

21 NCAC 06C .0912 is amended under temporary procedures with changes as follows:

21 NCAC 06C .0912 COMPLAINTS

(a) An individual who wishes to make a complaint alleging a violation of ~~G.S. 86A~~ [S.L. 2022 72, s. 2,] ~~G.S. 86B~~ or the Board's rules shall submit the complaint in writing to the address or through the website set forth in 21 NCAC 06A .0102.

(b) Upon receipt of a complaint, the Board's Executive Director shall review the complaint. The Executive Director shall investigate or assign a staff member to investigate the complaint, except for complaints that are dismissed as set forth in Paragraph (c) of this Rule.

(c) The Executive Director shall dismiss the complaint and notify the complainant if the complaint:

- (1) lacks information, such as ~~barbershop business~~ location or a description of the alleged conduct, necessary to investigate the complaint. Before dismissal, the Executive Director shall attempt to collect additional information from the complainant; or
- (2) alleges conduct that is not prohibited by ~~G.S. 86A~~ [S.L. 2022 72, s. 2,] ~~G.S. 86B~~ or the Board's rules or is not within the Board's jurisdiction. The Executive Director shall refer the complaint to any other agency that may have jurisdiction.

(d) After conducting an investigation, the assigned staff member shall:

- (1) recommend to the Executive Director that the Board counsel issue a probable cause letter for violations of ~~G.S. 86A~~ [S.L. 2022 72, s. 2,] ~~G.S. 86B~~ or the Board's rules; or
- (2) recommend that the Executive Director dismiss the complaint because there is insufficient evidence of a violation of ~~G.S. 86A~~ [S.L. 2022 72, s. 2,] ~~G.S. 86B~~ or the Board's rules or the alleged conduct is not within the Board's jurisdiction.

(e) After receiving a recommendation required by Paragraph (d) of this Rule, the Executive Director shall:

- (1) conduct or request additional investigation by the assigned staff member on a case-by-case basis when the recommendation does not contain facts to support the actions set forth in Subparagraphs (2) or (3) of this Paragraph;
- (2) recommend that the Board counsel issue a probable cause letter for violations of ~~G.S. 86A~~ [S.L. 2022 72, s. 2,] ~~G.S. 86B~~ or the Board's rules; or
- (3) dismiss the complaint and notify the complainant, except that the Executive Director shall refer the complaint to any other agency that may have jurisdiction.

(f) At each regularly scheduled Board meeting, the Executive Director shall submit to the Board a report of dismissed complaints that he or she has not previously reported, with a summary of the allegations and a justification for the dismissal. If the complaint was dismissed within 30 days of the Board meeting, the Executive Director may instead include the dismissal in the report for the Board meeting following the next regularly scheduled meeting.

(g) By a majority vote, the Board may reopen any complaint that the Executive Director has dismissed, in which case the complaint shall be handled as if the Executive Director had not dismissed the complaint.

- 1 *History Note:* *Authority G.S. ~~86A-5~~; 86B-2:*
- 2 *Eff. April 1, ~~2017~~; 2017;*
- 3 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06F .0102 is amended under temporary procedures with changes as follows:

21 NCAC 06F .0102 MANAGER

(a) Each barber school shall designate ~~one of the instructors~~ an instructor required by ~~G.S. 86A-22(2)~~ [S.L. 2022-72, s. 2,] G.S. 86B-38 as the school manager.

(b) The barber school manager is responsible for the school's compliance with ~~G.S. 86A-15~~ [S.L. 2022-72, s. 2,] G.S. 86B-31 and the rules in this Subchapter, whether present on the school premises or not.

History Note: *Authority* ~~G.S. 86A-15; 86A-22; 86B-31; 86B-38;~~

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. April 1, 2010; May 1, 1989; March 1, 1983;

Readopted Eff. July 1, 2016;

Amended Eff. January 1, ~~2018~~ 2018;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06F .0104 is amended under temporary procedures with changes as follows:

21 NCAC 06F .0104 INSTRUCTORS

(a) At least one barber instructor shall supervise **barber** students whenever they are engaged in barbering ~~activities at all times.~~ **services.**

(b) Barber instructors shall barber only for the purpose of instruction or demonstration while on the premises of the barber school.

(c) All course work as outlined under 21 NCAC 06F .0120 shall be taught by a ~~certified~~ licensed barber instructor.

History Note: Authority G.S. ~~86A-22; 86A-23; 86B-38; 86B-39;~~

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. September 1, 2009; June 1, 2008; May 1, 1989;

Readopted Eff. July 1, ~~2016;~~ 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06F .0120 is amended under temporary procedures with changes as follows:

21 NCAC 06F .0120 ~~BARBER SCHOOL CURRICULA~~ CURRICULUM

(a) The following categories and courses shall comprise the minimum course work for all **barber** students at barber schools:

	Hours
Classroom Lecture and Study Periods:	
Hygiene and Good Grooming, Professional Ethics	25
Bacteriology, Sterilization, Sanitation	50
Implements, Honing, Stropping, and Shaving	30
Men's Haircutting	20
Cutting and Styling Curly Hair, Mustaches, and Beards	10
Shampooing and Rinsing, Scalp and Hair Treatments	10
Theory of Massage and Facial Treatments	5
Men's Razor Cutting, Women's Razor, and Shear Cutting	30
Finger Waving Men's Hair, Air Waving, and Curling Iron Techniques	5
Permanent Waving For Men, Chemical Hair Relaxing, and Blow Drying	25
Hair Coloring	10
Men's Hair Pieces	5
The Skin, Scalp, and Hair	30
Disorders of the Skin, Scalp, and Hair	15
Anatomy and Physiology	10
Electricity Therapy, Light Therapy, and Chemistry	10
Barber Styling, <u>Barber Shop and Mobile Barber</u> Shop Management, and Product Knowledge	70
Licensing Laws and Rules and History of Barbering	20
Supervised Practice in Barbering:	
Shampooing and Scientific Hair and Scalp Treatments	55
Shaving	50
Tapered Hair Cutting	250
Hair Styling of Men and Women	400
Facials, Massages, and Packs	10
Bleaching, Frosting, Hair Coloring, and Body Permanents	90
Cutting and Fitting Hair Pieces	5
Hair Straightening	5
The Analyzing and Treatment of Hair and Skin Disorders	10

Lectures and Demonstrations on Practical Work:

Shampooing and Scientific Hair and Scalp Treatments	15
Shaving	20
Tapered Hair Cutting	70
Hair Styling of Men and Women	100
Facials, Massages, and Packs	5
Bleaching, Frosting, Hair Coloring, and Permanent Waving	30
Cutting and Fitting Hair Pieces	5
Hair Straightening	3
The Analyzing and Treating of Hair and Skin Disorders	10
Men's and Women's Razor Cutting	15

Total Hours ~~1,528~~ 1,528

(b) Barber schools shall offer no more than the following hours through online classes based on the curriculum set forth in Paragraph (a) of this Rule:

	Hours
Classroom Lecture and Study Periods:	380
Supervised Practice in Barbering:	
Tapered Hair Cutting	25
Hair Styling of Men and Women	34
Bleaching, Frosting, Hair Coloring, and Body Permanents	35
Lectures and Demonstrations on Practical Work:	
Shampooing and Scientific Hair and Scalp Treatments	8
Shaving	5
Tapered Hair Cutting	20
Hair Styling of Men and Women	50
Bleaching, Frosting, Hair Coloring, and Permanent Waving	5
The Analyzing and Treating of Hair and Skin Disorders	7
Men's and Women's Razor Cutting	7

Total Online Hours 576

1 (c) All barber schools shall use course books and training materials specifically created for the purpose of teaching
2 barbering skills. Unless the course book or training material has separate and distinct sections covering the practice of
3 barbering, cosmetology course books and training materials are not acceptable. that only cover topics related to
4 barbering, unless the other topics are in sections separate from barbering topics.

5 (d) Through December 31, 2021, barber schools may offer all hours listed in Paragraph (a) of this Rule through online
6 classes, Paragraph (b) of this Rule notwithstanding.

7
8 *History Note: Authority G.S. 86A-22(1); 86A-22(4); 86B-38;*

9 *Eff. March 1, 1983;*

10 *Amended Eff. June 1, 2008; May 1, 1989;*

11 *Readopted Eff. July 1, 2016;*

12 *Amended Eff. April 1, 2021; 2021;*

13 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06G .0106 is amended under temporary procedures as follows:

21 NCAC 06G .0106 INSTRUCTOR APPLICATION

To become a ~~registered barber~~ licensed instructor an applicant shall furnish the Board with the Form BAR-6 as set forth in 21 NCAC 06N .0107 and pay the fee in ~~21 NCAC 06N .0101(a)(11)~~. 21 NCAC 06N .0101(a)(13).

History Note: Authority G.S. ~~86A-23(a); 86A-25; 86B-39; 86B-41~~;

Eff. October 1, ~~2016~~. 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06H .0101 is amended under temporary procedures with changes as follows:

21 NCAC 06H .0101 DUTIES AND RESPONSIBILITIES

(a) Barber school managers shall:

~~(1) file for a school permit at least 30 days before opening the school for business;~~

~~(2)~~(1) ensure that all **barber** students are instructed; and

~~(3)~~(2) ensure compliance with the North Carolina General Statutes governing barber schools and barbering and the ~~administrative~~ rules of the Board.

(b) A barber school manager shall have 30 days to fill a vacancy to ensure compliance with ~~G.S. 86A-22(2); [S.L. 2022-72, s. 2];~~ **G.S.86B-38.**

~~(c) Managers of schools that are organized as nonprofits, have obtained a determination from the Internal Revenue Service recognizing their tax exempt status, and wish to have the lower number of instructors allowed under G.S. 86A-22 shall provide to the Board a copy of the Internal Revenue Service determination before offering instruction with the reduced number of instructors.~~

History Note: Authority G.S. ~~86A-13; 86A-15; 86A-22; 86B-29; 86B-31; 86B-38;~~

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. September 1, 2013; June 1, 2008; May 1, 1989; March 1, 1983;

Readopted Eff. July 1, ~~2016~~; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06I .0105 is amended under temporary procedures with changes as follows:

21 NCAC 06I .0105 LICENSED APPRENTICE BARBER BASED ON OUT-OF-STATE TRAINING

A **barber** student who has trained in another state may take the examination to become a ~~registered~~ licensed apprentice ~~barber provided: if:~~

- (1) his or her hours of training in the out-of-state barber school have been credited under ~~21 NCAC 06I .0101; Rule .0101 of this Subchapter;~~
- (2) he or she completes and furnishes to the Board the Form BAR-4 that meets the requirements of 21 NCAC 06N .0105; and
- (3) he or she pays the required fee in ~~21 NCAC 06N .0101(a)(5);~~ 21 NCAC 06N .0101(a)(6).

*History Note: Authority G.S. ~~86A-5; 86A-18; 86A-24; 86A-25;~~ 86B-2; 86B-40; 86B-41;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Amended Eff. September 1, 2013; June 1, 2008; May 1, 1989;
Readopted Eff. October 1, 2016;
Amended Eff. April 1, ~~2017;~~ 2017;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06J .0101 is amended under temporary procedures as follows:

21 NCAC 06J .0101 ~~REGISTERED~~ LICENSED APPRENTICE

~~A registered apprentice~~ To become a licensed apprentice, an applicant shall:

- (1) attend an approved barber school for a period of at least ~~4528~~ 1,528 hours as set forth in 21 NCAC 06F .0120;
- (2) furnish the Board with the Form BAR-4 as set forth in 21 NCAC 06N .0105 and pay the fee according to ~~21 NCAC 06N .0101(a)(5);~~ 21 NCAC 06N .0101(a)(6); and
- (3) make a score of at least 70 percent on both a written and practical apprentice examination.

*History Note: Authority G.S. ~~86A-3; 86A-10; 86A-24; 86A-25; 86B-23; 86B-26; 86B-40; 86B-41;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Amended Eff. September 1, 2013; June 1, 2008; May 1, 1989;
Readopted Eff. October 1, ~~2016~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06J .0110 is amended under temporary procedures with changes as follows:

21 NCAC 06J .0110 NOTIFICATION OF ADDRESS CHANGE

All ~~apprentice barbers~~ licensed apprentices and ~~student barbers~~ barber students with temporary permits shall notify the Board within ~~60~~ 30 days of any change in their ~~permanent~~ mailing address.

History Note: Authority G.S. ~~86A-11; 86A-24; 86B-27; 86B-40~~;

Eff. September 1, 2009;

Readopted Eff. July 1, ~~2016~~; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06K .0101 is amended under temporary procedures with changes as follows:

SUBCHAPTER 06K - ~~REGISTERED~~ LICENSED BARBER

SECTION.0100 – ~~REGISTERED~~ LICENSED BARBER

21 NCAC 06K .0101 ~~REGISTERED~~ LICENSED BARBER

To become a ~~registered~~ licensed barber, an applicant shall:

- (1) meet the qualifications in G.S. 86A-3; S.L. 2022-72, s. 2; G.S. 86B-23;
- (2) furnish the Board with Form BAR-5 as set forth in 21 NCAC 06N .0106 and pay the fee according to 21 NCAC 06N .0101; and
- (3) make a score of at least 70 percent on the ~~clinical~~ practical portion of the ~~registered~~ licensed barber examination.

*History Note: Authority G.S. ~~86A-3; 86A-25; 86B-23; 86B-41;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. June 1, 2008; May 1, 1989;
Readopted Eff. July 1, ~~2016~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06K .0104 is amended under temporary procedures as follows:

21 NCAC 06K .0104 OUT-OF-STATE APPLICANTS

An applicant who is licensed as a barber in another state and who wants to apply to become ~~registered as a~~ licensed barber in this State shall ~~establish his or her out of state license and experience and~~ provide:

- (1) the Form BAR-8 as set forth in 21 NCAC 06N .0109 and the required fee as set forth in ~~21 NCAC 06N .0101(a)(21);~~ 21 NCAC 06N .0101(a)(24); and
- (2) a ~~certified statement letter~~ from the ~~applicant's state agency that issued the~~ out-of-state ~~Board~~ license, with stating the following: following information:
 - (a) the applicant's length of licensure in that state;
 - (b) whether such licensure has been continuous or has been interrupted by periods when the applicant was not licensed in the state;
 - (c) the reasons for any such interruptions in licensure; and
 - (d) whether or not there have been any disciplinary actions against the applicant's license.

*History Note: Authority G.S. ~~86A-12; 86A-25; 86B-28; 86B-41;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Amended Eff. September 1, 2013; May 1, 1989;
Readopted Eff. October 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

1 21 NCAC 06K .0110 is amended under temporary procedures with changes as follows:

2
3 **21 NCAC 06K .0110 IDENTIFICATION**

4 All ~~registered licensed~~ barbers shall maintain their ~~permit license~~ as defined in 21 NCAC 06P .0103(7) in their
5 possession ~~at all times while~~ whenever they are performing barbering services. The individual conducting barbering
6 services shall produce ~~the~~ a current government-issued photo identification to the Board's Executive Director or
7 inspector upon request.

8
9 *History Note: Authority G.S. ~~86A-1; 86A-10; 86B-21; 86B-26;~~*

10 *Eff. June 1, 2008;*

11 *Readopted Eff. July 1, ~~2016;~~ 2016;*

12 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06K .0111 is amended under temporary procedures as follows:

21 NCAC 06K .0111 NOTIFICATION OF CHANGE OF ADDRESS

All ~~registered~~ licensed barbers shall notify the Board within ~~60~~ 30 days of any change in their ~~permanent~~ mailing address.

History Note: Authority G.S. ~~86A-5; 86A-10; 86A-21;~~ 86B-2; 86B-5; 86B-26;

Eff. September 1, 2009;

Readopted Eff. July 1, ~~2016;~~ 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06K .0112 is amended under temporary procedures with changes as follows:

21 NCAC 06K .0112 APPLICANTS WITH MILITARY TRAINING AND EXPERTISE

(a) Except for individuals who want to apply under G.S. 86A-12 [S.L. 2022-72, s. 2;] G.S. 86B-28 for licensure as to be a ~~registered licensed~~ barber, an individual who has military training and expertise and wants to apply to become a ~~registered licensed~~ barber in this State shall:

- (1) meet the requirements of G.S. 93B-15.1(a) or (a2); and
- (2) submit the Form BAR-11 as set forth in 21 NCAC 06N .0112.

(b) The applicant shall submit with the Form BAR-11 a ~~certification~~ letter from the ~~applicant's out-of-state state~~ agency that issued the out-of-state license ~~of certifying~~ the applicant's licensure in that state if the following apply:

- (1) the applicant has been licensed in another state;
- (2) the applicant wants to be licensed without examination;
- (3) the military service records do not show that the applicant received at least 1,500 hours of military training and that the applicant practiced at least two of the five years preceding the date of application; and
- (4) the combination of the certification letter and the military service records show that the applicant received at least 1,500 hours of training and practiced at least two of the five years preceding the date of application.

(c) If the applicant meets the requirements in Paragraph (a) of this Rule and G.S. 93B-15.1(a2), the applicant shall ~~shall~~:

- (1) ~~submit the fee as set forth in 21 NCAC 06N .0101(a)(4); and~~
- (2) ~~make a score of at least 70 percent on the clinical practical examination.~~ examination required by G.S. 93B-15.1(a2)(2).

~~(d) After being approved under this Rule, the applicant shall submit the following fee:~~

- (1) ~~if the applicant meets the requirements of this Rule for licensure without examination, the fee as set forth in 21 NCAC 06N .0101(a)(21); or~~
- (2) ~~if the applicant meets the requirements of Paragraph (c) of this Rule, the fee as set forth in 21 NCAC 06N .0101(a)(1).~~

~~(e)(d)~~ The Board shall issue a temporary permit for the applicant to work as a ~~registered licensed~~ barber while he or she complies with the requirements of this Rule under the following circumstances:

- (1) if the applicant has submitted the Form BAR-11 and part of the documentation required by 21 NCAC 06N .0112(a)(2), and this partial documentation establishes that he or she served in the military and has certification or experience in barbering, the Board shall issue a temporary permit that lasts 90 days or until the Board denies the application, whichever is earlier; or
- (2) if the applicant is required to take the practical examination and has met the requirements in Paragraph (a) and Subparagraph (c)(1) of this Rule, Paragraph (a), the Board shall issue a temporary permit that last 90 days or until the Board denies the application, whichever is earlier. Upon written

1 request by the applicant, this temporary permit shall be extended for 90 days no more than twice,
2 unless the Board denies the application.

3
4 *History Note: Authority G.S. ~~86A-1; 86A-11; 86A-12; 86A-25; 86B-21; 86B-27; 86B-28; 86B-41~~; 93B-15.1;*
5 *Eff. April 1, ~~2017~~; 2017;*
6 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06K .0113 is amended under temporary procedures with changes as follows:

21 NCAC 06K .0113 MILITARY SPOUSES

(a) An individual who is currently licensed as a barber in another state, is the spouse of a person serving in the military, and wants to apply to become a ~~registered~~ licensed barber in this State shall provide the following, unless he or she wants to apply under ~~another provision in G.S. 86A~~ [S.L. 2022-72, s. 2;] G.S. 86B-28 for licensure as a ~~registered~~ licensed barber:

(1) the Form BAR-12 as set forth in 21 NCAC 06N .0113; and

(2) a ~~certification~~ letter from the ~~applicant's out-of-state state~~ agency that issued the out-of-state license ~~of certifying~~ the applicant's licensure in that state.

(b) The applicant shall instead apply for out-of-state licensure under ~~G.S. 86A-12~~ [S.L. 2022-72, s. 2;] G.S. 86B-28 and Rule .0104 of this Section if the certification letter required by Subparagraph (a)(2) of this Rule does not show that the ~~applicant:~~ applicant

(1) ~~completed~~ at least 1,500 hours of barber school ~~training;~~ training. ~~and~~

(2) ~~has been licensed as a barber for at least one of the five years preceding the date of application.~~

~~(c) After being approved under this Rule, the applicant shall submit the fee set forth in 21 NCAC 06N .0101(a)(21).~~

~~(d)(c)~~ Upon request by the applicant, the Board shall issue one temporary permit for the applicant to work as a ~~registered~~ licensed barber for 90 days while the applicant gathers the documents required by this Rule.

History Note: Authority G.S. 86A-1; 86A-3; 86A-11; 86A-12; 86A-25; 86B-21; 86B-23; 86B-27; 86B-28; 86B-41; 93B-15.1;
Eff. April 1, 2017. 2017;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0104 is amended under temporary procedures as follows:

21 NCAC 06L .0104 BARBER SHOP AND MOBILE BARBER SHOP PERMITS

~~(a) All applications for shop permits shall be on file in the office of the Board 15 days prior to the date when a shop will be complete and ready for inspection. Applications shall meet the requirements of 21 NCAC 06N .0102.~~

~~(b)(a)~~ (a) If the barber shop or mobile barber shop ~~is~~ will not be ready for inspection on a scheduled date, the owner or licensed barber manager shall notify the Board.

~~(c)(b) Failure~~ (b) If a barber shop or mobile barber shop fails to notify the Board of a change of address before the inspection, the barber shop or mobile barber shop shall result in forfeiture of forfeit the inspection fee.

History Note: Authority G.S. ~~86A-1; 86A-13; 86B-21; 86B-29;~~

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. May 1, 1989; March 1, 1983;

Readopted Eff. July 1, ~~2016; 2016;~~

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0106 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0106 SEPARATION FROM OTHER BUSINESSES; RESIDENTIAL SHOPS; MOBILE HOMES BARBER SHOPS

(a) When a building or room is used for both a barber shop and for some other business and the building or room does not have air conditioning, ventilation, ~~or~~ heat outlets, or air circulation, the ~~required~~ requirement set forth in G.S. 86B-31(a)(1)(b) for a partition between the barber shop and the other business ~~may~~ shall be fulfilled if the partition extends ~~completed~~ from the floor up to a minimum of six feet with material from six feet to the ceiling that permits ~~good~~ air circulation.

(b) Notwithstanding Paragraph (a) of this Rule and ~~21 NCAC 06L .0102~~, Rule .0102 of this Subchapter, when a barber shop is located within a ~~shop~~ salon licensed by the North Carolina Board of Cosmetic Art Examiners and was permitted on or after January 1, 1995, or undergoes modifications or structural renovations after that date, the area where the barber chair or chairs are located shall comply with the sanitary regulations in G.S. 86A-15(a) ~~[S.L. 2022-72, s. 2]~~ G.S. 86B-31 and this Subchapter not inconsistent with this Rule.

(c) A barber shop permitted on or after July 1, ~~2008~~ 2008, that operates in a residential building shall maintain a separate entrance that shall not open off the living quarters, and shall not have any doors or openings leading to the living quarters that are unlocked during business hours. Entrance through garages or any other rooms is not permitted.

(d) The toilet facilities or any sink in the living quarters of any residence shall not be considered to comply with the toilet facility and sink requirements in 21 NCAC 06L .0103 or the sink distance requirement in 21 NCAC 06L .0107.

~~(e) For barber shops permitted on or after July 1, 2008, mobile homes, motor homes, trailers or any type of recreational vehicle shall be permanently affixed so they cannot be moved. Any such structure approved for a barber shop shall maintain a separate entrance that shall not open off the living quarters, and shall not have any doors or openings to the living quarters that are unlocked during business hours.~~

History Note: Authority G.S. ~~86A-15~~; 86B-31;

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. April 1, 2010; June 1, 2008; January 1, 1995; May 1, 1989; March 1, 1983;

Readopted Eff. July 1, ~~2016~~; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0107 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0107 LAVATORY

(a) Each barber shop permitted before January 1, ~~1995~~ 1995, that is not modified or structurally renovated after that date shall have for each barber a functioning sink with hot and cold water, located at a convenient place as required by ~~G.S. 86A-15(a)(1)(d)~~. ~~[S.L. 2022-72, s. 2.]~~ G.S. 86B-31.

(b) For barber shops permitted on or after January 1, ~~1995~~ 1995, or that undergo modifications or structural renovation after that date, a sink shall be located within seven unobstructed linear feet of each barber chair.

(c) Each sink of a barber shop shall have a drainpipe connected to a sewer line to drain all wastewater out of the building.

History Note: Authority G.S. ~~86A-15~~; 86B-31;

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. June 1, 2008; January 1, 1995; May 1, 1989;

Readopted Eff. July 1, ~~2016~~; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0109 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0109 ~~COMMERCIAL CHEMICALS~~ DISINFECTANTS

(a) No person, barber shop, mobile barber shop, or school licensed or ~~registered~~ permitted under Chapter 86A [S.L. 2022-72, s. 2,] G.S. 86B of the North Carolina General Statutes shall use any ~~commercial chemical~~ disinfectant in the practice of barbering unless the ~~commercial chemical~~ disinfectant is received with a list of all contents and instructions for its use.

(b) ~~For the purposes of this Rule, "commercial chemical" is defined in G.S. 86A-5(b)(1).~~ Disinfectants must be:

(1) registered with the Environmental Protection [Agency;] Agency as identified in Pesticide Registration List N: Disinfectants for Coronavirus (COVID-19), as set forth in 29 CFR 1910.509(b)(2); and

(2) effective against communicable pathogens, including:

(A) Human immunodeficiency virus;

(B) Hepatitis B and C;

(C) Herpes;

(D) Influenza;

(E) Human coronavirus, including severe acute respiratory syndrome coronavirus 2;

(F) Trichophyton;

(G) Microsporum;

(H) Epidermophyton; and

(G) Staphylococcus.

*History Note: Authority G.S. ~~86A-5; 86B-2; 86B-31;~~
Eff. March 1, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06L .0111 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0111 WHERE BARBER SERVICES MAY BE PERFORMED

(a) Except as provided in this Rule, all barber services as defined in ~~G.S. 86A-2~~ [S.L. 2022-72, s. 2,] G.S.86B-22 shall only be performed at a location or vehicle permitted by the Board as a barber ~~shop.~~ shop or mobile barber shop.

(b) A ~~registered~~ licensed barber may perform barbering services in a client's home, and the home shall be exempt from the inspection requirements of ~~G.S. 86A-15(b);~~ [S.L. 2022-72, s. 2,] G.S. 86B-31(b) under the following conditions:

(1) The client upon whom barber services are being performed is unable, due to a medical necessity, to come to a ~~licensed~~ barber shop or mobile barber shop;

(2) The licensed barber maintains a log of each instance where this exemption is used, including the name of the client, address of the home where the services were performed, the date services were performed, and the medical necessity requiring that barber services be provided in the home. The log shall be made available to the Board and its inspectors ~~for review~~ for review; and

(3) The licensed barber otherwise complies with ~~G.S. 86A-15(a);~~ [S.L. 2022-72, s. 2,] G.S. 86B-31(a).

(c) For purposes of this Rule, a "client's home" includes the client's residence, nursing homes, rest homes, retirement homes, mental health institutions, and similar institutions where the client has established permanent residency.

*History Note: Authority G.S. 86A-15(e); 86B-22; 86B-31;
Eff. June 1, 2008;
Amended Eff. April 1, 2010;
Readopted Eff. July 1, 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06L .0112 is amended under temporary procedures as follows:

21 NCAC 06L .0112 RENTED BOOTH SPACE

(a) Where a barber shop or mobile barber shop rents or leases space to a barber, the Board shall hold the ~~barbershop~~ licensed barber manager and licensee responsible for the barbering services performed in the rented or leased space and for the sanitary conditions of the rented or leased space.

(b) The Board's inspectors shall examine the entire premises of each barber shop or mobile barber shop, ~~shop~~ irrespective of booth space allotments.

History Note: Authority G.S. ~~86A-15~~; 86B-31;

Eff. June 1, 2008;

Readopted Eff. July 1, ~~2016~~; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0113 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0113 DISEASES

(a) No holder of a ~~registered barber, barber license, apprentice, apprentice license,~~ or **barber** student **barber** permit shall **knowingly** serve a patron:

- (1) with an open sore or sores;
- (2) exhibiting symptoms of an infectious dermatologic disease or disorder;
- (3) with parasitic infestations of the skin or hair; or
- (4) with a communicable ~~disease.~~ disease that can be spread by providing barber services.

(b) No holder of a ~~registered barber, barber license, apprentice, apprentice license,~~ or student barber permit who knows he or she has an infectious dermatologic disease that can be spread by providing barbering services, infectious disease with open sore or sores on the hand or hands, ~~or~~ parasitic infestation of the skin or hair in a communicable ~~stage stage,~~ or any other communicable disease shall provide barber service in a barber shop, mobile barber shop or, when authorized by Rule .0111 of this Section, ~~in a~~ client's home.

~~(c) The Board shall have the right to require a physical examination of any barber employed in any barber shop [or mobile barber shop] who is suspected of having an infectious dermatologic disease, infectious disease with open sore or sores on the hand or hands, or parasitic infestation of the skin or hair in a communicable stage.~~

*History Note: Authority G.S. ~~86A-15;~~ 86B-31;
 Eff. June 1, 2008;
 Readopted Eff. July 1, ~~2016.~~ 2016;
 Temporary Amendment Eff. May 2, 2023.*

1 21 NCAC 06L .0114 is amended under temporary procedures with changes as follows:

2
3 **21 NCAC 06L .0114 PETS PROHIBITED**

4 ~~With the exception of trained guide or assistance animals, Except for service [dogs,]~~ **animals as defined in 28 CFR**
5 **36.104,** no animals shall be permitted in a barber shop or mobile barber shop.

6
7 *History Note: Authority G.S. ~~86A-15;~~ 86B-31;*

8 *Eff. June 1, 2008;*

9 *Amended Eff. September 1, 2013;*

10 *Readopted Eff. July 1, ~~2016;~~ 2016;*

11 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06L .0115 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0115 INSPECTIONS OF SHOPS

(a) The Board's Executive Director and its inspectors may enter and make inspections of any barber shop or mobile barber shop during ~~its~~ the business hours of the barber shop or mobile barber shop for the purpose of determining whether ~~or not G.S. 86A~~ [S.L. 2022-72, s. 2.] G.S. 86B and the Board's ~~administrative~~ rules are being followed.

Persons authorized to ~~make an inspection of~~ inspect barber shops or mobile barber shops shall prepare a report according to Rule .0119 of this Section. The report shall be signed by the inspector and shall be available free of charge upon request by ~~the owner or manager or~~ any member of the public. The Board shall provide a copy of any violation notice ~~shall be left with to the barber shop or mobile barber shop. owner or registered barber manager, and retained within the barbering area until the violation is resolved with the Board.~~

(b) The Board's Executive Director and its inspectors may shall inspect all areas of the barber shop or mobile barber shop, including the ~~backstand and its backstand, drawers and drawers,~~ cabinets, ~~and any other drawers, closets closets,~~ or other ~~enclosures within the permitted shop. enclosures.~~

(c) The Board's Executive Director and its inspectors may shall determine and assign numerical and letter sanitary grades to a barber shop or mobile barber shop following inspections as set forth in Rules .0118 and .0119 of this Section. ~~The grade shall be displayed in a place visible to the public at the front of the shop.~~

*History Note: Authority G.S. 86A 5(a)(1); 86A 15; 86B-2; 86B-31;
Eff. June 1, 2008;
Amended Eff. April 1, 2010;
Readopted Eff. July 1, 2016;
Amended Eff. January 1, 2017. 2017;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06L .0116 is amended under temporary procedures as follows:

21 NCAC 06L .0116 BARBER SHOP MANAGERS

(a) All barber ~~shop~~ managers of barber shops and mobile barber shops shall verify that any licensee employed in the barber shop or mobile barber shop is the person whose name appears on the license or permit ~~prior to~~ before allowing the licensee to perform barbering services in the barber shop or mobile barber shop. This verification shall be based on government issued identification.

(b) The ~~shop-registered~~ barber manager of the barber shop or mobile barber shop is responsible for the sanitary condition, as defined in ~~21 NCAC 06P .0103(10)~~, 21 NCAC 06P .0103(11), of the entire barber shop or mobile barber shop.

(c) The barber ~~shop~~ manager of a barber shop or mobile barber shop is accountable for activities at the barber shop or mobile barber shop whether present on the premises or not.

History Note: Authority G.S. ~~86A-15; 86A-22~~; 86B-31; 86B-38;

Eff. June 1, 2008;

Amended Eff. April 1, 2010;

Readopted Eff. July 1, 2016;

Amended Eff. January 1, ~~2018~~ 2018;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0117 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0117 GENERAL SANITATION

All barber shops and mobile barber shops shall remain free of any signs of rodents, rodent feces or urine, vermin, insects, insect frass, mold, mildew, or water damage.

*History Note: Authority ~~G.S. 86A-15;~~ G.S. 86B-31;
 Eff. June 1, 2008;
 Readopted Eff. July 1, ~~2016;~~ 2016;
 Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06L .0118 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0118 SANITARY RATINGS AND POSTING OF RATINGS

(a) The sanitary rating of a barber shop or mobile barber shop shall be based on a system of grading outlined in ~~21 NCAC 06L .0119. Rule .0119 of this Subchapter.~~ Based on the grading, all establishments shall be rated in the following manner:

- (1) all establishments receiving a sanitary rating of at least 90 percent shall be awarded a grade A;
- (2) all establishments receiving a sanitary rating of at least 80 percent, and less than 90 percent, shall be awarded a grade B; and
- (3) a sanitary rating of less than 80 percent shall be awarded a failing grade.

(b) Every barber shop or mobile barber shop shall be given a sanitary rating.

(c) The sanitary rating of A, B, or failing given to a barber shop or mobile barber shop ~~establishment~~ shall be posted at all times in a conspicuous place, defined as a place inside the barber shop or mobile barber shop easily seen by the ~~public at the front of the shop, at all times.~~ public.

(d) No ~~newly established~~ barber shop or mobile barber shop receiving an initial inspection shall be permitted to operate ~~without first having obtained a sanitary rating card~~ with a grade of ~~not~~ less than 80 percent.

(e) Barber inspectors shall give each barber shop and mobile barber shop a new sanitary rating ~~card.~~ card upon initial inspection.

History Note: Authority ~~G.S. 86A-5; 86A-15; G.S. 86B-2; 86B-31;~~

Eff. June 1, 2008;

Amended Eff. September 1, 2013;

Readopted Eff. October 1, 2016;

Amended Eff. April 1, ~~2022.~~ 2022;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0119 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0119 SYSTEMS OF GRADING BARBER SHOPS SHOPS, MOBILE BARBER SHOPS,
AND BARBER SCHOOLS

The system of grading the sanitary rating of all barber ~~shops~~ shops, mobile barber shops, and schools shall be as follows, setting forth areas to be ~~inspected~~, inspected and the maximum points given for compliance. In cases where barber ~~shops~~ shops, mobile barber shops, or schools are exempt from specific rules cross-referenced below, the barber shop or school shall receive the maximum points for that listing:

- (1) whether the entrance and waiting area are sanitary 2;
- (2) whether ~~there is a water system~~ the business complies with the applicable requirements for hot and cold running ~~water and~~ water, plumbing or a septic system for removal of ~~sewage~~ sewage, and disposal of wastewater 2;
- (3) whether the walls and floors:
 - (a) comply with 21 NCAC 06F .0101(b)(8) for barber ~~schools or~~ schools, ~~21 NCAC 06L .0103(b)~~ Rule .0103(b) of this Subchapter for barber ~~shops~~ shops, or Rule .0202(4) of this Subchapter for mobile barber shops 9;
 - (b) are sanitary 7;
- (4) whether the barber ~~shop~~ shop, mobile barber shop, or school is well-lighted and well-ventilated, with sanitary windows, fixtures, and ventilation surfaces 3;
- (5) whether the ~~public~~ toilet toilets or lavatories:
 - (a) are sanitary and well-ventilated 5;
 - (b) have soap and ~~individual~~ disposable towels 5;
 - (c) have hot and cold running water 2;
- (6) whether each person working as a barber is sanitary in person and dress 1;
- (7) for towels and linens:
 - (a) whether there is a supply of sanitary towels 2;
 - (b) whether clean towels are stored separately as set forth in 21 NCAC 06F .0101(b)(12) for barber ~~schools~~ schools, ~~or 21 NCAC 06L .0103(e)~~ Rule .0103(e) of this Subchapter for barber ~~shops~~ shops, or Rule .0202 of this Subchapter for mobile barber shops 3;
 - (c) whether barbers have a sanitary hair cloth or cape for clients 1;
- (8) whether there is a soiled towel receptacle that meets the requirements set forth in ~~G.S. 86A-15(a)(2)(d)~~ [S.L. 2022-72, s. 2] G.S. 86B-31(a)(2)(d) 4;
- (9) for tools and instruments:
 - (a) whether disinfectants used by the barber shop or school are selected from those approved by registered with the federal Environmental Protection Agency as identified in Pesticide Registration List N: Disinfectants for Coronavirus (COVID-19), as set forth in Title 29 CFR 1910.509(b)(2) 4;

- (b) whether disinfectants are used according to manufacturer instructions 4;
- (c) whether all implements are cleaned and disinfected and, when not in use, stored in a tool cabinet as set forth in 21 NCAC 06F .0101(b)(11) for barber ~~schools schools, or 21 NCAC 06L .0103(a)~~ Rule .0103(a) of this Subchapter for barber ~~shops shops, or Rule .0202(1) of this Subchapter~~ 8;
- (10) for working areas:
 - (a) whether the work stand is sanitary 3;
 - (b) whether sinks are sanitary 2;
 - (c) whether jars and containers are sanitary and disinfected 1;
 - (d) whether the work area is free from equipment that is unnecessary to provide barbering services, and whether articles in the work area are sanitary 1;
- (11) whether the ~~license, permit, license or certificate of registration permit~~ is current and posted as set forth in ~~G.S. 86A-16~~ [S.L. 2022-72, s. 2] G.S. 86B-33 10;
- (12) whether the sanitary rules and regulations are posted in a conspicuous place as set forth in ~~G.S. 86A-15(b)~~ [S.L. 2022-72, s. 2] G.S. 86B-31(b) 1;
- (13) whether there are sterilizing containers and solutions that are used according to manufacturer instructions 20.

History Note: Authority ~~G.S. 86A-5(a)(1); 86A-15; 86A-16; G.S. 86B-2; 86B-31; 86B-33;~~
Eff. June 1, 2008;
Amended Eff. September 1, 2013;
Readopted Eff. October 1, 2016;
Amended Eff. April 1, 2018. 2018;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0120 is amended under temporary procedures with changes as follows:

21 NCAC 06L .0120 NOTIFICATION OF CHANGE OF ADDRESS

The owner or manager of a barber shop or mobile barber shop ~~owner or manager~~ shall notify the Board of a change in the barber shop's or mobile barber shop's mailing address or, if changed by the United States Postal Service, the physical address, within five business days of the change.

History Note: Authority ~~G.S. 86A-1~~; G.S. 86B-21;
Eff. September 1, 2009;
Readopted Eff. July 1, ~~2016~~; 2016;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06L .0201 is adopted under temporary procedures with changes as follows:

SECTION .0200 – MOBILE BARBER SHOPS

21 NCAC 06L .0201 VEHICLES

(a) Only the following vehicle types shall qualify as mobile barber shops:

- (1) a motor home as defined in G.S. 20-4.01(27)(k); or
- (2) a self-contained, self-supporting, enclosed mobile vehicle that is at least 16 feet in length and that is not a towed unit or trailer.

(b) The vehicle shall have ~~sufficient~~ capacity for the barber to be able to maneuver around the barber chair and safely provide barbering services.

~~(c) The vehicle shall comply with the statutes and rules of the North Carolina Division of Motor Vehicles.~~

~~(d)~~(c) The vehicle shall have ventilation and air circulation through the use of fans or a heating, ventilation, and air conditioning system.

~~(e)~~(d) Mobile homes, motor homes, trailers, or any type of recreational vehicle approved before January 1, 2023, as permanently affixed barber shops are not authorized to operate as mobile barber shops unless they meet the requirements of this Section and 21 NCAC 06N .0116.

~~(f)~~(e) Mobile barber shops shall display the name of the mobile barber shop and permit number on the outside of the vehicle so that the name and permit number can be seen by the public from a distance of 50 yards.

History Note: Authority G.S. 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06L .0202 is adopted under temporary procedures with changes as follows:

21 NCAC 06L .0202 EQUIPMENT

Mobile barber shops shall:

- (1) have at least one cabinet ~~with~~ for barbering equipment that is constructed of material that may be ~~cleaned~~; sanitized;
- (2) have safety catches for all storage cabinet doors and securely anchor to the mobile vehicle all equipment not stored in cabinets;
- (3) have at least one covered container made of noncorrosive metal or plastic, where all hair clippings, refuse, and other waste materials ~~must~~ shall be deposited;
- (4) have smooth finished walls and floors;
- (5) have at least one barber chair, with all barber chairs covered with a smooth, non-porous surface, such as vinyl or leather, that is easily cleaned as required by ~~S.L. 2022-72, s. 2~~; G.S. 86B-31(a)(2)(c);
- (6) maintain a supply of clean towels sufficient to provide barbering services;
- (7) have a cabinet, or other method of storage, such that clean towels are stored separate from used towels; and
- (8) ensure that all equipment and tools used in the practice of barbering as set forth in ~~S.L. 2022-72, s. 2~~, is G.S. 86B-22 are suitable for the safe cutting of hair and maintained in sanitary and good operating condition as required by ~~S.L. 2022-72, s. 2~~ G.S. 86B-31(a)(2).

History Note: Authority G.S. 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06L .0203 is adopted under temporary procedures as follows:

21 NCAC 06L .0203 TOILETS, SINKS, SEWAGE, AND WASTEWATER

Mobile barber shops shall:

- (1) be equipped with at least one functional sink with potable, running hot and cold water, with the sink available for use by both mobile barber shop personnel and clients;
- (2) have hot water tanks with a minimum capacity of six gallons;
- (3) provide soap and disposable towels for all sinks;
- (4) be equipped with at least one self-contained, recirculating, flush chemical toilet with a holding tank, with the toilet available for use by both mobile barber shop personnel and clients;
- (5) comply with all applicable federal, state, and local commercial, transportation, and environmental statutes and rules related to the disposal of sewage and wastewater; and
- (6) immediately cease operation when:
 - (a) wastewater storage capacity has been reached;
 - (b) the toilets do not function;
 - (c) the sinks do not have potable, running hot and cold water;
 - (d) there is no longer an adequate supply of clean water to complete barbering services; or
 - (e) there is no longer adequate wastewater capacity to complete barbering services.

History Note: Authority G.S. 86B-30;
Temporary Adoption Eff. May 2, 2023.

21 NCAC 06L .0204 is adopted under temporary procedures as follows:

21 NCAC 06L .0204 PERSONNEL

(a) Each mobile barber shop shall have a licensed barber manager responsible for the following:

(1) the sanitary condition, as defined in 21 NCAC 06P .0103(10), of the mobile barber shop;

(2) verifying that only licensed barbers provide barbering services in the mobile barber shop; and

(3) conducting a verification based on government-issued identification that any licensee employed in the mobile barber shop is the person whose name appears on the license before allowing the licensee to perform barbering services in the mobile barber shop.

(b) The licensed barber manager is accountable for activities at the mobile barber shop, whether or not he or she is present on the premises.

History Note: Authority G.S. 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06L .0205 is adopted under temporary procedures as follows:

21 NCAC 06L .0205 MONTHLY REPORTS OF LOCATIONS

(a) Mobile barber shops shall submit a report at the website address in 21 NCAC 06A .0102(c) by the last day of each month showing where they will provide services for the upcoming month. This report shall include the following for each day of the month:

(1) the address where the mobile barber shop will operate; and

(2) the hours when the mobile barber shop will operate at each location.

(b) If a mobile barber shop wishes to operate at a new or different location than what was listed in the report required by Paragraph (a)(1) of this Rule, it must submit a revised report at the website address in 21 NCAC 06A .0102(c):

(1) at least one business day before a location change if the new location is more than 20 miles away from the originally reported location;

(2) at least one business day in advance for a new location and time that was not on the original report;
or

(3) at least four hours before the start time reported in Paragraph (a)(2) of this Rule if the new location is fewer than 20 miles away from the originally reported location.

(c) Mobile barber shops may operate up to half a mile away from the location reported in this Rule without having to submit a revised report.

(d) Mobile barber shops are prohibited from operating at a location except as listed in the report required by this Rule.

History Note: Authority G.S. 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06N .0101 is amended under temporary procedures with changes as follows:

21 NCAC 06N .0101 FEES, ACCESS TO FORMS, AND RENEWALS

(a) The Board charges the following amounts for the fees authorized by G.S. 86A-25: [S.L. 2022-72, s. 2] G.S. 86B-41:

(1)	Certificate of registration or renewal as a <u>licensed</u> barber	\$50.00
(2)	Certificate of registration or renewal as an a <u>licensed</u> apprentice barber	\$50.00
(3)	Barbershop <u>Barber shop</u> permit or renewal	\$50.00
(4)	<u>Mobile barber shop</u> permit or renewal	\$50.00
(4) (5)	Examination to become a registered <u>licensed</u> barber	\$85.00
(5) (6)	Examination to become a registered <u>licensed</u> apprentice barber	\$85.00
(6) (7)	Late fee for restoration of an expired barber certificate <u>license</u> within first year after expiration	\$35.00
(7) (8)	Late fee for restoration of an expired barber certificate <u>license</u> after first year after expiration but within five years after expiration	\$70.00
(8) (9)	Late fee for restoration of an expired apprentice certificate <u>license</u> within the first year after expiration	\$35.00
(9) (10)	Late fee for restoration of an expired apprentice certificate <u>license</u> after first year after expiration but within three years of first issuance of the certificate <u>license</u>	\$45.00
(10) (11)	Late fee for restoration of an expired barber shop certificate <u>permit</u>	\$45.00
(12)	Late fee for restoration of an expired mobile barber shop permit	\$45.00
(11) (13)	Examination to become a barber school instructor	\$165.00
(12) (14)	<u>Student Barber student</u> permit	\$25.00
(13) (15)	Issuance of any duplicate copy of a license, certificate, license or permit	\$10.00
(14) (16)	Barber school permit or renewal	\$130.00
(15) (17)	Late fee for restoration of an expired barber school certificate <u>permit</u>	\$85.00
(16) (18)	Barber school instructor certificate <u>license</u> or renewal	\$85.00
(17) (19)	Late fee for restoration of an expired barber school instructor certificate <u>license</u> within first year after expiration	\$45.00
(18) (20)	Late fee for restoration of an expired barber school instructor certificate <u>license</u> after first year after expiration but within three years after expiration	\$85.00
(19) (21)	Inspection of newly established barbershop <u>barber shop</u>	\$120.00
(22)	Inspection of newly established mobile barber shop	\$120.00
(20) (23)	Inspection of newly established barber school	\$220.00
(21) (24)	Issuance of a registered barber or apprentice certificate <u>license</u> by certification <u>reciprocity</u>	\$120.00
(22) (25)	Charge for certified copies of public documents \$10.00 for first page, \$0.25 per page thereafter	

(23)(26) Charge for duplication services and material shall be as set forth in 26 NCAC 01 .0103(a), including any subsequent amendments and editions of the Rule

(24)(27) Certificate of registration or renewal [Licensure] as a barber [or apprentice barber] for barbers over 70 years of age \$0.00

(25)(28) Administrative fee under G.S. 86A 27(d) [S.L. 2022 72, s. 2] for paying any required fee for renewal or restoration, or a civil penalty and attorney fee, where the apprentice barber or registered barber is subject to a pick up order issued to an inspector. \$70.00

(b) Except as set forth in Paragraph (c) of this Rule, if an applicant is unable to attend an examination, he or she may request a refund of the fee. To request the refund, the applicant shall submit a written request to the address listed in 21 NCAC 06A .0102 at least 10 days before the scheduled examination.

(c) If an applicant submits a request for a refund of examination fees later than 10 days before the scheduled examination, the Board shall consider the request on a case-by-case basis and only grant the request if the applicant demonstrates good cause for not complying with Paragraph (b) of this Rule. For the purpose of this Rule, "good cause" means that the applicant could not have submitted the written request as set forth in Paragraph (b) of this Rule due to circumstances such as illness, injury, or death in the family.

(d) In the event the Board's authority to expend funds is suspended pursuant to G.S. 93B-2, the Board shall continue to issue and renew licenses and all fees tendered shall be placed in the escrow account maintained by the Board for this purpose.

(e) The forms set forth in this Subchapter may be obtained on the website or at the address listed in 21 NCAC 06A .0102.

(f) All timely renewals of ~~licenses, permits, licenses or certificates of registration permits~~ shall be submitted online at the Board's ~~website~~, website listed in 21 NCAC 06A .0102, along with any fees required by this Rule.

(g) Barber school permits shall be exempt from the online renewal requirement in Paragraph (f) of this Rule.

(h) ~~Registered Licensed~~ barbers, ~~apprentice barbers~~, ~~licensed apprentices~~, barber instructors, ~~or barber shops shops~~, or mobile barber shops that are unable to comply with the online requirement of Paragraph (f) of this Rule may submit the renewal and payment by mail or in person after receiving a waiver from the Board. This waiver shall be effective only for one renewal period. The Board shall issue a waiver within five business days after receiving the following:

(1) For ~~registered licensed~~ barbers, apprentice barbers, or barber instructors, a statement from the holder of the ~~license, permit, license or certificate of registration permit~~ that the individual is not able to renew online; or

(2) For barber ~~shops~~, shops or mobile barber shops a statement from the manager or owner that neither the manager nor owner are able to renew online.

History Note: Authority G.S. 86A-5; 86A-25; 86A-27(d); 86B-2; 86B-10; 86B-41; 93B-2;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;

1 *Amended Eff. April 1, 2010; September 1, 2009; June 1, 2008; April 1, 2005; May 1, 1989; March*
2 *1, 1983;*
3 *Readopted Eff. July 1, 2016;*
4 *Amended Eff. April 1, 2022; February 1, 2019; January 1, 2018; April 1, ~~2017~~; 2017;*
5 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0102 is amended under temporary procedures as follows:

21 NCAC 06N .0102 FORM BAR-1

(a) The Form BAR-1 shall be filed when one applies to open ~~or manage~~ a new barber shop. It ~~requests~~ requires the following:

- (1) the name and address of the barber shop;
- (2) the name, address, and ~~certificate~~ license number of the licensed barber manager;
- (3) the name and address of the barber shop owner;
- (4) the physical dimensions of the barber shop;
- (5) the barber shop business hours;
- (6) the type of fixtures installed; and
- (7) the date the barber shop will be ready for inspection.

(b) The fee required by ~~Rule .0101(a)(19)~~ Rule .0101(a)(21) of this Section shall accompany this form.

(c) The Form BAR-1 shall include the applicant's attestation that the information in the form is correct.

*History Note: Authority G.S. ~~86A-1; 86A-13; 86A-15; 86A-25; 86B-21; 86B-29; 86B-31; 86B-41;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. July 1, 2016;
Amended Eff. February 1, 2021; October 1, ~~2020~~ 2020;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0103 is amended under temporary procedures as follows:

21 NCAC 06N .0103 FORM BAR-2

(a) The Form BAR-2 shall be filed when there is a change of ~~management~~ licensed barber manager at any barber shop or mobile barber shop. It requires the following:

- (1) the name, mailing address, and permit number of the barber shop or mobile barber shop before the change of management;
- (2) the name of the barber shop or mobile barber shop after the change of management, if the ~~barber shop~~ business name changes;
- (3) the name, address, and ~~certificate~~ license number of the new ~~manager or managers~~; licensed barber manager;
- (4) if the barber shop or mobile barber shop was closed at the time the Form BAR-2 was submitted, the date of closure; and
- (5) the former licensed barber manager's name and ~~certificate~~ license number.

(b) The Form BAR-2 shall be notarized.

*History Note: Authority G.S. ~~86A-1; 86A-25; 86B-21; 86B-41~~;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. October 1, ~~2016~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0104 is amended under temporary procedures as follows:

21 NCAC 06N .0104 FORM BAR-3

(a) The Form BAR-3 shall be filed for permission to enroll in barber school. It requires the following:

- (1) the name, address, social security number, and birth date of the applicant;
- (2) the applicant's prior barber school attendance, if any;
- (3) the name of the school enrolled;
- (4) the date of enrollment; and
- (5) the school manager's attestation that the information in the form is correct.

(b) The fee in ~~21 NCAC 06N .0101(a)(12)~~ Rule .0101(a)(14) of this Section shall accompany this form.

*History Note: Authority G.S. ~~86A-18; 86A-22; 86A-25; 86B-35; 86B-38; 86B-41; 93B-14~~;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. September 1, 2013;
May 1, 1989;
Readopted Eff. October 1, 2016;
Amended Eff. October 1, ~~2020~~ 2020;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0105 is amended under temporary procedures as follows:

21 NCAC 06N .0105 FORM BAR-4

(a) The Form BAR-4 shall be filed by one applying to take the examination to receive ~~a registered~~ an apprentice ~~certificate.~~ license. It requires the following:

- (1) the name, address, social security number, and ~~birthdate~~ birth date of the applicant; and
- (2) the name of any barber school attended and the date of enrollment and ~~graduation;~~ and graduation.
- ~~(3) the place of proposed employment as an apprentice barber.~~

(b) The fee in ~~Rule .0101(a)(5)~~ Rule .0101(a)(6) of this Section shall be submitted with the application.

(c) The Form BAR-4 shall include the applicant's attestation that the information in the form is correct.

*History Note: Authority G.S. ~~86A-1; 86A-10; 86A-24; 86A-25; 86B-21; 86B-26; 86B-40; 86B-41; 93B-14;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. September 1, 2013; May 1, 1989;
Readopted Eff. July 1, 2016;
Amended Eff. October 1, 2020; January 1, ~~2017;~~ 2017;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0106 is amended under temporary procedures with changes as follows:

21 NCAC 06N .0106 FORM BAR-5

(a) The Form BAR-5 shall be filed by one applying to take the examination to receive a ~~registered barber certificate~~.
license. It requires the following:

- (1) the name, address, social security number, and ~~birthdate~~ birth date of the applicant;
- (2) ~~the barber school training; attended and the date of graduation;~~ and
- (3) ~~the length affidavit of barbering experience.~~ experience as an apprentice barber required by [S.L.
2022-72, s. 2.] G.S. 86B-23(4).

(b) The Form BAR-5 shall include the applicant's attestation that the information in the form is correct.

(c) The fee in ~~21 NCAC 06N .0101(a)(4)~~ Rule .0101(a)(5) of this Section shall accompany this form.

History Note: Authority G.S. ~~86A-1; 86A-3; 86A-10; 86A-25; 86B-21; 86B-23; 86B-26; 86B-41; 93B-14;~~
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. September 1, 2013; May 1, 1989;
Readopted Eff. October 1, 2016;
Amended Eff. October 1, ~~2020~~ 2020;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06N .0107 is amended under temporary procedures as follows:

21 NCAC 06N .0107 FORM BAR-6

(a) The Form BAR-6 shall be filed by one applying to take ~~an~~ the examination ~~as a barber school instructor. to receive~~
an instructor license. It requires the following:

- (1) the name, address, social security number, and ~~birthdate~~ birth date of the applicant;
- (2) the current ~~registered certificate~~ barber license number; and
- (3) the name of the barber school ~~attended; and~~ attended.
- ~~(4) the proposed place of employment, if any.~~

(b) The fee in ~~Rule .0101(a)(11)~~ Rule .0101(a)(13) of this Section shall accompany this form.

(c) The Form BAR-6 shall include the applicant's attestation that the information in the form is correct.

History Note: Authority G.S. ~~86A-23; 86A-25; 86B-39; 86B-41~~; 93B-14;

Eff. February 1, 1976;

Readopted Eff. February 8, 1978;

Amended Eff. March 1, 1983;

Legislative Objection Lodged Eff. March 7, 1983;

Curative Amended Eff. April 6, 1983;

Amended Eff. May 1, 1989;

Readopted Eff. July 1, 2016;

Amended Eff. October 1, ~~2020~~ 2020;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06N .0109 is amended under temporary procedures with changes as follows:

21 NCAC 06N .0109 FORM BAR-8

(a) The Form BAR-8 shall be filed by one who has practiced as a licensed barber in a state other than North Carolina for ~~three years or more~~ at least one year within the five years immediately preceding application and is applying to ~~obtain a certificate as~~ be a registered licensed barber in North Carolina. It requires the following:

- (1) the name, address, social security number, and ~~birthdate~~ birth date of the applicant;
- (2) whether the applicant attended barber school and the name and address of any barber school attended in another state; and
- (3) barbering experience and the status of each barber license in another state.

(b) The fee in ~~Rule .0101(a)(21)~~ Rule .0101(a)(24) of this Section shall accompany this form.

(c) The Form BAR-8 shall include the applicant's attestation that the information in the form is correct.

(d) The Form BAR-8 shall be accompanied by verification from the applicant's out-of-state agency of the applicant's licensure in that state. This verification shall include:

- (1) The applicant's length of licensure;
- (2) Whether the applicant held the license continuously or had any breaks in licensure;
- (3) If there were any breaks in licensure, the reason for those interruptions; and
- (4) Whether there were any disciplinary actions or are any open complaints against the license.

History Note: Authority G.S. ~~86A-1; 86A-12; 86A-25; 86B-21; 86B-28; 86B-41;~~

Eff. March 1, 1983;

Legislative Objection Lodged Eff. March 7, 1983;

Curative Eff. April 6, 1983;

Amended Eff. September 1, 2013; May 1, 1989;

Readopted Eff. July 1, 2016;

Amended Eff. October 1, 2020; January 1, ~~2017~~ 2017;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06N .0110 is amended under temporary procedures with changes as follows:

21 NCAC 06N .0110 FORM BAR-9

(a) The Form BAR-9 shall be filed when one applies to open a new barber school. It requires the following:

- (1) the date the barber school will be ready for the Board inspection;
- (2) the name and address of the barber school;
- (3) the name and address of the owner;
- (4) the name and address of the manager;
- (5) the names, instructor ~~certificate~~ license numbers, and ~~address~~ addresses of the instructors;
- (6) the physical dimensions of the barber school;
- (7) the number of barber chairs, tool cabinets, towel cabinets, and lavatories; and
- (8) a copy of the bond or alternative to a bond required by ~~G.S. 86A-22(7)(a)~~ [S.L. 2022-72, s. 2,] G.S. 86B-38(7)(a) or a request for waiver under ~~G.S. 86A-22(7)(c)~~ [S.L. 2022-72, s. 2,] G.S. 86B-38(7)(c).

(b) The Form BAR-9 shall include the applicant's attestation that the information in the form is correct.

(c) The Form BAR-9 shall be accompanied by the fee in ~~21 NCAC 06N .0101(a)(20)~~ Rule .0101(a)(23) of this Section.

*History Note: Authority G.S. 86A-1; 86A-22; 86B-21; 86B-38;
Eff. March 1, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. August 1, 2016;
Amended Eff. October 1, 2020; 2020;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0112 is amended under temporary procedures as follows:

21 NCAC 06N .0112 FORM BAR-11

(a) The Form BAR-11 shall be filed by an individual who has military training and expertise and who wants to apply to become a ~~registered~~ licensed barber pursuant to 21 NCAC 06K .0112. It requires the following:

- (1) the name, address, social security number, and ~~birthdate~~ birth date of the applicant; and
- (2) copies of the military service records showing the applicant's military certification and experience in barbering.

(b) The applicant shall submit with the Form BAR-11 a certification letter from the applicant's out-of-state agency of the applicant's licensure if the conditions set forth in 21 NCAC 06K .0112(b) apply.

(c) The Form BAR-11 shall include the applicant's attestation that the information in the form is correct.

*History Note: Authority G.S. ~~86A-1; 86A-12; 86B-21; 86B-28; 93B-14; 93B-15.1;~~
Eff. May 1, 1989;
Amended Eff. September 1, 2013;
Readopted Eff. July 1, 2016;
Amended Eff. October 1, 2020; April 1, ~~2017.~~ 2017;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0114 is amended under temporary procedures as follows:

21 NCAC 06N .0114 EXTENSIONS FOR MEMBERS OF THE ARMED FORCES

(a) If an individual is licensed or owns a business licensed under ~~G.S. 86A~~, G.S. 86B, is serving in the Armed Forces of the United States, and has received an extension of time to file a tax return under G.S. 105-249.2, the Board shall waive the following fees for the same period that would apply if the license fee were a tax:

- (1) the late fee for restoration of an expired barber ~~certificate~~ license within the first year after expiration as set forth in ~~21 NCAC 06N .0101(a)(6)~~; Rule .0101(a)(7) of this Section;
- (2) the late fee for restoration of an expired barber ~~certificate~~ license after the first year after expiration but within five years after expiration as set forth in ~~21 NCAC 06N .0101(a)(7)~~; Rule .0101(a)(8) of this Section;
- (3) the late fee for restoration of an expired apprentice ~~certificate~~ license within the first year after expiration as set forth in ~~21 NCAC 06N .0101(a)(8)~~; Rule .0101(a)(9) of this Section;
- (4) the late fee for restoration of an expired apprentice ~~certificate~~ license after the first year after expiration but within three years of first issuance of the ~~certificate~~ license as set forth in ~~21 NCAC 06N .0101(a)(9)~~; Rule .0101(a)(10) of this Section;
- (5) if the individual serving in the Armed Forces is the ~~barbershop~~ licensed barber manager or barber shop owner, the late fee for restoration of an expired barber shop ~~certificate~~ permit as set forth in ~~21 NCAC 06N .0101(a)(10)~~; Rule .0101(a)(11) of this Section;
- (6) if the individual serving in the Armed Forces is the license barber manager or barber shop owner, the late fee for restoration of an expired mobile barber shop permit as set forth in Rule .0101(a)(12) of this Section;
- ~~(6)(7)~~ if the individual serving in the Armed Forces is the barber school manager or owner, the late fee for restoration of an expired barber school ~~certificate~~ permit as set forth in ~~21 NCAC 06N .0101(a)(15)~~; Rule .0101(a)(17) of this Section;
- ~~(7)(8)~~ the late fee for restoration of an expired ~~barber school~~ instructor ~~certificate~~ license within the first year after expiration as set forth in ~~21 NCAC 06N .0101(a)(17)~~; Rule .0101(a)(19) of this Section;
- and
- ~~(8)(9)~~ the late fee for restoration of an expired ~~barber school~~ instructor ~~certificate~~ license after the first year after expiration but within three years after expiration as set forth in ~~21 NCAC 06N .0101(a)(18)~~; Rule .0101(a)(20) of this Section;

(b) To receive any extension as set forth in Paragraph (a) of this Rule, the individual shall submit the following to the Board at the address in 21 NCAC 06A .0102:

- (1) a written request that states what extension he or she is seeking; and
- (2) a copy of the documentation from the North Carolina Department of Revenue granting the extension under G.S. 105-249.2.

1 *History Note:* *Authority G.S. 93B-15(a);*
2 *Eff. April 1, ~~2017~~. 2017;*
3 *Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06N .0116 is adopted under temporary procedures with changes as follows:

21 NCAC 06N .0116 FORM BAR-13

(a) The Form BAR-13 shall be filed when one applies to open or manage a new mobile barber shop. It requires the following:

- (1) the name of the shop;
- (2) the permanent business address required by ~~G.S. 86B-20(g)~~; G.S. 86B-30(g);
- (3) the name, address, and license number of the licensed barber manager;
- (4) the name and address of the mobile barber shop owner;
- (5) if available, the email address, website, or social media handle of the mobile barber shop;
- (6) the physical dimensions of the mobile barber shop;
- (7) the vehicle identification number, license plate number, and vehicle make and model of the mobile barber shop;
- (8) the mobile barber shop business hours;
- (9) an explanation of how the mobile barber shop will dispose of sewage and wastewater;
- (10) the type of fixtures installed; and
- (11) the date the mobile barber shop will be ready for inspection.

(b) The fee required by Rule .0101(a)(22) of this Section shall accompany this form.

(c) The Form BAR-13 shall include the applicant's attestation that the information in the form is correct.

History Note: Authority G.S. 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06O .0102 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0102 LICENSING OF BARBER SHOPS

(a) The presumptive civil penalty for operating a barber shop without first filing an application for a barber shop ~~license, permit,~~ obtaining an inspection, and obtaining a barber shop permit: permit, in violation of G.S. 86B-21:

(1) 1st offense \$200.00

(2) 2nd offense \$300.00

(3) 3rd offense \$500.00

(b) The presumptive civil penalty for operating a barber shop with an expired ~~permit: permit, in violation of G.S.~~ 86B-29(b):

(1) 1st offense \$150.00

(2) 2nd offense \$300.00

(3) 3rd offense \$500.00

*History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-27; 86B-10; 86B-21; 86B-29;~~
Eff. April 1, 2005;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0104 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0104 UNSUPERVISED APPRENTICE

(a) The presumptive civil penalty for a ~~registered licensed~~ barber allowing an apprentice or ~~barber~~ student ~~barber~~ with a temporary permit to engage in barbering without the supervision ~~as~~ required by ~~G.S. 86A-24(b); [S.L. 2022-72, s. 2];~~ G.S. 86B-40(b);

(1) 1st offense \$300.00

(2) 2nd offense \$400.00

(b) The presumptive civil penalty for an apprentice or ~~barber~~ student ~~barber~~ with a temporary permit engaging in barbering without the supervision ~~as~~ required by ~~G.S. 86A-24(b); [S.L. 2022-72, s. 2];~~ G.S. 86B-40(b);

(1) 1st offense \$200.00

(2) 2nd offense \$300.00

(3) 3rd offense \$500.00

*History Note: Authority ~~G.S. 86A-5(a)(6); 86A-24; 86A-27; 86B-40; 86B-10;~~
Eff. April 1, 2005;
Amended Eff. September 1, 2009;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0105 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0105 UNLICENSED BARBER OR APPRENTICE

(a) The presumptive civil penalty for a barber shop or mobile barber shop manager allowing a barber or apprentice to practice without a license; license, in violation of G.S. 86B-21:

(1) 1st offense \$300.00

(2) 2nd offense \$500.00

(b) The presumptive civil penalty for an individual engaging in barbering without a license; license, in violation of G.S. 86B-21:

(1) 1st offense \$250.00

(2) 2nd offense \$450.00

(3) 3rd offense \$500.00

*History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-27;~~ 86B-10; 86B-21;
Eff. April 1, 2005;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0106 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0106 DISPLAY OF CURRENT LICENSE

(a) The presumptive civil penalty for the failure of a barber ~~shop~~ shop, mobile barber shop, or barber school to display a current barber shop or mobile barber shop or school ~~license:~~ license, in violation of G.S. 86B-33:

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

(b) The presumptive civil penalty for a barber ~~shop~~ shop, mobile barber shop, or barber school ~~to allow~~ allowing an individual to perform barbering without displaying a current license or ~~permit:~~ permit, in violation of G.S. 86B-33:

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

(c) The presumptive civil penalty for an individual ~~to practice~~ practicing barbering without displaying a current license or ~~permit:~~ permit, in violation of G.S. 86B-33:

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

*History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-16; 86A-27;~~ 86B-10; 86B-21; 86B-33;
Eff. April 1, 2005;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0108 is amended under temporary procedures with changes as follows:

**21 NCAC 06O .0108 INSPECTIONS OF ~~SHOPS~~ BARBER SHOPS, MOBILE BARBER SHOPS, AND
SCHOOLS**

The presumptive civil penalty for refusing to permit or preventing the inspection of a barber ~~shop~~ shop, mobile barber shop, or barber school, in violation of G.S. 86B-31(b):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$150.00 |
| (2) | 2nd offense | \$300.00 |
| (3) | 3rd offense | \$500.00 |

*History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-15(b); 86A-27; 86B-10; 86B-21; 86B-31~~;
Eff. April 1, 2005;
Readopted Eff. July 1, ~~2016~~. 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0109 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0109 EXPIRED LICENSE

(a) The presumptive civil penalty for engaging in the practice of barbering with a ~~registered barber certificate~~ license that has expired for more than a six month ~~duration:~~ duration, in violation of G.S. 86B-34:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$150.00 |
| (3) | 3rd offense | \$200.00 |

(b) The presumptive civil penalty for a barber shop manager allowing an individual to engage in the practice of barbering with a ~~registered barber certificate~~ license that has expired for more than a six month ~~duration:~~ duration, in violation of G.S. 86B-34:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$150.00 |
| (3) | 3rd offense | \$200.00 |

History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-17(b); 86A-27; 86B-10; 86B-21; 86B-34;~~
Eff. April 1, 2005;
Readopted Eff. July 1, ~~2016; 2016;~~
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0110 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0110 ADEQUATE PREMISES

(a) The presumptive civil penalty for a school ~~to fail~~ failing to maintain facilities as required by ~~G.S. 86A-15~~ [S.L. 2022-72, s. 2; G.S. 86B-31] and 21 NCAC 06F .0101, after two written warnings:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$250.00 |
| (2) | 2nd offense | \$400.00 |
| (3) | 3rd offense | \$500.00 |

(b) The presumptive civil penalty for a barber shop ~~to fail~~ failing to maintain facilities as required by ~~G.S. 86A-15~~ [S.L. 2022-72, s. 2; G.S. 86B-31] and the applicable rules in 21 NCAC 06L .0102 through .0109, after two written warnings:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$250.00 |
| (2) | 2nd offense | \$450.00 |
| (3) | 3rd offense | \$500.00 |

History Note: ~~Authority G.S. 86A-5(a)(6); 86A-15; 86A-18(6); 86A-18(7); 86A-22(6); 86A-27; 86B-10; 86B-31; 86B-35; 86B-38;~~
~~Eff. April 1, 2005;~~
~~Readopted Eff. July 1, 2016. 2016;~~
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0112 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0112 IDENTIFICATION

(a) The presumptive civil penalty for a barber shop or mobile barber shop owner or manager failing to positively identify a registered licensed barber, apprentice, or holder of a temporary ~~permit~~ permit, as set forth in 21 NCAC 06L

.0116(a):

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

(b) The presumptive civil penalty for a ~~registered licensed~~ barber, apprentice, or holder of a temporary permit failing to maintain and produce a license or permit as defined in 21 NCAC 06P .0103(7):

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

(c) The presumptive civil penalty for a barber student failing to wear identification as set forth in 21 NCAC 06F .0122:

(1) 1st offense \$100.00

(2) 2nd offense \$150.00

(3) 3rd offense \$250.00

History Note: Authority G.S. ~~86A-1; 86A-10; 86A-11; 86A-27; 86B-10; 86B-21; 86B-26; 86B-27;~~

Eff. June 1, 2008;

Amended Eff. September 1, 2009;

Readopted Eff. July 1, ~~2016;~~ 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0113 is amended under temporary procedures as follows:

21 NCAC 06O .0113 BARBER SHOPS IN RESIDENCES ~~AND MOBILE HOMES~~

~~(a)~~ The presumptive civil penalty for operating a barber shop in a residence in violation of 21 NCAC 06L .0106(c):

(1) 1st offense \$150.00

(2) 2nd offense \$250.00

(3) 3rd offense \$500.00

~~(b)~~ The presumptive civil penalty for operating a barber shop in a mobile home in violation of 21 NCAC 06L .0106(e):

~~(1) 1st offense \$200.00~~

~~(2) 2nd offense \$300.00~~

~~(3) 3rd offense \$500.00~~

History Note: Authority G.S. ~~86A-15; 86A-27; 86B-10; 86B-31~~;

Eff. June 1, 2008;

Readopted Eff. July 1, ~~2016~~ 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0114 is amended under temporary procedures as follows:

21 NCAC 06O .0114 ANIMALS IN BARBER SHOPS

The presumptive civil penalty for a ~~barber~~ manager of a barber shop or mobile barber shop allowing an animal in a barber shop or mobile barber shop in violation of 21 NCAC 06L .0114:

(1)	1st offense	\$100.00
-----	-------------	----------

(2)	2nd offense	\$150.00
-----	-------------	----------

(3)	3rd offense	\$250.00
-----	-------------	----------

History Note: Authority G.S. ~~86A-15; 85A-27; 86B-10; 86B-31;~~

Eff. June 1, 2008;

Readopted Eff. July 1, ~~2016;~~ 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0116 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0116 UNLICENSED SCHOOL INSTRUCTORS

(a) The presumptive civil penalty for a barber school allowing an individual to instruct without an instructor's certificate: license; license, in violation of 21 NCAC 06F .0104;

(1) 1st offense \$200.00

(2) 2nd offense \$300.00

(3) 3rd offense \$500.00

(b) The presumptive civil penalty for an individual engaging in instructing without an instructor's certificate: license; license, in violation of 21 NCAC 06F .0104;

(1) 1st offense \$150.00

(2) 2nd offense \$450.00

(3) 3rd offense \$500.00

*History Note: Authority G.S. ~~86A-22; 86A-23; 86A-27; 86B-10; 86B-38; 86B-39;~~
Eff. September 1, 2009;
Readopted Eff. July 1, ~~2016;~~ 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0117 is amended under temporary procedures as follows:

21 NCAC 06O .0117 BARBER FAILING TO MAINTAIN OR PRODUCE EXEMPTION LOG

(a) The presumptive civil penalty for a licensed barber failing to maintain the exemption log required by 21 NCAC 06L .0111:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$150.00 |
| (3) | 3rd offense | \$250.00 |

(b) The presumptive civil penalty for a licensed barber failing to produce the exemption log required by 21 NCAC 06L .0111:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$150.00 |
| (3) | 3rd offense | \$250.00 |

*History Note: Authority G.S. ~~86A-15(e); 86A-27; 86B-10; 86B-31~~;
Eff. April, 1, 2010;
Readopted Eff. July 1, ~~2016~~; 2016;
Temporary Amendment Eff. May 2, 2023.*

21 NCAC 06O .0119 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0119 FAILURE TO NOTIFY BOARD OF CHANGE OF ADDRESS

~~(a) The presumptive civil penalty for the failure of a barber shop or barber school to fail to notify the Board of a change of address:~~

(1) 1st offense \$50.00

(2) 2nd offense \$100.00

(3) 3rd offense \$200.00

~~(b) The presumptive civil penalty for an individual the owner or licensed barber manager of a barber shop or mobile barber shop [shop, or the owner or school] manager [of a barber school,] for the failure failing to notify the Board of a change of address for a barber shop [shop,] or mobile barber [shop,] shop as set forth in 21 NCAC 06L .0120; or barber school:~~

(1) 1st offense \$50.00

(2) 2nd offense \$100.00

(3) 3rd offense \$200.00

History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-27; 86B-2; 86B-10; 86B-30;

Eff. July 1, 2016; 2016;

Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0121 is amended under temporary procedures as follows:

21 NCAC 06O .0121 FAILURE TO DISPLAY SANITATION GRADE AND SHOP PERMIT

The presumptive civil penalty for the failure of a ~~shop~~ barber shop, mobile barber, or barber school to display its sanitation grade ~~and shop~~ or permit in a place visible to the public at the front of the shop: ~~[public:]~~ public, as set forth in G.S. 86B-33 and 21 NCAC 06L .0115(c):

- | | | |
|-----|-------------|-------------------------------------|
| (1) | 1st offense | \$50.00 <u>\$150.00</u> |
| (2) | 2nd offense | \$100.00 <u>\$350.00</u> |
| (3) | 3rd offense | \$200.00 <u>\$400.00</u> |

History Note: *Authority G.S. 86A-1; 86A-5(a)(6); 86A-16; 86A-27; 86B-2; 86B-10; 86B-33;*
Eff. July 1, 2016. 2016;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0122 is amended under temporary procedures with changes as follows:

21 NCAC 06O .0122 FAILURE TO NOTIFY BOARD OF CHANGE OF BARBER ~~SHOP~~ SHOP,
MOBILE BARBER SHOP, OR SCHOOL MANAGER

(a) The presumptive civil penalty for the failure of a barber shop or ~~barber school~~ mobile barber shop to notify the Board of a change of licensed barber shop ~~manager:~~ manager as set forth in 21 NCAC 06N .0103:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$50.00 |
| (2) | 2nd offense | \$100.00 |
| (3) | 3rd offense | \$200.00 |

~~(b) The presumptive civil penalty for an individual for the failure to notify the Board of a change of manager of a barber shop or barber school:~~

- | | | |
|----------------|------------------------|---------------------|
| (1) | 1st offense | \$50.00 |
| (2) | 2nd offense | \$100.00 |
| (3) | 3rd offense | \$200.00 |

~~(b) The presumptive civil penalty for the failure of a barber school to notify the Board of a change of licensed instructor~~ manager: manager as set forth in 21 NCAC 06F .0103:

- | | | |
|----------------|------------------------|---------------------|
| (1) | 1st offense | \$50.00 |
| (2) | 2nd offense | \$100.00 |
| (3) | 3rd offense | \$200.00 |

History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-22; 86A-27;~~ 86B-2; 86B-10; 86B-38;
Eff. July 1, 2016;
Amended Eff. July 1, ~~2020.~~ 2020;
Temporary Amendment Eff. May 2, 2023.

21 NCAC 06O .0123 is adopted under temporary procedures with changes as follows:

21 NCAC 06O .0123 LICENSING OF MOBILE BARBER SHOPS

(a) The presumptive civil penalty for operating a mobile barber shop without first filing an application for a mobile barber shop permit, obtaining an inspection, and obtaining a mobile barber shop ~~permit~~ permit in violation of G.S. 86B-21:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$400.00 |
| (2) | 2nd offense | \$450.00 |
| (3) | 3rd offense | \$500.00 |

(b) The presumptive civil penalty for operating a mobile barber shop with an expired ~~permit~~ permit in violation of G.S. 86B-29(b):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$200.00 |
| (2) | 2nd offense | \$300.00 |
| (3) | 3rd offense | \$500.00 |

*History Note: Authority G.S. 86B-10; 86B-21; 86B-29; 86B-30;
Temporary Adoption Eff. May 2, 2023.*

21 NCAC 06O .0124 is adopted under temporary procedures with changes as follows:

21 NCAC 06O .0124 TOILETS, SINK, SEWAGE, AND WASTEWATER IN MOBILE BARBER SHOPS

(a) The presumptive civil penalty for operating a mobile barber shop after wastewater storage capacity has been ~~reached~~: reached, in violation of 21 NCAC 06L .0203(6)(a):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$300.00 |
| (2) | 2nd offense | \$400.00 |
| (3) | 3rd offense | \$500.00 |

(b) The presumptive civil penalty for operating a mobile barber shop with toilets that do not ~~function~~: function, in violation of 21 NCAC 06L .0203(6)(b):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$300.00 |
| (2) | 2nd offense | \$400.00 |
| (3) | 3rd offense | \$500.00 |

(c) The presumptive civil penalty for operating a mobile barber shop without potable, running hot and cold ~~water~~: water, in violation of 21 NCAC 06L .0203(6)(c):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$300.00 |
| (2) | 2nd offense | \$400.00 |
| (3) | 3rd offense | \$500.00 |

(d) The presumptive civil penalty for operating a mobile barber shop without soap and disposable towels for all ~~sinks~~: sinks, in violation of 21 NCAC 06L .0203(3):

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$200.00 |
| (2) | 2nd offense | \$300.00 |
| (3) | 3rd offense | \$400.00 |

History Note: Authority G.S. 86B-10; 86B-30;
Temporary Adoption Eff. May 2, 2023.

21 NCAC 06O .0125 is adopted under temporary procedures as follows:

21 NCAC 06O .0125 MOBILE BARBER SHOP MONTHLY REPORTS

(a) The presumptive civil penalty for a mobile barber shop failing to submit the monthly report required by 21 NCAC 06L .0205:

(1) 1st offense \$300.00

(2) 2nd offense \$400.00

(3) 3rd offense \$500.00

(b) The presumptive civil penalty for a mobile barber shop operating at a location on a particular date not included in the report required by 21 NCAC 06L .0205: \$500.

History Note: Authority G.S. 86B-10; 86B-30;

Temporary Adoption Eff. May 2, 2023.

21 NCAC 06O .0126 is adopted under temporary procedures with changes as follows:

21 NCAC 06O .0126 DISPOSAL OF SEWAGE AND WASTEWATER

The presumptive civil penalty for a mobile barber shop disposing of sewage or wastewater by means contrary to applicable federal, state, and local commercial, transportation, or environmental statutes and ~~rules:~~ rules, in violation of G.S. 86B-30: \$500.

History Note: Authority G.S. 86B-10; 86B-30;

Temporary Adoption Eff. May 2, 2023.