

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE PLANT SERVICES DIVISION

[R05-407]

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|-----------------------------|--------------------------|
| R3-4-301 | Amend |
| R3-4-302 | Repeal |
| R3-4-303 | Repeal |
| R3-4-304 | Repeal |
| R3-4-305 | Repeal |
| R3-4-306 | Repeal |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statutes: A.R.S. §§ 3-107(A)(1), 3-201.01(A)
Implementing statutes: A.R.S. §§ 3-212, 3-217
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening: 10 A.A.R. 5221, December 27, 2004
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Rebecca A. Nichols, Rules Analyst
Address: Arizona Department of Agriculture
1688 W. Adams, Room 235
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: rnichols@azda.gov
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
This rulemaking consolidates six rules into one. Outdated references to the State Entomologist and the Commission of Agriculture and Horticulture are deleted. Definitions are amended and added as needed. New certification terminology is used. The types of nursery certifications are modified, and expiration dates are given for each certification type. The Department's actions when pests are detected during inspections are specified. Nursery certification inspection fees are raised to the statutory cap of \$50. References to fees for laboratory analysis are removed. The Department initiated this rulemaking in response to commitments made in the 2003 Five-year-review report of the Plant Services Division rules.
- 6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
None

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7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

A. *The Arizona Department of Agriculture.*

The Department will incur modest expenses related to educating staff and the regulated community regarding the new regulations.

B. *Political Subdivision.*

None

C. *Businesses Directly Affected By the Rulemaking.*

Nurseries electing to participate in the voluntary nursery certification program will benefit by having all certification options available to them in one concise rule. Nurseries electing to participate in the voluntary nursery certification program will pay \$50 for each type of certification.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Rebecca A. Nichols, Rules Analyst

Address: Arizona Department of Agriculture
1688 W. Adams, Room 235
Phoenix, AZ 85007

Telephone: (602) 542-0962

Fax: (602) 542-5420

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10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding is not scheduled for these proposed rules. To request an oral proceeding or to submit comments, please contact the rules analyst listed in item #4 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except Arizona legal holidays. If a request for an oral proceeding is not made, the public record in this rulemaking will close at 5:00 p.m. on December 12, 2005.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION

ARTICLE 3. NURSERY RULES

Section

- R3-4-301. ~~Special nursery certification; definitions~~ Nursery Certification
R3-4-302. ~~Special nursery certification; Arizona certified nursery inspections~~ Repealed
R3-4-303. ~~Special nursery certification; ozonium root rot inspection~~ Repealed
R3-4-304. ~~Special nursery certification; other certification inspections~~ Repealed
R3-4-305. ~~Special nursery certification; application~~ Repealed
R3-4-306. ~~Special nursery certification inspection; denial, revocation, and suspension of certification~~ Repealed

ARTICLE 3. NURSERY RULES

R3-4-301. Special nursery certification; definitions Nursery Certification

In this Article, unless the context otherwise requires:

1. ~~“Certificate” means a document issued by the State Entomologist or by an inspector of the Commission stating that an agricultural commodity complies with the criteria set forth by an agricultural agency of any state, county, or commonwealth.~~
2. ~~“Common pest” means a pest, weed or disease which is not under state or federal quarantine or eradication program and is of general distribution within this state.~~
3. ~~“Injurious plant pests, weeds, and diseases” means any serious pest or common pest that is above the determined levels standard for common pests listed in Field Service Policy #8, dated March 24, 1988, incorporated herein by reference and on file with the Office of the Secretary of State.~~
4. ~~“Laboratory disease analysis” means the processing of a sample so that any of the following examination and pathogen identification procedures may be utilized — light transmitted microscopy, culturing, inoculations, greenhouse grow out, serology, extraction, electron microscopy.~~
5. ~~“Misuse or misrepresentation of certification” means reproduction of certificates not allowed pursuant to this Article without written permission of the Commission, alteration of certificates, use of certificates to represent noncertified plant material, use of certificates to imply Arizona origin in order to avoid regulatory action by an agricultural official of the state, county or commonwealth scheduled to receive the nursery stock.~~
6. ~~“Nursery location” means a parcel of ground operated as one unit with one physical address, upon which nursery stock is propagated or grown for commercial purposes.~~
7. ~~“Nurseryman” means any person engaged in the production of nursery stock for commercial purposes.~~
8. ~~“Serious pest” means a pest, weed or disease under state or federal quarantine or eradication programs or a pest, weed or disease which causes crop damage or is a nuisance or public health threat and which has not been found or is of limited distribution in this state.~~
9. ~~“Special nursery certification inspection” means an inspection carried out at the request of a nurseryman for the purpose of determining whether or not a certificate can be issued.~~

A. Definitions. The following terms apply to this Section.

“Associate Director” means the Associate Director of the Arizona Department of Agriculture’s Plant Services Division.

“Certificate” means a document issued by the Director, Associate Director or by a Department inspector stating that the nursery stock complies with the criteria set forth by an agricultural agency of any state, county, or commonwealth.

“Collected nursery stock” means nursery stock that has been dug or gathered from any site other than a nursery location.

“Common pest” means a pest, weed or disease, which is not under state or federal quarantine or eradication program and is of general distribution within the state.

“Commercially clean” means nursery stock offered for sale is in a healthy condition and though common pests may be present, they exist at levels that pose little or no risk.

“Director” means the Director of the Arizona Department of Agriculture.

“Nursery location” means a parcel of ground with one physical address, upon which nursery stock is propagated, grown, sold, distributed, or offered for sale.

“General nursery stock certification” means an inspection carried out at the request of a person for the purpose of meeting the general nursery inspection requirements of another state.

“Quarantine plant pest” means an economically important pest that does not occur in the state or that occurs in the state but is not widely distributed or is being officially eradicated.

“Single Shipment inspection certificate” means an inspection requiring one visit to a single location by a Department inspector to certify one or more shipments of nursery stock to comply with the quarantine requirements of the receiving state, county, or commonwealth.

B. General nursery stock inspection certification. A person may apply for general nursery stock inspection certification by submitting to the Department the application prescribed in subsection (E). A \$50 inspection fee shall be submitted to the Department at the time of inspection. Each nursery location shall be separately certified. An application for initial certification may be submitted at any time. A renewal application shall be submitted each year by February 15.

1. The Department shall issue a general nursery stock inspection certificate to the applicant if, following a Department inspection, the nursery stock is found free of quarantine pests, and commercially clean of common pests that are adversely affecting the nursery stock.

a. The Department shall only certify nursery stock that is found free of quarantine pests. The applicant shall not remove from the nursery any nursery stock that is found infested with a quarantine pest until an inspector determines that the pest has been eliminated.

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- b. The Department shall restrict the movement of any nursery stock found infested with a non-quarantine pest that an inspector determines is adversely affecting the nursery stock. The applicant shall establish a treatment program to control the pest and shall not remove the infested nursery stock from the nursery until a determination that the pest has been controlled.
2. A nursery with general nursery stock inspection certification shall remain free of quarantine pests and commercially clean of common pests that are adversely affecting the nursery stock throughout the certification period.
3. Nursery stock from a certified nursery shall not be distributed, transported, or sold interstate if it is infested with a quarantine pest or a non-quarantine pest that is adversely affecting the nursery stock.
4. A general nursery stock inspection certificate may be reproduced without the Department's permission for use by the certified nursery
5. A nursery's general nursery stock inspection certificate shall accompany each shipment of nursery stock that is moved out of the state.
6. A nursery with general nursery stock inspection certification shall maintain all invoices or other shipping documents for shipments received by and shipped by the nursery for up to one year. The nursery shall make the documents available to the Department upon request, as authorized by A.R.S. § 3-201.01(A)(6).
7. The Department shall inspect a nursery with general nursery stock inspection certification throughout the certification period to verify compliance with the conditions in this Section.
8. A nursery's general nursery stock inspection certification shall expire on December 31 of each year unless suspended or revoked as provided in subsection (F).
9. A nursery with general nursery stock inspection certification may also need to obtain special nursery stock inspection certification to meet a specific quarantine entry requirement of another state, as prescribed in subsection (C).
- C.** Special nursery stock inspection certification. A person may apply for special nursery stock inspection certification to meet specific quarantine entry requirements of another state other than those prescribed in subsection (B), by submitting to the Department the application prescribed in subsection (E) and a \$50 inspection fee for each nursery location.
 1. The applicant's nursery stock shall be free from quarantine pests as required by the receiving state and commercially clean of common pests that are adversely affecting the nursery stock. The Department shall not certify nursery stock that is infested with a quarantine pest until an inspector determines that the pest has been eliminated. The Department shall not certify nursery stock that is infested with a non-quarantine pest that a Department inspector determines is adversely affecting the nursery stock.
 2. A special nursery stock inspection certificate shall not be duplicated or reproduced without written permission from the Department.
 3. A special nursery stock inspection certificate shall be valid for one year from the issue date unless the receiving state requires a shorter certification period.
- D.** Single shipment inspection certification. A person may apply for single shipment certification to meet the entry requirements of another state by submitting to the Department the application prescribed in subsection (E) with a \$50 fee for each nursery stock shipment.
 1. The nursery stock in each shipment shall be free from quarantine pests as required by the receiving state and commercially clean of common pests that are adversely affecting the nursery stock. The Department shall not certify nursery stock that is infested with a quarantine pest until an inspector determines that the pest has been eliminated. The Department shall not certify nursery stock that is infested with a non-quarantine pest that a Department inspector determines is adversely affecting the nursery stock until the pest has been controlled.
 2. A single shipment inspection certificate shall be valid for no more than 7 calendar days following the inspection date. The applicant may apply for new certification if the original certificate expires before the shipment leaves Arizona.
 3. A single shipment inspection certificate shall not be reproduced or duplicated.
 4. A person applying for single shipment inspection certification for collected nursery stock shall retain a record, for at least one year from the shipment date, of the street address from which each plant in a shipment was collected. The collected nursery stock record shall be made available to the Department upon request.
- E.** Application. A person applying for certification under this Section shall provide the following information on a form obtained from the Department:
 1. Applicant's name, nursery name, mailing address, telephone and fax numbers, and e-mail address, as applicable;
 2. Location at which inspection is to be made, by legal description or physical address;
 3. Number of acres, structures, or vehicles to be inspected, as applicable;
 4. For shipping, the state, county, or commonwealth of planned destination, the category of inspection, and the nursery stock to be certified;
 5. Applicant's social security number or tax identification number, and
 6. Applicant's signature, and date of signature.
- F.** Denial, revocation, or suspension of a nursery certification.
 1. The Associate Director may deny issuing a certification if, after inspection, it is determined that a requirement for certification is not met.

2. The Associate Director may revoke a certification for a violation of a condition of the certification.
3. The Associate Director may suspend, for a period of up to 90 days, a certification for misuse or misrepresentation of the certification.
4. The Associate Director may refuse to issue or suspend a certification issued under this Article if the person representing a nursery refuses to present to the Department any documents required by the Department to determine the ownership, origin or destination of nursery stock presented for certification.

R3-4-302. ~~Special nursery certification; Arizona certified nursery inspections~~ Repealed

- ~~A. Inspection and fee. Upon written application from a nurseryman and payment of an annual \$30 fee per nursery location, an inspector of the Commission shall annually inspect a representative sample of all nursery stock at each nursery location to determine if the nursery stock meets all the requirements of certification for Arizona certified nurseries listed below.~~
- ~~B. Certification requirements. To qualify as an Arizona certified nursery, a nursery shall either be pest free or comply with the following actions required in a written remedial order issued by an inspector of the Commission:
 1. If nursery stock is found infested or infected with serious pests, it shall be quarantined until the pest has been eradicated.
 2. If nursery stock is infested or infected with common pests at detrimental levels, it shall be kept under a treatment program. Detrimental levels of common pests are specified in Arizona Commission of Agriculture and Horticulture Field Services Policy #8 dated March 24, 1988, incorporated herein by reference and on file with the Office of the Secretary of State. The treatment program shall include the use of a pesticide registered for use in Arizona on the nursery stock, at the intervals specified on the label, or effective cultural control measures.~~
- ~~C. Duration and use of Arizona certified nursery certificate. A current certificate declaring the nursery to be an Arizona certified nursery may be duplicated by the applicant in order to reproduce shipping labels. The expense of reproducing the certificate shall be borne by the applicant. The certificate shall be valid for 12 months from the date of issuance, unless revoked as provided in Section R3-4-306(C) or (D).~~
- ~~D. A nursery does not have to be an Arizona certified nursery to do business in the state of Arizona.~~

R3-4-303. ~~Special nursery certification; ozonium root rot inspection~~ Repealed

- ~~A. Inspection and fee. Upon written application from a nurseryman, an inspector of the Commission shall, for a fee of \$50 per nursery location, perform an inspection as is necessary to determine whether an ozonium root rot certification can be issued.~~
- ~~B. Certification requirements. Ozonium root rot certification requirements are specified in Arizona Commission of Agriculture and Horticulture Field Services Policy #7 dated June 24, 1987, incorporated herein by reference and on file with the Office of the Secretary of State.~~
- ~~C. Duration and use of ozonium root rot certificate:
 1. Ozonium root rot certification shall remain valid unless revoked as provided in Section R3-4-306(C) or (D).
 2. A certificate issued by the Commission cannot be reproduced without written permission of the Commission.~~

R3-4-304. ~~Special nursery certification; other certification inspections~~ Repealed

- ~~A. Inspection and fee. Upon the written request of a nurseryman and payment of the appropriate fee as specified below, the Commission shall perform those special nursery inspections for pests, weeds or diseases not otherwise specified in Section R3-4-302 or R3-4-303. The category of inspection selected and the plant pest, weed, or disease involved shall be determined by the certification requirements of the state, county or commonwealth which is scheduled to receive shipments of Arizona nursery stock. These requirements are in addition to the minimum shipping requirements applicable to Arizona certified nurseries:
 1. Shipment inspection. For an inspection which requires no more than one visit by an inspector to certify nursery stock scheduled to be transported by vehicle, the fee shall be \$10 per vehicle. The shipment shall leave for its destination within five working days following inspection or a new certification shall be required.
 2. Entire nursery location. For an inspection necessary to certify an entire nursery location, the fee shall be \$30 per nursery location.
 3. Laboratory inspection. Fees for an inspection requiring laboratory disease analysis shall be assessed according to the following schedule. For the purpose of this rule, an inspection for laboratory disease analysis shall be the examination of one sample:
 - a. The fee for inspection of a sample for bacterium shall be \$50.
 - b. The fee for inspection of a sample for nematodes shall be \$15.
 - e. The fee for inspection of a sample for fungus shall be \$15.
 - d. The fee for laboratory disease analysis which exceeds the capability of the Commission's laboratory and must be analyzed by an outside laboratory shall be the fee charged by the outside laboratory and all shipping costs. This fee shall not exceed \$50 per sample.
 4. Partial nursery inspection. When the agricultural agency of the receiving state, county or commonwealth does not require the certification of an entire nursery location, nor certification of a shipment, nor laboratory disease analysis,~~

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but does require the inspection of a portion of the nursery where the plants or things to be certified are located, the charge shall be \$20 per partial nursery inspection.

- 5. Inspection of out of state shipments resulting in recertification. Plant shipments which have entered Arizona and have not lost their identity as a shipment, were not exposed to infection or infestation while in Arizona, and upon arrival in Arizona have already met the certification requirements established by the agricultural agency of the state, county or commonwealth scheduled to receive the shipment, may be certified for reshipment without fee.

B. Certification requirements. The standard for certification requirements shall be determined by the agricultural agency of the state, county or commonwealth requiring certification of Arizona nursery stock. Copies of these requirements will be given to any nurseryman requesting certification.

C. Duration and use of certification.

- 1. Certification is valid for one year unless revoked as provided in Section R3-4-306(C) or (D); or unless the certification requirements, set forth by an agricultural agency of the state, county or commonwealth scheduled to receive the Arizona nursery stock, specify a shorter or longer duration.
2. A certificate issued by the Commission cannot be reproduced without permission of the Commission.

R3-4-305. Special nursery certification; application Repealed

A. The nurseryman may make written application for ozonium root rot inspection on a form approved by the Commission. The form shall contain the following:

- 1. Name of the applicant;
2. The applicant's mailing address and telephone number;
3. The nursery location, identified by name, quantity of land, and location (county, range, township, and section);
4. A section in which to specify the certification method requested.
5. Applicant's signature and date of application.

B. The nursery may make a written application for special nursery certification inspections, which does not include ozonium root rot inspection, on a form approved by the Commission. The form shall contain the following:

- 1. Applicant's name, nursery name, mailing address, and telephone number;
2. Location at which inspection is to be made by legal description or physical address;
3. Quantity of land;
4. A section in which to specify the state, county, or commonwealth of planned destination and the type of certification requested;
5. Applicant's signature and date of signature.

R3-4-306. Special nursery certification inspection; denial, revocation, and suspension of certification Repealed

A. The State Entomologist or an inspector of the Commission shall issue the appropriate certification if, after inspection, it is determined that all certification requirements are met.

B. The State Entomologist or an inspector of the Commission shall deny the issuance of a certification if, after inspection, it is determined that the requirements for certification are not met.

C. The Commission may revoke a certification for any violation of any of the conditions of that certification.

D. The Commission may suspend, for a period not to exceed 90 days, any certification for any misuse or misrepresentation of that certification.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 10. BOARD OF COSMETOLOGY

[R05-401]

PREAMBLE

1. Sections Affected

- R4-10-101
R4-10-105
R4-10-108
R4-10-109
R4-10-110
R4-10-111
R4-10-201
R4-10-203

Rulemaking Action

- Amend
Amend
Amend
Repeal
Amend
Amend
Amend
Amend

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R4-10-204	Amend
R4-10-205	Amend
R4-10-206	Amend
R4-10-401	Amend
R4-10-402	Amend
R4-10-403	Amend
R4-10-404	Amend

2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 32-504(A)(1)

Implementing statutes: A.R.S. §§ 32-501, 510, 511, 512, 513, 514, 515, 517, 518, 531, 532, 533, 537, 541, 542, 543, 544, 545, 551, 552, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, and 564

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 11 A.A.R. 4141, October 21, 2005

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Cheryl Adams, Deputy Director and Rules Coordinator

Address: 1721 E. Broadway Rd.
Tempe, AZ 85282

Telephone: (480) 784-4539, ext. 227

Fax: (480) 784-4962

E-mail: cheryl.adams@cb.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

A.R.S. § 32-504 requires the Arizona State Board of Cosmetology to adopt rules for the regulation of the cosmetology profession.

The rule amendments are meant to clarify rules, eliminate unnecessary requirements, and make grammatical corrections. Further, R4-10-108 allows examination candidates the choice of a live model or a mannequin in some examinations and the change will allow the use of a mannequin only for nail technology and cosmetology examinations. This same rule will now allow for pre-screening of examination candidates allowing them to examine and enter the work force at an earlier date. R4-10-109 is repealed, as the requirements are outmoded. Changes to R4-10-110 will affect the reactivation of a license that has been inactive between three and five years making it easier and less expensive for an inactive licensee to reenter the work force. R4-404 will clarify requirements for mobile service salons allowed by a law change to A.R.S. § 32-501.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Board of Cosmetology, licensed schools, and students will bear any costs associated with the rules. Changes such as pre-screening of an application and reactivating inactive licenses will result in a savings, as both changes will allow licensees to enter or reenter the work force at an earlier date. The requirement for a microdermabrasion machine in R4-10-205 will require some schools to purchase the machine.

Other rules eliminate the requirement of signing before a notary public which may constitute a saving.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Interested persons may contact the rules coordinator listed in item #4 regarding the economic, small business, and consumer impact statement.

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No public hearing is planned for this rulemaking; however, oral proceedings may be requested by contacting the person listed in item #4 above by telephone, fax, email, or in person. Interested persons may submit oral or written com-

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ments on the proposed rules Monday through Friday, 8:00 a.m. to 5:00 p.m., except state holidays, via telephone, fax, email, or in person to the person listed in item #4 above.

A person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the individual listed in item #4. A request should be made as early as possible to allow time to arrange the accommodation.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 10. BOARD OF COSMETOLOGY

ARTICLE 1. GENERAL PROVISIONS

Section

- R4-10-101. Definitions
- R4-10-105. Application for License by Reciprocity
- R4-10-108. Licensing Examinations
- R4-10-109. ~~Instructor Examinations~~ Repealed
- R4-10-110. Reactivating an Inactive License
- R4-10-111. Display of Licenses and Signs

ARTICLE 2. SCHOOLS

Section

- R4-10-201. Application for a School License; Renewal
- R4-10-203. General School Requirements
- R4-10-204. School Records
- R4-10-205. Aesthetic School Requirements
- R4-10-206. Cosmetology School Requirements

ARTICLE 4. SALONS

Section

- R4-10-401. Application for a Salon License
- R4-10-402. Changes Affecting a Salon License
- R4-10-403. Salon Requirements and Minimum Equipment
- R4-10-404. Mobile Services

ARTICLE 1. GENERAL PROVISIONS

R4-10-101. Definitions

In this Chapter unless otherwise specified:

1. "Accredited" means approved by the:
 - a. New England Association of Schools and Colleges,
 - b. Middle ~~states~~ States Association of Colleges and Secondary Schools,
 - c. North Central Association of Colleges and Schools,
 - d. Northwest Association of Schools and Colleges,
 - e. Southern Association of Colleges and Schools, or
 - f. Western Association of Schools and Colleges.
2. "Administrative completeness review" means the Board's process for determining that an individual applicant has:
 - a. ~~Provided~~ provided all of the information and documents required by Board statute or rule for an application; and

- b. If applicable, taken an examination given by the Board.
- 3. "Applicant" means an individual or any of the following seeking licensure by the Board:
 - a. If a corporation, any two officers of the corporation;
 - b. If a partnership, any two of the partners; or
 - c. If a limited liability company, the designated ~~manager~~ corporate contact person, or if no ~~manager~~ contact person is designated, any two members of the limited liability company.
- 4. "Application packet" means the forms and documents required by the Board ~~requires an applicant to submit or have submitted on the applicant's behalf~~.
- 5. "Certification of hours" or "certification of licensure" means a document that states the total number of hours completed at a school or status of license, including:
 - a. A written statement of the hours received in a licensed school or a; record of license history, ~~or credits a student received~~, signed by the administrator of the agency authorized to record hours or issue cosmetology, nail technician, ~~or~~ aesthetics, or instructor licenses in the jurisdiction in which the applicant ~~received a license or~~ received certified or accredited vocational or academic training or is licensed, affixed with the agency's official seal; or
 - b. ~~A notarized~~ If a student is transferring from one Arizona school to another pursuant to A.R.S. § 32-560, a transfer application that reflects the hours or credits a student received, signed by the administrator of the school where the applicant received certified or accredited training, when a student transfers from 1 Arizona cosmetology, nail technology, or aesthetics school to another pursuant to A.R.S. § 32-560.
- 6. "~~Clinic floor~~" ~~means the area where students perform client services for the public for a fee~~ means the area where students practice on the general public for a fee.
- 7. "Course" means an organized subject matter in which instruction is offered within a given period of time and for which credit toward graduation or certification is given.
- 8. "Credit" means one earned academic unit of study based on completing a high school's required number of class sessions per calendar week in a course or an earned academic unit of study based on attending a 4 one-hour class session per calendar week at a community college, an accredited college or university, or a school.
- 9. "Days" means calendar days.
- 10. "~~Delinquent~~" ~~means a license renewal that is not completed and filed with the Board or postmarked on or before the license renewal date required by A.R.S. § 32-501 through 32-564 or this Chapter.~~
- ~~11.~~ "Double bracing" means using a stable base of support and two points of contact for the hand while performing a procedure.
- ~~12.~~ "Establishment" means a business that operates functions as a school or a salon ~~in a structure that has a physical street address and functions as a salon or school~~ at least an average of 20 hours a week for the majority of the year: and
 - a. If a salon, operates as a salon in, or is dispatched from, a structure that has a physical street address; or
 - b. If a school,
 - i. Equipment for each classroom is to be the same as that required for each course of instruction in a school;
 - ii. Combination school requirements are the same for distant classrooms;
 - iii. Private Post Secondary facilities shall not extend the school beyond .5 miles apart as verified by map readings; and
 - iv. Public educational facilities shall not extend the school beyond the school designated campus.
- ~~13.~~ "~~Family member~~" means:
 - a. ~~The applicant's spouse;~~
 - b. ~~The natural or adopted children, father, mother, grandparents, brothers, sisters, aunts, uncles, first cousins, and second cousins of the applicant; or~~
 - c. ~~The natural or adopted children, father, mother, grandparents, brothers, sisters, aunts, uncles, first cousins, and second cousins of the applicant's spouse.~~
- ~~14.~~ "Graduation" or "graduated from a school" means the completion of the criteria established by a cosmetology, ~~an~~ aesthetics, or a nail technology school for the course in which the applicant was enrolled; including the completion of the required curriculum hours specified in R4-10-302, R4-10-303, R4-10-304, or R4-10-305.
- ~~15.~~ "High school equivalency" means:
 - a. A high school diploma from a school recognized by the basic education authority or the Department of Education in the jurisdiction in which the school is located,
 - b. A total score of 45 points on a high school equivalency general educational development test or its equivalent as required by the Department of Education,
 - c. An associate degree or 15 academic credits from a junior college recognized by the basic education authority in the jurisdiction in which the college is located, or
 - d. Any degree from a college or university recognized by the basic education authority in the jurisdiction in which the college or university is located.
- ~~16.~~ "Hour" means one clock hour.

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- 17-15. "Instructor training" means the courses ~~required by~~ specified in R4-10-302.
16. "Lab" means the area in which instruction is provided regarding demonstration, theory, and practice on mannequins or live models without charge.
17. "Licensed in another state of the United States or foreign country" means that a governmental regulatory agency in the state or country is authorized to examine candidates that have graduated from a licensed cosmetology, nail technology, aesthetics school, or examines instructors for those disciplines, for competency and issues licenses that have continued monitoring by the agency.
18. "Manager" means an individual licensed by the Board who is responsible for ensuring a salon's ~~an establishment's~~ compliance with A.R.S. §§ 32-501 ~~through 32-575 et seq.~~ and this Chapter.
19. "Model" means a mannequin ~~for a cosmetology or nail technology examination,~~ or person ~~for an aesthetics examination,~~ or either a mannequin or person ~~for an instructor examination~~ on whom an applicant performs demonstrations for the practical section of a licensing examination.
20. "Owner" means an individual or entity that has controlling legal or equitable interest and authority ~~who is responsible for ensuring an establishment's compliance with A.R.S. 32-501 et seq. and this Chapter in an establishment.~~
21. "Patron" means any client of an establishment or student of a school.
22. "Personal knowledge" means actual observation of an individual, ~~other than a family member,~~ who is currently ~~practicing~~ practiced aesthetics, cosmetology, or nail technology in any state or country.
- ~~22-23.~~ "Practice" means engaging in the ~~occupation~~ profession of aesthetics, cosmetology, ~~or nail technology,~~ or instructor.
23. "Primary category of practice performed in the salon", as stated in A.R.S. § 32-574(A)(2), means:-
- a. ~~The practice, either aesthetics, cosmetology, or nail technology, for which the majority of the salon's employees or independent contractors hold licenses; or~~
 - b. ~~The practice for which the salon owner holds a license.~~
24. "Reciprocity" means the procedure for granting an Arizona license to an applicant who has received the required hours from a school licensed in another state of the United States or a foreign country or is currently licensed in another state of the United States or a foreign country.
25. "Substantive review" means the Board's process for determining that an applicant for licensure meets the requirements of ~~A.R.S. §§ 32-501 through 32-575 and this Chapter~~ the license for which application is made including, if applicable, taking and passing an examination given by the Board.
26. "10th grade equivalency" means:
- a. ~~10 Ten~~ high school credits, including two in English, from any school recognized by the basic education authority or the Department of Education in the jurisdiction in which the credits were obtained, ~~or proof;~~
 - b. Proof that the prospective student is 23 years old. Satisfactory proof of the prospective student's age is shown by a government-issued driver's license or identification card, a birth certificate, or a passport, ~~or~~
 - c. High school equivalency.
27. "Transfer application", as used in A.R.S. § 32-560, means an application that documents the transfer of a student from one Arizona cosmetology, nail technology, or aesthetics school to another and contains the student's name, address, identification number, phone number, and number of hours of instruction received.

R4-10-105. Application for License by Reciprocity

An applicant for an aesthetics, cosmetology, nail ~~technician~~ technology, or instructor license by reciprocity shall submit the applicable fee required in R4-10-102 and all of the following to the Board:

1. An application provided by the Board; ~~and~~ signed by the applicant, ~~and notarized~~ that contains:
 - a. The applicant's name, address, telephone number, gender, passport quality photo, social security Social Security number, and birth date;
 - b. If previously licensed by the Board, the type of license, license number, license expiration date, and the name used on the license; ~~and~~
 - c. A statement of whether the applicant has ever had an aesthetics, ~~a~~ cosmetology, ~~a~~ nail ~~technician~~ technology, or ~~an~~ instructor license suspended or revoked in any state or foreign country; ~~and~~
 - d. ~~A statement under oath by the applicant verifying the truthfulness of the information provided by the applicant;~~
2. A certification of hours and proof of graduation or licensure in another state of the United States or a foreign country that shows the number of hours received in a school or the initial and final dates of licensure; ~~and~~
3. ~~To demonstrate compliance with the practice requirements in A.R.S. § 32-513 (A)(2) or A.R.S. § 32-532(3), a notarized form, supplied by the Board, that is completed by an owner or manager of a licensed salon, a licensee with personal knowledge of the applicant's practice for at least one of the five years immediately preceding the date of the application, or a supplier of aesthetics, cosmetology, or nail technology products to the applicant that contains:-~~
 - a. ~~The name of the applicant;~~
 - b. ~~The type of practice engaged in by the applicant;~~
 - e. ~~The initial and final dates of applicant's practice;~~

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- d. The name, address, and telephone number of the salon where the applicant is or was practicing;
- e. If completed by a licensee with personal knowledge, the initial and final dates of the practice;
- f. If completed by an individual who is a supplier, the initial and final dates the aesthetics, cosmetology, or nail technology products were provided;
- g. If completed by an owner or manager of a salon, the name, current address, and current telephone number of the owner and license number of the salon where the applicant is or was practicing or the name, current address, and current telephone number of the manager of the salon where the applicant is or was practicing and the manager's license number; and
- h. A statement under oath, signed by the owner or manager, licensed individual, or supplier, verifying the truthfulness of the information.

R4-10-108. Licensing Examinations

- A. ~~An examination application~~ A pre-screening review of examination qualifications may be submitted prior to graduation from a school but shall not be accepted approved until the applicant student has graduated from a cosmetology, nail technology, or aesthetics school, or meets the requirements of A.R.S. §§ 32-510(A)(3)(e) or 32-511(A)(3)(e): received a minimum of:
 - 1. 1450 hours of cosmetology training.
 - 2. 500 hours of aesthetics or nail technician training.
 - 3. 550 hours of cosmetology instructor training.
 - 4. 400 hours for aesthetics instructor training, or
 - 5. 250 hours of nail technician instructor training.
- B. ~~After pre-screening is complete, a student may receive an examination date but will not be examined until certification of graduation is received. A pre-screening review does not substitute for an official agency acceptance or issuance of a license. If the examination time passes without submittal of school provided certification of graduation, the examination fee is forfeited.~~
- C. ~~If an examination pre-screening review is not requested, an examination application will not be accepted until the applicant has received the hours required for graduation and has graduated from a school licensed by the Board.~~
- D. ~~All examinations shall be held in the Board's examination center at the Board's office unless another location is designated by the Board in its written notice to the applicant.~~
- E. ~~The Board shall notify applicants in writing at least 10 days before the examination of the time and place assigned for the examination.~~
- ~~D.F.~~ Applicants shall verify their provide identification upon entering the examination center with a passport, driver's license, bank identification card, military identification, or United States government-issued identification card. Identification shall contain a photograph of the applicant.
- ~~E.G.~~ Examinations shall consist of both written and practical sections and shall include live demonstrations of aesthetics, cosmetology, or nail technology, whichever is applicable to the examination being taken. Demonstrations of wet sets and comb-outs may be performed on a mannequin. for a cosmetology or nail technology examination shall be performed on a mannequin. Demonstrations for an aesthetics examination shall be performed on a model. Demonstrations for an instructor examination shall be performed on a model or mannequin.
- ~~F.H.~~ Applicants shall comply with all infection control and safety standards required by R4-10-109 R4-10-112 during the examination.
- ~~G.I.~~ Applicants who cannot appear for an examination as scheduled shall notify the Board at least 48 hours before the scheduled examination in order to reschedule without paying another examination fee forfeit the examination fee. Applicants who arrive to at an examination site after the examination has begun shall not be examined. Applicants who arrive after the examination has begun; and applicants who fail to appear for the scheduled examination without notifying the Board at least 48 hours before the examination, may reschedule will be rescheduled only after paying another examination fee. A one time cancellation within at least 48-hours of the examination start time will be allowed and not require another examination fee.
- ~~H.J.~~ Applicants shall supply equipment, supplies, tools; or implements instruments, and a mannequin or model as required. Applicants who choose to perform wet sets and comb-outs on a mannequin shall supply the mannequin.
- ~~I.K.~~ Current or former students or student instructors in an aesthetics, cosmetology, or nail technology schools school shall not be used as models in the live demonstration of aesthetics, cosmetology, or nail technology or instructor examinations.
- ~~J.L.~~ Examination materials shall are not be made available to applicants for inspection or copying before, during, or after an examination.
- ~~K.M.~~ Notebooks, notes, tape recorders, and dictionaries Written material or recording media shall are not be allowed in either the written or practical sections of the examination for aestheticians, cosmetologists, or nail technicians. The examination administrator may exclude other items from the written or practical sections of the examination that may impede the fair administration or security of the examination. An applicant who seeks to impede the fair administration of an exam, copies or asks information from another applicant, or has a blood spill that is not treated following proper blood spill proce-

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dures shall be dismissed from the examination and shall forfeit the examination fee.

~~L.N.~~ If an applicant has passed the examination but does not apply for an original license within one year after the date of the examination, the examination scores shall be voided.

~~M.~~ A written request to review a failed examination shall be made within 30 calendar days of the postmarked date of the examination scores. A written review by a representative of the Board shall be mailed to the applicant within 10 calendar days after the request for review has been received by the Board.

~~N.O.~~ The If application is made by reciprocity, the Board may accept a score on a written or practical examination from another jurisdiction if the examination was the same national examination as that administered in Arizona and the score is at least the same as the passing score that was required by the Board at the time the applicant took the examination in that the other jurisdiction. The An applicant shall provide the Board with documentation from the other jurisdiction to verify the previous passing score and that this score was received within one year of the date that the Board received the applicant's application applicant applied for licensure with this Board.

~~O.P.~~ The Board shall conduct all examinations in English and applicants shall submit answers in English.

R4-10-109. Instructor Examinations Repealed

~~A.~~ In addition to the requirements set forth in R4-10-104, examinations for instructor licenses in aesthetics, cosmetology, or nail technology shall contain both written and practical sections.

~~B.~~ The written aesthetician examination may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 et seq.), Arizona Cosmetology rules as they relate to aesthetics (R4-10-101 et seq.) and questions from the following subjects:

- ~~1. Skin treatments;~~
- ~~2. Facial machines;~~
- ~~3. Cosmetics;~~
- ~~4. Product applications to skin;~~
- ~~5. Depilatories;~~
- ~~6. Artificial eyelashes;~~
- ~~7. Lash and brow tinting;~~
- ~~8. Salon management;~~
- ~~9. Professional ethics;~~
- ~~10. Consultation and analysis;~~
- ~~11. Theory, principles, and methods of teaching;~~
- ~~12. Dermatology;~~
- ~~13. Massage;~~
- ~~14. Infection control;~~
- ~~15. Bacteriology;~~
- ~~16. First aid;~~
- ~~17. Hygiene;~~
- ~~18. Chemistry;~~
- ~~19. Histology;~~
- ~~20. Anatomy;~~
- ~~21. Physiology;~~
- ~~22. Aromatherapy;~~
- ~~23. Chromatology;~~
- ~~24. Light therapy and electricity, as these subjects are related to salon services and the practice of aesthetics.~~

~~C.~~ The practical aesthetician examination may consist of a presentation of a theory class and a demonstration before at least one representative of the Board. Subjects shall be assigned at the time applicants are notified of their eligibility to take the examination.

- ~~1. The theory class presentation may include any of the following subjects:-~~
 - ~~a. Skin treatments;~~
 - ~~b. Cosmetics;~~
 - ~~e. Product applications to skin;~~
 - ~~d. Depilatories;~~
 - ~~e. Artificial eyelashes;~~
 - ~~f. Lash and brow tinting;~~
 - ~~g. Salon management;~~
 - ~~h. Professional ethics;~~
 - ~~i. Facial machines;~~
 - ~~j. Consultation and analysis;~~
 - ~~k. Dermatology;~~

- l. ~~Massage;~~
- m. ~~Infection control;~~
- n. ~~Bacteriology;~~
- o. ~~First aid;~~
- p. ~~Hygiene;~~
- q. ~~Chemistry;~~
- r. ~~Histology;~~
- s. ~~Anatomy;~~
- t. ~~Physiology;~~
- u. ~~Aromatherapy;~~
- v. ~~Chromatology; and~~
- w. ~~Light therapy and electricity, as these subjects relate to salon services and the practice of aesthetics.~~
- 2. ~~The demonstration may include any of the following subjects:~~
 - a. ~~Massage;~~
 - b. ~~Skin treatments;~~
 - e. ~~Facial machines;~~
 - d. ~~Product applications to skin;~~
 - e. ~~Depilatories;~~
 - f. ~~Artificial eyelash application;~~
 - g. ~~Lash and brow tinting;~~
 - h. ~~Consultation and analysis; and~~
 - i. ~~High frequency application.~~
- D.** ~~The written cosmetologist examination may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 et seq.), Arizona Cosmetology rules relating to cosmetology (R4 10 101 et seq.) and questions from the following subjects:~~
 - 1. ~~Chemical hair restructuring;~~
 - 2. ~~Hair coloring;~~
 - 3. ~~Nail technology;~~
 - 4. ~~Aesthetics and makeup;~~
 - 5. ~~Scalp and hair treatments;~~
 - 6. ~~Salon management;~~
 - 7. ~~Professional ethics;~~
 - 8. ~~Shampooing and rinsing;~~
 - 9. ~~Hair shaping;~~
 - 10. ~~Hairstyling;~~
 - 11. ~~Depilatories;~~
 - 12. ~~Consultation and analysis;~~
 - 13. ~~Theory, principles, and methods of teaching;~~
 - 14. ~~Massage;~~
 - 15. ~~Infection control;~~
 - 16. ~~Bacteriology;~~
 - 17. ~~First aid;~~
 - 18. ~~Hygiene;~~
 - 19. ~~Chemistry;~~
 - 20. ~~Dermatology;~~
 - 21. ~~Trichology;~~
 - 22. ~~Onychology;~~
 - 23. ~~Histology;~~
 - 24. ~~Anatomy;~~
 - 25. ~~Physiology; and~~
 - 26. ~~Electricity as these subjects are related to salon services and the practice of cosmetology.~~
- E.** ~~The practical cosmetologist examination may consist of a presentation of a theory class and a demonstration before least one representative of the Board. Subjects shall be assigned at the time applicants are notified of their eligibility to take the examination.~~
 - 1. ~~The theory class presentation may include any of the following subjects:~~
 - a. ~~Chemical hair restructuring;~~
 - b. ~~Hair coloring;~~
 - e. ~~Nail technology;~~
 - d. ~~Aesthetics and makeup;~~

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- e. Scalp and hair treatments,-
 - f. Salon management,-
 - g. Professional ethics,-
 - h. Shampooing and rinsing,-
 - i. Hair shaping,-
 - j. Hairstyling,-
 - k. Depilatories,-
 - l. Consultation and analysis,-
 - m. Massage,-
 - n. Infection control,-
 - o. Trichology,-
 - p. Bacteriology,-
 - q. First aid,-
 - r. Hygiene,-
 - s. Chemistry,-
 - t. Dermatology,-
 - u. Onychology,-
 - v. Histology,-
 - w. Anatomy,-
 - x. Physiology, and
 - y. Electricity, and
 - z. Salon management as they relate to salon services and the practice of cosmetology.-
2. The demonstration may include any of the following subjects:-
- a. Chemical hair restructuring,-
 - b. Hair coloring,-
 - e. Nail technology,-
 - d. Aesthetics and makeup,-
 - e. Scalp and hair treatments,-
 - f. Shampooing and rinsing,-
 - g. Hair shaping,-
 - h. Hairstyling,-
 - i. Depilatories,-
 - j. Massage, and
 - k. High frequency application.-
- F.** The written nail technician examination may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 et seq.), Arizona Cosmetology rules relating to nail technology (R4 10 101 et seq.) and questions from the following subjects:
- 1. Manicuring,-
 - 2. Pedicuring,-
 - 3. Salon management,-
 - 4. Professional ethics,-
 - 5. Artificial nail application,-
 - 6. Nail wraps,-
 - 7. Theory, principles, and methods of teaching massage,-
 - 8. Infection control,-
 - 9. Bacteriology,-
 - 10. First aid,-
 - 11. Hygiene,-
 - 12. Chemistry,-
 - 13. Dermatology,-
 - 14. Onychology,-
 - 15. Histology,-
 - 16. Anatomy, and
 - 17. Physiology as these subjects are related to salon services and the practice of nail technology.-
- G.** The practical nail technician examination may consist of a presentation of a theory class and a demonstration before at least one representative of the Board. Subjects shall be assigned at the time applicants are notified of their eligibility to take the examination.
- 1. The theory class presentation may include any of the following subjects:-
 - a. Manicuring,-

- b. ~~Pedicuring,~~
 - e. ~~Salon management,~~
 - d. ~~Professional ethics,~~
 - e. ~~Consultation and analysis,~~
 - f. ~~Artificial nail applications, and~~
 - g. ~~Nail wraps,~~
 - h. ~~Massage,~~
 - i. ~~Infection control,~~
 - j. ~~Bacteriology,~~
 - k. ~~First aid,~~
 - l. ~~Hygiene,~~
 - m. ~~Chemistry,~~
 - n. ~~Dermatology,~~
 - o. ~~Onychology,~~
 - p. ~~Histology,~~
 - q. ~~Anatomy, and~~
 - r. ~~Physiology as these subjects relate to salon services and the practice of nail technology.~~
2. ~~The demonstration may include any of the following subjects:~~
- a. ~~Manicuring,~~
 - b. ~~Pedicuring,~~
 - e. ~~Artificial nail applications, and~~

~~H. Each theory class presentation and each demonstration shall last approximately 30 minutes.~~

~~I. At the start of each instructor examination, the applicant shall identify, to the examination administrator, textbooks, visual aids, and other materials and submit to the examination administrator three copies of the lesson plan and clinic sheet to be used for the practical section of the examination. Lesson plans and clinic sheets shall include 10 questions correlating to the subjects assigned.~~

R4-10-110. Reactivating an Inactive License

~~A. A cosmetology, nail technology, aesthetician aesthetics, or instructor license that has been inactive for less than one year will be reactivated by paying the delinquent renewal penalty.~~

~~B. A cosmetology, nail technology, aesthetics, or instructor license that has been inactive for more than one year, but less than two five years, may be reactivated by the licensee paying the delinquent renewal penalty and completing 1 of the following requirements:~~

- ~~1. Attending completing an Infection Control class and a Law Review class, offered by the Board, to be paid for by the licensee; ;~~
- ~~2. Passing the written and practical portions of the state license examination; or~~
- ~~3. Submitting documentation to the Board that the licensee has satisfied the educational requirements stated in subsection (D) below.~~

~~**B.C.** A cosmetology, nail technology, aesthetics, or instructor license that has been inactive for more than two five years, but less than 10 years, may be reactivated by the licensee paying the delinquent renewal penalty and completing one all of the following requirements: :~~

- ~~1. Passing the written and practical portions of the state license examination, or Provide a certification of licensure;~~
- ~~2. Submitting documentation to the Board that the licensee has satisfied the educational requirements stated in subsection (D) below. Complete the infection protection class and law review class given by the Board;~~
- ~~3. Take and pass the Board examination pertaining to the type of license formerly held; and~~
- ~~4. Pay the delinquent renewal penalty.~~

~~**C.D.** If a cosmetology, nail technology, aesthetics, or instructor license has been inactive for more than 10 ten years, the licensee shall complete all original licensing requirements.~~

~~**D.** To satisfy the educational requirements in A.R.S. § 32-518(D)(2) to reactivate a license, the licensee shall pay the delinquent renewal penalty and submit documentation to the Board that the licensee received the number of hours of training stated in subsections (D)(1), (2), or (3), while the license was inactive, in a school licensed to provide such training.~~

- ~~1. Aestheticians shall receive 120 hours of training.~~
- ~~2. Cosmetologists shall receive 250 hours of training.~~
- ~~3. Nail Technicians shall receive 80-120 hours of training.~~

~~**E.** To satisfy the educational requirements in A.R.S. § 32-518(D)(2) to reactivate an instructor's license, the licensee shall pay the delinquent renewal penalty and submit documentation to the Board that the instructor has completed one of the following requirements:~~

- ~~1. Received 200 hours of instructor's training, including methods of teaching, while the instructor's license was inactive, in a licensed aesthetics, cosmetology, or nail technology school; or~~

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- 2- Passed the written and practical portions of the state license examination;
- ~~F-~~ The first 120 hours of aesthetics instructor training may be applied to reactivate an aesthetician license.
- ~~G-~~ The first 250 hours of cosmetology instructor training may be applied to reactivate a cosmetology license.
- ~~H-~~ The first 80 hours of nail technology instructor training may be applied to reactivate a nail technician license.

R4-10-111. Display of Licenses and Signs

- A. The name on an establishment's exterior sign, advertising, ~~or~~ and publication shall be the same as the name on the establishment license issued by the Board. The establishment's exterior sign shall contain lettering at least 2 1/2 inches in height ~~and identify the establishment as a school or a salon.~~
- B. Schools shall prominently post a class schedule that lists the names of instructors and classes. The ~~establishment~~ school and instructor licenses shall be displayed near the ~~establishment~~ school entrance where visible to the public.
- C. Salons shall prominently post the salon license and the individual licenses of all licensees performing services in the salon.
- ~~D.~~ A licensee ~~who is~~ performing mobile services shall prominently display a duplicate personal ~~of the~~ and establishment license ~~from the salon where the licensee was dispatched and the licensee's license in the area where mobile services are being provided.~~ The licensee's original license shall be prominently displayed in the salon from ~~where~~ which the licensee was dispatched.
- ~~D.E.~~ A copy of ~~R4-10-109~~ R4-10-112 shall be prominently posted in ~~both the establishment and the mobile service area.~~
- ~~F.~~ A Salons salon shall prominently post a notice of salon services that are not regulated by the Board ~~and are performed by people who are not licensed by the Board.~~

ARTICLE 2. SCHOOLS

R4-10-201. Application for a School License; Renewal

- A. An applicant for a school license shall submit the documents required in A.R.S. § 32-551 and:
 - 1. ~~Submit an~~ An application on a form provided by the Board, signed by the applicant, and notarized that contains:
 - a. The applicant's name, address, ~~social security number,~~ federal tax identification number, and telephone number;
 - b. If a partnership, each partner's name and address and an identification of whether a limited or general partner;
 - c. If a corporation, the state of incorporation and the name, title, and address of ~~each officer~~ at least two officers of the corporation;
 - d. The name under which the school will be operated;
 - e. The name ~~and address~~ and Board issued license number of the ~~Board licensed~~ instructor ~~who is~~ in charge of the school;
 - f. If an existing school, the date the applicant will be assuming ownership; and
 - g. If a new school, the date of scheduled opening of the school;
 - 2. If a corporation, submit the articles of incorporation;
 - 3. ~~Submit an 8 1/2" by 11" floor plan of the school.~~ A signed statement that the establishment has equipment required by statute and rule for the school;
 - 4. ~~Submit an~~ An ~~uncompleted~~ unexecuted contract form required by A.R.S. § 32-558;
 - 5. ~~Submit a~~ A schedule that includes the hours of each day and each day of a calendar week during which the school will be open for instruction;
 - 6. ~~Submit a~~ A proposed schedule of classes to be taught at the school;
 - 7. The name, address, and phone number of the bonding company and a copy of the bond;
 - 8. A copy of all school policies and procedures;
 - 9. ~~Submit a~~ A school catalog containing the information required by A.R.S. § 32-559 and
 - a. The number of days required for course enrollment necessary to complete the hours required for the course;
 - b. The days and hours of operation, vacation periods, and holidays;
 - c. A listing of policies regarding leaves of absence and vacation approval;
 - ~~8-10.~~ Demonstrate compliance with A.R.S. § 32-551 through § 32-575 and these rules through a school inspection conducted by the Board; and
 - ~~9-11.~~ ~~Submit a~~ The fee required in R4-10-102.
- B. In addition to the requirements in R4-10-107, a licensee shall submit the following when renewing a license:
 - 1. ~~An updated floor plan not exceeding 8 1/2" by 11" for all structural improvements;~~
 - 2- The most recent school catalog showing:
 - a. Any modifications, additions, or deletions;
 - b. An index reflecting where the information required by A.R.S. § 32-559 is located in the catalog; and
 - c. The ~~names~~ name of each accrediting or approving organization.
 - ~~3-2.~~ A subject description of each new course and its schedule if applicable;

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- 4-3. A new operating schedule if change occurred;
- 5-4. The name and address of any new statutory agent;
- 6- ~~If the school changes its name, a request for approval of the name and the fee required in R4-10-102; and~~
- 7-5. The name and license number of the current ~~manager~~ licensed instructor in charge of the school;
- 6. The name, address, and phone number of the bonding company; the bond number; expiration date of the bond; and a copy of the bond.

- C. If the owner enters into a management contract, the terms and conditions of that contract must be submitted upon signature;
- D. If change occurs to the catalogue, policies, procedures, bond, subject description or any new course, new operating schedule, new statutory agent, or student contract during the year, changes shall be submitted within five days of change.

R4-10-203. General School Requirements

- A. ~~Aesthetic~~ Aesthetics, cosmetology, and nail technology schools shall comply with ~~R4-10-109~~ R4-10-112 and have the following minimum facilities, equipment, supplies, and materials:
 - 1. One area of instruction for every 20 students;
 - 2. A licensed instructor as manager or director;
 - 3. A desk, table, and chair, or other instructional fixtures and facilities for each student during theory instruction;
 - 4. Filing cabinets to hold all school and student records;
 - 5. An instruction Board in each room used for instruction;
 - 6. At least ~~2~~ two cubic feet of individual locked area with a different locking device for each enrolled student and each instructor to store personal objects and training kits;
 - 7. A sink area for each 50 students in attendance for the preparation, mixing, and dispensing of supplies and chemicals, and for the disinfection of small tools or ~~implements~~ instruments;
 - 8. At least one rest room meeting the requirements of ~~R4-10-109~~ R4-10-112.
 - 9. Separate receptacles for garbage and soiled linens; and
 - 10. One container for wet disinfectant ~~when~~ for each student performing aesthetics and nail technology ~~as specified by R4-10-109.~~
- B. The school shall furnish the appropriate amount of equipment, tools, ~~implements~~ instruments, materials, and supplies needed to perform assignments and for instructional purposes, except that the school may require each student to furnish small tools or ~~implements~~ instruments. All equipment, tools, and materials shall be salon quality and maintained in good repair at all times.
- C. The school shall have a library for student use which contains at least the following materials relating to the course or courses offered by the school:
 - 1. Standard dictionary;
 - 2. Medical dictionary;
 - 3. Anatomy chart on bones, muscles, nerves, hands, arms, nails, veins, arteries, circulatory system, hair, and skin;
 - 4. Three current periodicals on the art and science of cosmetology;
 - 5. Current cosmetology instruction manuals or textbooks;
 - 6. Current Arizona Cosmetology laws and rules ~~governing the practice of aesthetics, cosmetology, and nail technology;~~ and
 - 7. A cosmetology dictionary.
- D. Each school shall maintain a complete file on all current curriculum requirements.
- E. ~~Schools may award reduced tuition, scholarships, and grants to students.~~ Schools shall not pay salaries to enrolled students other than student instructors.
- F. Licensed schools may offer postgraduate or advanced continuing education cosmetology courses, including theory and lab, to students currently enrolled in the school or currently licensed individuals without a licensed instructor present; ~~however, credit hours toward graduation or licensure shall not be granted. and:~~
 - 1. Credit hours toward graduation or licensure shall not be granted or reported to the Board;
 - 2. Currently enrolled students shall not perform services upon a person without an instructor present;
 - 3. A student file is not required for licensed individuals; and
 - 4. Licensees must have licensee's current Board-issued license number onsite.
- G. Individuals licensed ~~pursuant to A.R.S. § 32-501 et seq. by this Board~~ may re-enroll in a licensed school for a refresher course as a current student. Credit hours for training received ~~during regular school hours~~ shall be submitted to the Board.
- H. Schools shall establish a periodic grading schedule and keep student transcripts current.
- I. Schools shall provide a notice to students at least 60 days prior to the end of the enrollment period set forth in the school/student contract stating whether the student is over contract hours and if additional charges will be forthcoming. Schools are prevented from charging over-contract hour prices if notification was not given to student. If a student goes over hours after the 60-day notice is given, the school shall notify the student at the end of each month as to current status.
- J. Schools shall schedule a minimum of four hours of theory classes each week for each full-time student and a minimum of

two hours of theory classes each week for each part-time student.

~~J.K.~~ Safety and infection control measures relating to each subject shall be taught in conjunction with that subject.

~~K.L.~~ Schools shall not solicit students for enrollment on the site of other schools.

~~L.M.~~ While in school, instructors shall wear a tag indicating ~~their~~ the instructor's name and courses they teach.

~~M.N.~~ Schools shall ensure compliance with the following:

1. Students shall attend school no more than 56 hours in any one week.
2. Students shall operate only safe equipment in good repair.
3. Students of aesthetics, cosmetology, and nail technology shall perform services within the course in which they are enrolled, upon the public or fellow students, only in the presence of a licensed instructor and, except for shampooing, only after completing the basic training specified in R4-10-303, R4-10-304, and R4-10-305 ~~prescribing their curriculum.~~
4. Students shall not be prevented or discouraged from making a complaint to the Board.
5. ~~Students may receive a maximum of 16 hours credit for field trips if the trip has been approved by the Board. One licensed instructor shall accompany no more than 20 students.~~
- ~~6.~~ Students shall not be dismissed from a scheduled theory instruction or written or practical examination to perform clinical services to the public; and
- ~~7-6.~~ While in school, each student shall wear a tag indicating ~~their~~ the student's name and the course in which ~~they are~~ the student is enrolled.

R4-10-204. School Records

- A. Student records shall be kept at the school where the student is enrolled and are subject to inspection by the Board at all times.
- B. When a student transfers from one school to another, the school from which the student is transferring shall keep a copy of the student's transcript, and ~~shall~~ forward one copy to the student and another copy to the Board within three days of the date of transfer, and shall withdraw the student on the school records and the monthly report submitted to the Board.
- C. Each school shall keep:
 1. A complete and accurate record of the time devoted by each student to the enrolled course of study;
 2. ~~Records~~ A complete and accurate record which shows the basis for certification of the student hours. Schools shall certify only those hours of training received by the student in that school or hours accepted by the school and received in another state or country; and
 3. ~~A~~ A complete and accurate individual student file for each student enrolled containing:
 - a. Contract and enrollment agreement;
 - b. Financial aid transcript;
 - c. Proof of 10th grade ~~or high school~~ equivalency for a student enrolled in an aesthetics, cosmetology, or nail technology course; ~~and~~ or proof of high school equivalency or 23 years of age for a student enrolled ~~as in~~ in an instructor course as specified by R4-10-101;
 - d. Identification ~~numbers~~ number;
 - e. Proof of one year of licensed work experience for a student instructor ~~in aesthetics, cosmetology, or nail technology;~~
 - f. A ~~signed~~ signed statement signed by school administration and the student indicating ~~receipt~~ a listing of contracted supplies contained in the kit provided to the student. The contract shall set forth the contents of the kit including: materials, instruction manual, or textbook, and Arizona Cosmetology laws and rules
 - i. The price of items contained in the kit;
 - ii. When the items shall be distributed;
 - iii. The manufacturer of the products;
 - iv. The retail value of the kit; and
 - v. A statement that if substitutions occur after the contract is signed, the substitutions shall be of comparable value; and
 - g. A record of completed hours including proof of hours earned in another state or country; and
 4. ~~Current~~ Complete and accurate academic transcripts and attendance and hour records or time cards ~~for Board inspection.~~
- D. A complete and accurate monthly report submitted to the Board shall be ~~postmarked~~ electronically delivered no later than the 10th day of each month. The monthly report shall include:
 1. ~~The~~ For each student enrolled since the prior monthly report only:
 - a. ~~name;~~ Name;
 - b. ~~student~~ Student identification number; ;
 - c. ~~enrollment~~ Enrollment date; ;
 - d. ~~address;~~ Address;
 - e. ~~telephone~~ Telephone number; ;

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- f. Type of educational documentation to meet the requirements of R4-10-104;
 - g. Proof of hours received in another Arizona licensed school, state, or country certified by the school, if applicable;
 - h. Proof of crossover hours necessary to qualify for R4-10-306, if applicable; and
 - i. birth ~~Birth~~ date of each student enrolled in the school since the prior monthly report; .
 - 2. The enrollment category of each student, as nail technology, cosmetology, aesthetics, or student instructor;
 - 3. The type of education documentation received by the school to prove that each student is qualified to enroll in cosmetology school;
 - 4. The name, license number, and work schedule of the instructor in charge of the school, and name of the custodian of records;
 - 5-4. The name, license number, and ~~dates of employment~~ work schedule of each instructor employed by the school;
 - 6-5. The signature of the instructor who prepares and certifies the report as being true and correct;
 - 7-6. The name of student instructors, ~~the scheduled attendance,~~ and current aesthetician, cosmetologist, or nail technician Board-issued license number from any state or country;
 - 8-7. For each demonstration given, the name of the demonstrator, the name of the observing instructor, the name of the process or product demonstrated, the number of students in attendance, and the name of the course in which the demonstration was given;
 - 9. Documentation at the time of the 1st reporting period after enrollment certifying a student's credit hours from a prior enrollment in any school, or crossover hours as specified by R4-10-306;
 - 10-8. Total hours received by each student during the month of the report. Hours received by each student for the prior month, the current month, and total cumulative hours. This total shall not be amended without satisfactory proof of error;
 - 11-9. Signature of each student verifying approval of the certified hours;
 - 12-10. Certification of those students who have met the graduation requirements of the school, including the day, month, and year of graduation; and
 - 13-11. The notation "transferred", "withdrawn", "or "leave of absence" for students who discontinue training, and the day, month, and year training was discontinued. Documentation to certify the hours earned by the student prior to ~~discontinuing withdrawal or taking a leave of absence~~ shall be provided to the student within one week.
- E. A person who has registered for the Board examination and has completed the required hours for graduation, but stays in school until the date of the examination, shall be credited for the additional hours earned after graduation.

R4-10-205. Aesthetic School Requirements

- A. Schools which provide aesthetics 600-hour training for students, 500-hour training for instructors, or both, shall provide the following minimum facilities, equipment, supplies, and materials in addition to that required by R4-10-203 and R4-10-204:
- 1. A work station for each student in attendance to perform aesthetics services to the public, each having:
 - a. A facial chair or table;
 - b. A table top which is ~~32"~~ 12" x 18" or larger;
 - c. ~~A mirror that is at least 4" by 4" when performing services on a client;~~
 - d. ~~A dry, disinfected, covered container to store disinfected tools and implements instruments as specified by R4-10-109, and~~
 - e-d. A labeled receptacle for contaminated tools or implements instruments.
 - 2. ~~One steamer, vaporizer, or pulverizer machine for every 12 students in attendance~~ four students in attendance during lab and two students in attendance during clinic;
 - 3. ~~One galvanic current machine~~ One microdermabrasion machine to be used at a non-invasive level;
 - 4. ~~One suction or vacuum machine with a comedone extractor and a sebum extractor for every 12 students in attendance;~~
 - 5. ~~One high frequency Tesla or violet ray unit and a facial electrode for every 12 students in attendance;~~
 - 6. ~~One magnifying lamp of at least a 5 diopter for every 12~~ two students in attendance during lab and every four students in attendance during clinic students in attendance;
 - 7. ~~One therapeutic lamp for every 12 students in attendance;~~
 - 8-5. ~~Cleansing cream~~ Cleansers;
 - 9-6. ~~Massage cream~~ medium;
 - 10-7. ~~Astringent, toner, and mist~~ Toner;
 - 11-8. ~~Mask or pack~~ Exfolients and masks; and
 - 12-9. ~~Chemical and physical depilatories;~~ Depilatories.
 - 13. ~~Artificial eyelashes; and~~
 - 14. ~~Cosmetics~~
- B. Each ~~student school~~ shall ~~have provide~~ a student training kit for each enrolled aesthetics student ~~enrolled~~ containing, at a minimum, the following:

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1. One standard textbook for professional aestheticians; ~~and Arizona cosmetology laws and rules;~~
2. One set of four facial brushes without defects copy of Arizona cosmetology laws and rules;
3. ~~One professional tweezer;~~
4. One disinfected, covered container to store disinfected tools and ~~implements~~ instruments as specified by ~~R4-10-109~~ R4-10-112; and
5. ~~4.~~ A container for contaminated tools or ~~implements~~ instruments.

R4-10-206. Cosmetology School Requirements

A. Schools which provide cosmetology 1600-hour training for students, 650-hour training for instructors, or both, shall provide the following minimum facilities, equipment, supplies, and materials in addition to that specified by R4-10-203 and R4-10-204:

1. A work station for each student in attendance performing cosmetology services to the public for a fee, each having:
 - a. A mirror that is at least 18" by 30" when performing services on a client;
 - b. A table top or counter;
 - c. A client chair;
 - d. A disinfected, covered receptacle to store disinfected tools and ~~implements~~ instruments, as specified by ~~R4-10-109~~; and
 - e. A container for contaminated tools or ~~implements~~ instruments;
2. One shampoo basin for each 10 students in attendance during ~~practical lab or clinic~~ practical lab or clinic instruction;
3. One hand-held hair dryer for each student in attendance during ~~practical lab or clinic~~ practical lab or clinic instruction;
4. One hooded dryer for each ~~seven~~ 20 students in attendance during ~~practical lab or clinic~~ practical lab or clinic instruction;
5. One high-frequency Tesla or violet-ray unit, including a facial and scalp electrode, for each 20 students in attendance during practical instruction;
6. ~~One~~ Two electric clipper ~~clippers in the school~~ clippers for each ~~five~~ students in attendance during practical instruction;
7. ~~Chemical and physical depilatories~~ Depilatories;
8. Chemical hair straighteners ~~including:~~ :
 - a. ~~Thioglycolate, and~~
 - b. ~~Sodium hydroxide.~~
9. One nail technology table with a ~~32" x 16"~~ 12" x 18" or larger top for each 10 students in attendance during practical instruction;
10. A facial work station for each ~~10 aesthetic student~~ students in attendance ~~during and receiving practical lab or clinic~~ aesthetics instruction;
11. ~~An~~ A receptacle, large enough to completely immerse ~~both two~~ feet; for each ~~20~~ 10 ~~cosmetology~~ cosmetology students in attendance during ~~lab or clinic~~ nail technology ~~practical~~ instruction;
12. ~~One ultraviolet light in each school;~~
13. ~~One electric or battery-operated~~ Two nail drill ~~drills~~ drills for filing and buffing ~~in the school~~; and
14. 13 Nail products for acrylics, gels, tips, wraps, and polishing.

B. ~~Each enrolled~~ A school shall provide each student ~~shall have~~ a nonreturnable student training kit containing, at a minimum, the following:

1. ~~One instruction manual or textbook of cosmetology, and Arizona Cosmetology laws and rules~~ standard textbook for professional cosmetologists;
2. ~~One mannequin with sufficient hair on which to practice cosmetology~~ One copy of Arizona cosmetology laws and rules;
3. ~~Combs and brushes without defects;~~
4. ~~One electric curling iron with a Mareel-type handle;~~
5. ~~One razor;~~
6. ~~One cutting shear; and~~
7. One disinfected, covered container to store disinfected tools and ~~implements~~ instruments as specified by ~~R4-10-109~~; and
4. A container for contaminated tools or instruments.

ARTICLE 4. SALONS

R4-10-401. Application for a Salon License

An applicant for a salon license shall submit:

1. An application on a form provided by the Board, ~~signed by the applicant, and notarized~~ that contains:
 - a. The applicant's name, address, ~~social security number~~ tax ID number, signature, and telephone number;
 - b. If applicant is a partnership, each partner's name, address, and an identification of whether a limited or gen-

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- eral partner;
- c. If a corporation, the state of incorporation and the name, title, and address of each officer of the corporation and statutory agent;
- d. The name of the salon as registered with the Secretary of State;
- e- ~~The name and license number of the manager licensed by the Board;~~
- f.e. If a location change, the previous address;
- g-f. A history of the salon including:
 - i. If location was previously licensed by the Board, the ~~last~~ name of the ~~salon or school~~ previous establishment;
 - ii. The name of each business operating at the salon address; and
 - iii. A statement of whether the applicant, any partner of the applicant, or any corporate officer has ever ~~owned a salon in any state or foreign country; had a license in any state or foreign country suspended or revoked.~~
 - iv. ~~A statement of whether the applicant, any partner of the applicant, or any corporate officer has ever had a salon license suspended or revoked in any state or foreign country; and~~
 - v. ~~A statement of whether the salon provides mobile services as stated in R4-10-403.~~
- 2. If a corporation, the articles of incorporation;
- 3. If a partnership, a copy of the partnership agreement;
- 4. ~~An 8 1/2" by 11" floor plan of the salon. The floor plan shall designate the location of each~~ A signed statement that the establishment is in compliance with all Board laws and rules and has the following in the salon:
 - a. ~~Wet disinfectant as specified by R4-10-109;~~
 - b. ~~Dry, closed, disinfected container to store disinfected tools and implements~~ instruments ~~as specified by R4-10-109;~~
 - c. ~~Sink or shampoo bowl with hot and cold running water that is not also used as a dispensary or restroom sink~~ as required by R4-10-403;
 - d. ~~Station;~~
 - e. ~~Restroom; and~~
 - f. ~~Electrical outlet; and~~
 - g- Activity Notice posted for activities performed in the salon by individuals who are not licensed by the Board, which are related to cosmetology, but not regulated by A.R.S. § 32-501 through § 32-575 but not regulated by the Board; and
- 5. The fee required in R4-10-102.

R4-10-402. Changes Affecting a Salon License

- ~~A. A licensee changing a salon's location shall submit the fee required in R4-10-102 and an application packet as prescribed in R4-10-401.~~
- ~~B. A licensee shall notify the Board in writing at least 30 days before making a change in the ownership of a salon. A new owner shall obtain a license from the Board before beginning operation of a salon.~~
- ~~C. When the controlling ownership in a corporation is transferred or a corporation is reorganized, the new owner shall submit the fee required in R4-10-102, an application packet as prescribed in R4-10-401, and the following:
 - 1. ~~Former owner's name;~~
 - 2. ~~Date of transfer; and~~
 - 3. ~~A statement of whether the former owner relinquishes the license, salon name, and salon location.~~~~
- ~~D. A licensee shall notify the Board in writing at least 30 days before the date of a change in a salon's name and submit the fee required in R4-10-401.~~
- ~~E. A licensee that is a corporation or a limited liability company shall notify the Board in writing at least 3 days before a change in any corporate officer or statutory agent.~~

A new salon license shall be applied for as provided when:

- 1. A salon address is changed;
 - 2. The name of a salon is changed;
 - 3. The controlling ownership in a corporation is transferred or a corporation is reorganized; or
 - 4. A corporation, limited liability company, or partnership has a change in any corporate officer, statutory agent, or partner.
- ~~B. The salon owner and manager shall ensure that a Board issued license indicating proper ownership is posted in the salon before beginning client services.~~

R4-10-403. Salon Requirements and Minimum Equipment

- A. A salon shall perform services to the public according to the type of license issued ~~as defined by A.R.S. § 32-501.~~
- B. Salons shall have enough equipment, materials, supplies, tools, and ~~implements~~ instruments to ensure infection control and safety for the public and employees.

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- C. Each salon shall have:
 - 1. A work station for each employee or person using space within the salon; and
 - 2. ~~Electrical outlets;~~
 - 3. If the salon is a cosmetology salon, a minimum of one shampoo bowl and one hair dryer that may be a blow dryer, and; if the salon is an aesthetics or nail technology salon, a minimum of one sink in addition to the rest room or dispensary sink; and
 - 5. ~~Clean linens kept in a closed container.~~
- D. ~~Aestheticians, cosmetologists, and nail technicians shall have disinfected tools and implements for each client.~~
- E. ~~Cosmetologists shall have:~~
 - 1. ~~18 combs;~~
 - 2. ~~12 vent or styling brushes;~~
 - 3. ~~Two client protection robes or capes;~~
 - 4. ~~One comb-out cape; and~~
 - e. ~~If neck brushes are used, each licensee shall have at least three;~~
- F. ~~Nail technicians shall have enough equipment, materials, supplies, tools, and implements~~ instruments to ensure infection control at all times and disinfection between clients.

R4-10-404. Mobile Services

- A. A mobile service ~~shall operate~~ which operates as an extension of a ~~permanent~~ licensed salon ~~and under~~ shall advertise using the same name and ownership. The ~~permanent~~ licensed salon owner and manager are ~~both~~ responsible for compliance by the mobile service with statutes and rules; and:
 - ~~B.1. A licensee~~ A salon providing mobile cosmetology, nail technology, or ~~aesthetic~~ aesthetics services shall ~~apply for duplicate salon and personal post licenses and post them pursuant to R4-10-108 at the mobile service location as required by R4-10-111;~~
 - ~~C.2.~~ Appointments shall be made through the licensed salon where a book shall be kept of all appointments and locations where services are performed;
 - ~~D.3.~~ A mobile service is subject to inspection by the Board at any time;
 - ~~E.4.~~ A retrofitted mobile unit used to conduct mobile services as an extension of a salon shall have the same equipment as specified by ~~R4-10-402~~ R4-10-403 and shall comply with safety and infection control requirements as specified by ~~R4-10-109~~ R4-10-112; and
 - ~~F.5.~~ Mobile services which are conducted in other than a retrofitted mobile unit shall have equipment for mobile service which is disinfected before use and stored as specified in ~~R4-10-109~~ R4-10-112.
- B. A retrofitted motor vehicle used exclusively as a mobile facility that is dispatched from a business address shall comply with all salon requirements and:
 - 1. Comply with infection control and equipment requirements;
 - 2. Appointments shall be made through the licensed retrofitted motor vehicle and a complete and current listing of appointment locations shall be kept at the business address and displayed in a place listed on the salon application that is available to an inspector at all times the retrofitted motor vehicle is open for business; and
 - 3. The retrofitted motor vehicle owner and manager are responsible for compliance with the Board's statutes and rules.