

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5019

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 2021

The Assembly Budget Committee reports favorably Assembly Bill No. 5019, with committee amendments.

As amended, this bill allows licensees of the New Jersey State Board of Cosmetology and Hairstyling to provide services using mobile facilities.

The bill amends the definition of “shop” in the statute governing the New Jersey State Board of Cosmetology and Hairstyling to include mobile facilities. The bill adds a definition of “mobile facility” to mean a licensed 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.

The bill further supplements the law to allow practicing licensees to render any cosmetology and hairstyling services in a mobile facility so long as certain requirements are met. A mobile facility is to display a permanent sign indicating the name of the shop, which is clearly visible to the general public from the exterior of the shop, and contain:

- (1) a minimum of 75 square feet of floor space;
- (2) at least one lavatory including a toilet, hand washing facilities and a door;
- (3) one shampoo basin with hot and cold running water and a reclining chair;
- (4) a designated area for cleaning and disinfecting implements and tools;
- (5) an ultrasonic unit for cleaning metal implements and tools;
- (6) a clean, closed receptacle for storage of sanitized implements and tools at each work station;
- (7) a closed container for clean linens;
- (8) a closed container for soiled linens;
- (9) a closed waste container accessible to each work station;
- (10) hair drying facilities or hair drying equipment;
- (11) a dispensary or place where supplies are prepared and dispensed; and

(12) any other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.

Under the bill, a mobile facility licensed as a manicuring or skin care specialty shop by the board is required to have at least one sink in the work area with hot and cold running water but is exempt from the requirement for a shampoo basin. In addition, a mobile facility licensed as a barbering shop is required to contain at least one chair with an adjustable headrest suitable for performing shaving services.

The bill provides that a shop that is a mobile facility is required to publish on a website that is accessible to the public a 14-day location schedule at least 14 days in advance of the first scheduled date. The mobile facility may make changes to the schedule within the first seven days after posting it to the website but after that time, the mobile facility is to immediately notify the board of any change to that schedule.

Under the bill, a mobile facility is to maintain a stationary position whenever an individual therein is engaged 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.

The bill also amends the law to replace certain outdated terminology.

As amended and reported by the committee Assembly Bill No. 5019 is identical to Senate Bill No. 2996 (1R) as also amended and reported by the committee.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) prohibit mobile facilities from operating within 300 feet of a board-licensed shop unless the mobile facility meets certain requirements;
- (2) require mobile facilities to post the 14 day location schedule online and meet certain automatic vehicle location system requirements;
- (3) clarify that it is a violation of the bill for the mobile facility to not be in its stated location, except under certain circumstances;
- (4) require a mobile facility to comply with the federal "Americans with Disabilities Act of 1990";
- (5) require mobile facilities to be in compliance with all applicable municipal laws and regulations;
- (6) clarify that the board is to promulgate regulations concerning mobile facilities; and
- (7) extend the effective date of the bill to the first day of the twelfth month next following the date of enactment.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.