Thinning Shears, Tapering	10	30	40
Hairstyling--including Pin Curls, Fingerwaving & Blow Waving	10	30	40

Hair Tinting & Bleaching including Frosting, Tipping & Streaks	10	20	30
Permanent Waving	10	20	30
Chemical Relaxing & Pressing Thermal Curling & Waving	10	25	35
Manicuring & Pedicuring	10	20	30
Chemistry Relating to Cosmetology	10	0	10
Teaching Methods	40	100	140
Motivation & Learning	10	0	10
Testing	10	0	10
Teacher Preparation	15	0	15
Instruction Evaluation	20	0	20
Classroom Management	20	0	20
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500

<< NJ ADC 13:28-6.33 >>

**13:28-6.33 Curriculum for 300 hour manicuring course**

**TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE**

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling Administrative Shop Operations	10	0	10
State Board Examination	5	10	15

TOTAL  
500

220

280

Professionalism, Safety and Health	5	0	5
Sanitation, Sterilization and Bacteriology	10	5	15
Manicuring and Pedicuring	10	40	50
Diseases and Disorders of the Nail	10	0	10
Anatomy of the Hand, Arm, Foot and Leg	10	0	10
Nail Tips and Extensions	5	20	25
Nail Wraps	5	20	25
Nail Gels	5	10	15
Sculptured Nails	10	30	40
Nail Art	5	5	10
The Skin and its Diseases		0	5
Removal of Unwanted Hair	10	30	40
Salon Management	10	0	10
First Aid	5	0	5
Chemicals and Chemistry Relating to Products	10	0	10
TOTAL 300	130	170	300