

CHAPTER 18

AN ACT concerning student permits for certain cosmetology and hairstyling students and amending and supplementing P.L.1984, c.205 (C.45:5B-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read as follows:

C.45:5B-3 Definitions.

3. As used in P.L.1984, c.205 (C.45:5B-1 et seq.):

- a. "Barber" means any person who is licensed to engage in any of the practices encompassed in barbering.

- b. "Barbering" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for male customers:

- (1) shaving or trimming of the beard, mustache or other facial hair;

- (2) shampooing, cutting, arranging, relaxing or styling of the hair;

- (3) singeing, dyeing, tinting, coloring, bleaching of the hair;

- (4) applying cosmetic preparations, antiseptics, tonics, lotions or creams to the hair, scalp, face or neck;

- (5) massaging, cleansing or stimulating the face, neck or scalp with or without cosmetic preparations, either by hand, mechanical or electrical appliances; or

- (6) cutting, fitting, coloring or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person.

- c. "Beautician" means any person who is licensed to engage in any of the practices encompassed in beauty culture.

- d. "Beauty culture" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for female customers:

- (1) shampooing, cutting, arranging, dressing, relaxing, curling, permanent waving or styling of the hair;

- (2) singeing, dyeing, tinting, coloring, bleaching of the hair;

- (3) applying cosmetic preparations, antiseptics, tonics, lotions, creams or makeup to the hair, scalp, face, neck or upper part of the body;

- (4) massaging, cleansing, or stimulating the face, scalp, neck or upper part of the body, with or without cosmetic preparations either by hand, mechanical or electrical appliances;

- (5) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis;

- (6) manicuring the fingernails, nail-sculpturing or pedicuring the toenails; or

- (7) cutting, fitting, coloring or styling of hairpieces or wigs to the extent that the services are performed while the wig is being worn by a person.

- e. "Board" means the New Jersey State Board of Cosmetology and Hairstyling.

- f. "Board of Barber Examiners" means the State Board of Barber Examiners established pursuant to P.L.1938, c.197 (C.45:4-27 et seq.).

- g. "Board of Beauty Culture Control" means the Board of Beauty Culture Control established pursuant to Chapter 4A of Title 45 of the Revised Statutes.

- h. "Clinic" means a designated portion of a licensed school in which members of the general public may receive cosmetology and hairstyling services from senior students in exchange for a fee. The clinic shall clearly post the fees for the cosmetology and hairstyling

services and provide notice to consumers that the services provided in the clinic are performed by senior students under the supervision of licensed instructors.

i. "Cosmetologist-hairstylist" means any person who is licensed to engage in the practices encompassed in cosmetology and hairstyling.

j. "Cosmetology and hairstyling" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, for male or female customers:

(1) shaving or trimming of the beard, mustache or other facial hair;

(2) shampooing, cutting, arranging, dressing, relaxing, curling, permanent waving or styling of the hair;

(3) singeing, dyeing, tinting, coloring, bleaching of the hair;

(4) applying cosmetic preparations, antiseptics, tonics, lotions, creams or makeup to the hair, scalp, face or neck;

(5) massaging, cleansing or stimulating the face, neck or upper part of the body, with or without cosmetic preparations, either by hand, mechanical or electrical appliances;

(6) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis;

(7) manicuring the fingernails, nail-sculpturing or pedicuring the toenails;

(8) cutting, fitting, coloring or styling of hairpieces or wigs to the extent that the services are being performed while the wig is being worn by a person.

(9) (Deleted by amendment, P.L.2018, c.126)

k. "Manicurist" means a person who holds a license to engage in only the practice of manicuring.

l. "Manicuring" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, for male or female customers:

(1) manicuring of the fingernails;

(2) pedicuring of the toenails;

(3) nail sculpturing; or

(4) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis.

m. "Owner" means any person, corporation, firm or partnership who has a financial interest in a school or shop entitling him to participate in the promotion, management and proceeds thereof. It does not include a person whose connection with a school or shop entitles him only to reasonable salary or wages for services actually rendered. "Owner" shall also mean any person, corporation, firm or partnership who has a financial interest in a hair braiding shop entitling the person, corporation, firm or partnership to participate in the promotion, management and proceeds thereof.

n. "Practicing licensee" means any person who holds a license to practice barbering, beauty culture, cosmetology and hairstyling, manicuring or as a skin care specialist.

o. "Registered student" means a person who is engaged in learning and acquiring a knowledge of any of the practices included in the definition of cosmetology and hairstyling, including beauty culture, barbering, manicuring and skin care specialty, under the direction and supervision of a person duly authorized under P.L.1984, c.205 (C.45:5B-1 et seq.) to teach cosmetology and hairstyling and who is enrolled in a program of instruction at a licensed school of cosmetology and hairstyling, completion of which may render him eligible for licensure pursuant to P.L.1984, c.205 (C.45:5B-1 et seq.) but does not mean a person who is

enrolled in a public school vocational program in cosmetology and hairstyling approved by the State Board of Education or in any other cosmetology and hairstyling program approved by the State Board of Education.

p. "Registration card" means a document issued by the board to a registered student upon receipt of documentation from a licensed school of cosmetology and hairstyling that the student is enrolled.

q. "School" means an establishment or place licensed by the board to be maintained for the purpose of teaching cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding or skin care specialty to registered students.

r. "Senior student" means a registered student who has successfully completed one-half of the total hours of instruction required for licensure as a cosmetologist-hairstylist, beautician, barber, manicurist or skin care specialist in a licensed school of cosmetology and hairstyling, as determined by the board pursuant to regulation, or in any public school vocational training program approved by the State Board of Education.

s. "Student permit" means a permit issued to a registered student at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational training program, which enables the student to practice cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding, as appropriate, based on the course of instruction in which the student is enrolled.

t. "Shop" means any fixed establishment, mobile facility, or place where one or more persons engage in one or more of the practices included in the definition of cosmetology and hairstyling, barbering, beauty culture, manicuring, hair braiding or skin care specialty.

u. "Teacher" means any person who is licensed by the board to give instruction or training in the theory or practice of cosmetology and hairstyling, beauty culture, barbering, manicuring or skin care specialty.

v. "Temporary permit" means a permit issued to applicants for licensure awaiting scheduling or results of an examination.

w. (Deleted by amendment, P.L.2009, c.162)

x. "Skin care specialist" means a person who holds a license to engage in only the practices included in the definition of skin care specialty.

y. "Skin care specialty" means any one or combination of the following practices when performed on the male or female human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for male customers:

(1) applying cosmetic preparations, antiseptics, tonics, lotions, creams or makeup to the scalp, face or neck;

(2) massaging, cleansing or stimulating the face, neck or upper part of the body, with or without cosmetic preparations, either by hand, mechanical or electrical appliances; or

(3) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis.

z. (Deleted by amendment, P.L.2009, c.162)

aa. "Hair braider" or "hair braiding specialist" means a person who holds a license to engage in only the practice of hair braiding.

bb. "Hair braiding" means the twisting, wrapping, weaving, extending, locking, or braiding of hair by hand or with mechanical devices. "Hair braiding" may include the use of: natural or synthetic hair extensions or fibers, decorative beads, and other hair accessories; minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair; making of wigs from natural hair, natural or synthetic

fibers, and hair extensions; and the use of topical agents in conjunction with performing hair braiding, including conditioners, gels, moisturizers, oils, pomades, and shampoos.

cc. (Deleted by amendment, P.L.2023, c.231)

dd. "Mobile facility" means a shop capable of being moved from one place to another as or by a motor vehicle that shall be properly registered, insured, and inspected in accordance with all applicable motor vehicle laws and regulations and in compliance with all appropriate municipal laws and regulations including, but not limited to, licensing and land use approvals and permits, if applicable.

ee. "Chair or booth rental" means a business arrangement entered into by a written contract whereby a practicing licensee rents or leases a chair or booth from the owner of a licensed shop.

ff. "Junior student" means a registered student who has completed less than one-half of the total hours of instruction for licensure as a cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, or hair braider in a licensed school of cosmetology and hairstyling, as determined by the board pursuant to section 6 of P.L.1984, c.205 (C.45:5B-6), or in any public school vocational program approved by the State Board of Education.

gg. "Shampoo permit" means a permit issued to a registered student at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational program, which enables the student to shampoo and rinse hair if the student is a cosmetology-hairstyling, beauty culture, or barbering student who has successfully completed 60 hours of relevant coursework pursuant to section 4 of P.L.1984, c.205 (C.45:5B-4).

hh. "Shampoo technician" means an individual who is certified to provide hair washing services, including shampooing, conditioning, and glazing, in a shop licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9).

2. Section 6 of P.L.1984, c.205 (C.45:5B-6) is amended to read as follows:

C.45:5B-6 Duties of board.

6. The board shall:

- a. Review the qualifications of applicants for licensure;
- b. Devise examinations for licensure which include practical and written portions;
- c. Administer and grade examinations or employ competent examiners to administer and grade examinations but in no case shall the board permit a person having any affiliation with a licensed school to examine or grade an applicant who has been a registered student at the school with which the examiner has an affiliation;
- d. Issue and renew licenses of any cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, teacher, shop, chair or booth rental, or school;
- e. Issue student permits to registered students, which permits shall remain valid during the period that the student is registered at a licensed school or enrolled in an approved vocational training program;
- f. Issue temporary permits to applicants for licensure who are awaiting scheduling for or results from an examination;
- g. Issue registration cards to registered students;
- h. Suspend, revoke or refuse to renew a license and exercise investigative powers pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);
- i. Appoint and employ an executive director and an assistant executive director subject to the approval of the Attorney General, and other employees as necessary to carry out the provisions of this act;

j. Determine the duties that the executive director and the assistant executive director shall perform;

k. File with the Attorney General a petition to remove any executive director or assistant executive director for cause, which petition shall be acted upon by the Attorney General in a manner which he deems appropriate;

l. Establish fees for initial licensure, permits, renewals and restoration of licenses as well as for duplication of lost licenses pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);

m. Maintain records of all practicing licensees and all licensed teachers. Records shall include the latest work address of each licensee, as provided on applications for licensure and renewals thereof;

n. Maintain a record of all registered students and all persons holding student permits;

o. Maintain a record of all shops licensed by the board to offer one or more of the services encompassed within the definition of cosmetology and hairstyling;

p. Maintain a record of all schools licensed by the board to offer courses of instruction or training in the practice and theory of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty to registered students, which courses shall be approved by the board for the awarding of credit for licensure;

q. Make available for public inspection all records required to be kept pursuant to this section;

r. Promulgate regulations governing the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty as are necessary to implement P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner which is sanitary and safe and in a manner which is not intended to deceive or mislead the general public;

s. Promulgate regulations governing the conduct of shops, including, but not limited to, mobile facilities, chair or booth rentals, and schools as are necessary to implement P.L.1984, c.205 (C.45:5B-1 et seq.), including, but not limited to, regulations that ensure that all schools offer instruction on cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty by instructors who are knowledgeable in the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty, as the case may be, and to assure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner that is sanitary and safe, and in a manner not intended to deceive or mislead the general public, students of the schools, or organizations awarding financial aid to the students and to clarify or define any term used in the act and to define any activity included in hairstyling and cosmetology, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

t. Review curricula offered by licensed schools in courses of instruction offered to registered students and approve those curricula which offer comprehensive training in cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

u. Direct the conduct of inspections and investigations of all licensed shops, including shops with chair or booth rentals, and schools;

v. Direct the conduct of inspections or investigations of any premises from which the board may have reason to believe that cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty services are being offered, or that courses of instruction are being offered to registered students;

w. Establish criteria and standards for education and experience required for licensure; and

x. Maintain a record of all individuals holding chair or booth rental licenses.

3. Section 7 of P.L.1984, c.205 (C.45:5B-7) is amended to read as follows:

C.45:5B-7 Services requiring license; exceptions.

7. No person shall render any of the services encompassed within the definition of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty services, without first having secured a license from the board which permits the offering of that service in accordance with the authority provided by the license, except for the following persons when acting within the scope of their profession or occupation:

- a. Persons authorized by the laws of this State to practice medicine and surgery, dentistry, chiropractic and acupuncture;
- b. Registered nurses, licensed practical nurses, nurses' aides, physical therapists, physical therapy assistants, and other licensed health care professionals;
- c. Personnel employed by, and providing services in facilities regulated by, the United States Department of Veterans Affairs or the United States Department of Defense;
- d. Persons employed to render cosmetology and hairstyling services in the course of and incidental to the business of employers engaged in the theatrical, radio, television or motion picture production industries, modeling or photography;
- e. Persons employed to demonstrate, recommend or administer cosmetic preparations, lotions, creams, makeup or perfume intended for home use for the purposes of effecting retail sales if those persons neither accept payment from the consumer for that demonstration nor make the demonstration contingent upon the purchase of any product or service;
- f. Registered students holding a student permit, provided that those services are rendered in a school clinic or licensed shop during hours that the student does not have scheduled classes; and
- g. Persons employed as shampoo technicians.

4. Section 25 of P.L.1984, c.205 (C.45:5B-25) is amended to read as follows:

C.45:5B-25 Eligibility to obtain student permit.

25. a. To be eligible to obtain a student permit, an applicant shall submit to the board satisfactory evidence that the applicant:

- (1) is a registered student in a course of instruction in cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding, or skin care, as appropriate; and
- (2) does not have a communicable, contagious, or infectious disease which could reasonably be expected to be transmitted during the course of rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding, or skin care specialty services.

b. A junior student in a course of instruction in cosmetology and hairstyling shall be eligible to obtain a shampoo permit for the purpose of shampooing and rinsing hair if the student submits to the board satisfactory evidence that the student:

- (1) completed at least 60 hours of relevant course instruction; and
- (2) does not have a communicable, contagious, or infectious disease which could reasonably be expected to be transmitted during the course of rendering shampoo and hair rinsing services.

c. All permits shall remain valid only during the period that the student is registered at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational program and shall expire upon a student's graduation, withdrawal, or leave of absence from the school or program for more than 90 consecutive days.

C.45:5B-22.3 Prospective shampoo technician, requirements if not enrolled in a program leading to licensure.

5. An individual who is seeking employment as a shampoo technician and who is not currently enrolled in a program that leads to a professional license offered by the New Jersey State Board of Cosmetology and Hairstyling shall complete one of the following:

a. a program for shampoo technicians of 60 hours offered by a school licensed by the board pursuant to section 10 of P.L.1984, c.205 (C.45:5B-10), or a public school vocational program approved by the State Board of Education; or

b. training of 60 hours provided, for a reasonable fee, by a shop licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a focus on shampooing and temporary rinses.

C.45:5B-22.4 Practical examination, shampoo technicians.

6. a. An individual who completes a program pursuant to subsection a. of section 5 of P.L.2025, c.18 (C.45:5B-22.3) or training pursuant to subsection b. of section 5 of P.L.2025, c.18 (C.45:5B-22.3) shall be required to take and pass a practical examination. The examination may be:

(1) taken at and administered by:

(a) a licensed school; or

(b) a public school offering a vocational program to be a shampoo technician; or

(2) scheduled and administered by the board.

b. In accordance with subsection c. of section 6 of P.L.1984, c.205 (C.45:5B-6), an examiner who has an affiliation with a licensed school shall not grade any portion of the practical examination of an individual who attended the licensed school where the examiner is affiliated.

c. Upon passage of the examination, the board shall be notified, in a form and manner as it determines, for examinations graded by examiners at a licensed school or public school offering a vocational program to be a shampoo technician. Notification of examination passage shall include submission of:

(1) proof of completion of a program offered pursuant to subsection a. of section 5 of P.L.2025, c.18 (C.45:5B-22.3); or

(2) a notarized attestation demonstrating completion of training by an individual pursuant to subsection b. of section 5 of P.L.2025, c.18 (C.45:5B-22.3).

d. Upon receipt of information required of subsection c. of this section, the board shall issue a certification, for a reasonable fee, to an individual to provide services as a shampoo technician. The certification is to be renewed on a biennial basis.

C.45:5B-22.5 Reactivation, shampoo technician certification.

7. If an individual certified as a shampoo technician pursuant to P.L.2025, c.18 (C.45:5B-22.3 et al.) does not maintain certification and seeks reactivation, the individual shall:

a. if the reactivation is sought after a period of fewer than 10 years, submit an application and pay a reactivation fee, as determined by the board; or

b. if the reactivation is sought after a period of 10 years or more, sit for the examination required for initial certification pursuant to section 6 of P.L.2025, c.18 (C.45:5B-22.4) and upon passage, submit an application and pay a reactivation fee, as determined by the board.

C.45:5B-22.6 Rules, regulations.

8. a. The board shall promulgate rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of sections 5 through 7 of P.L.2025, c.18 (C.45:5B-22.3 through 45:5B-22.5).

- b. The regulations shall include, among other items, standards for:
 - (1) qualifications to be a shampoo technician;
 - (2) the individuals authorized to provide training in a licensed shop and to be examiners for the practical examination; and
 - (3) the amount of the fees to be paid by individuals training as a shampoo technician through a licensed shop and for the issuance of an initial certification and the annual renewal of a certification.

9. Sections 1 through 4 of this act shall take effect 90 days next following enactment and sections 5 through 8 shall take effect on the first day of the thirteenth month next following enactment.

Approved February 3, 2025.