SENATE, No. 2531

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:
Senator BRIAN P. STACK
District 33 (Hudson)

SYNOPSIS

Requires licensing of pet groomers and registration of certain other businesses; establishes certain licensing and operating requirements.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the regulation of pet groomers and certain other businesses, and supplementing chapter 16 of Title 45 of the Revised Statutes.

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

1. As used in this act:

"Board" means the State Board of Veterinary Medical Examiners.

"Pet" means any animal placed in the care of a pet groomer for grooming or styling.

"Pet groomer" means an individual licensed as a pet groomer, who engages in pet grooming.

"Pet grooming" means the act of bathing, brushing, clipping, or styling a pet.

"Registered student" means a person who is engaged in learning and acquiring a knowledge of the practice of pet grooming, under the direction and supervision of a person duly authorized under this act to teach pet grooming and who is enrolled in a program of instruction at a licensed school of pet grooming, completion of which may render him eligible for licensure pursuant to this act.

"School" means an establishment or place licensed by the board to be maintained for the purpose of teaching pet grooming to registered students.

2. The board shall:

a. Review the qualifications of applicants for licensure under this act;

b. Ensure the proper conduct and standards of examination;

c. Issue and renew licenses to pet groomers and schools pursuant to the provisions of this act;

d. Suspend, revoke, or fail to renew the license of a pet groomer pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);

e. Prescribe or change the charges for examinations, licensures, renewals and other services performed pursuant to P.L.1974, c.46 (C.45:1-3.1 et seq.);

f. Adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); and

g. Maintain a record of every pet groomer licensed in this State, and the date and number of his license, and publish a list of the names and addresses of all licensees annually.

3. No person shall practice, attempt to practice, or hold himself out as being able to practice pet grooming unless that person is licensed in accordance with the provisions of this act.

4. To be eligible to be licensed as a pet groomer, an applicant shall fulfill the following requirements:

a. Be at least 18 years of age;

b. Be of good moral character; and

c. Pass an examination prepared by or approved by the board to determine the applicant's competence to practice pet grooming.

5. a. The examination required by subsection c. of this section shall include both a practical demonstration and a written test, and shall be consistent in both practical and technical requirements.

b. The examination required by subsection c. of section 5 of this act shall be held within the State at least four times a year at a time and place to be determined by the board. The board may contract or otherwise arrange for reasonably required physical accommodations and facilities to conduct examinations.

c. The board may, by regulation, establish standards and procedures to provide that the written test be offered via the Internet and the practical demonstration portion of the examination be offered throughout the year to an applicant under the aegis of a licensed pet groomer.

6. No person, firm, corporation, partnership or other legal entity shall operate, maintain or use premises at which courses of instruction in pet grooming are offered to registered students without first having secured a school license from the board. All educational programs and courses offered at school premises shall be conducted by persons holding pet groomer licenses.

7. a. All pet groomer and school licenses shall be issued for a two-year period and shall be renewed upon filing of a renewal application.

b. All applicants shall pay a fee for licensure or renewal of licensure under this act. Fees shall be determined by the board and established by regulation. The revenue generated from these fees shall not exceed the operating costs incurred by the board in administering this act.

8. The provisions of this act shall not apply to:

a. A registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; or

b. An individual engaged in performing grooming services while not enrolled in a school if the individual performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer's licensing examination.

9. a. No business shall engage in or advertise or hold itself out as offering pet grooming services unless the business is registered with the board.

b. A written application for registration shall be made to the board on the form prescribed by the board and shall contain the following information:

(1) The name and residence of the owner or operator of the entity providing pet grooming services;

(2) The municipality and location of the owner or operator's primary place of business and the locations of all other branches of business;

(3) Proof of general liability insurance or a letter of credit of a type and amount required by the board by regulation; and

(4) Any other biographical information of the applicant as required by the board.

c. Each applicant for registration and each registrant pursuant to the provisions of this section shall pay to the board a fee for the issuance of a two-year registration in the amount established by the board in accordance with the provisions of P.L.1974, c.46 (C.45:1-3.1 et seq.).

10. No business shall engage in or offer pet grooming services unless the business, as prescribed by the board by regulation, complies with the following:

a. Pets not in the grooming process shall be caged separately in a structurally sound and clean cage large enough to allow each pet to make normal postural adjustments, including sitting, standing, and turning around;

b. An adequate water supply of drinking water shall be available to all animals at all times;

c. Drying cages shall not be utilized;

d. Sufficient lighting shall be provided to facilitate the cleaning of pets and facilities;

e. The premises of the pet grooming facility shall be maintained in a sanitary condition;

f. Surveillance cameras shall be installed throughout the business, to provide recorded video surveillance of all areas of the business inside and outside on the property of the business, 24 hours a day, seven days a week; and

g. The footage from the surveillance cameras shall be kept by the facility for at least 60 days.

11. Every pet grooming business shall maintain a pet incident file to be submitted annually to the board, in a form as may be prescribed by the board, which shall contain the following information:

a. Pet injuries sustained while at the facility that required veterinary contact;

b. Severe pet illnesses;

c. Veterinary treatment plans relevant to pet grooming procedures and processes;

d. Pet deaths; and

e. Pet escapes.

12. The board may suspend or revoke the registration of any business offering pet grooming upon proof showing by a preponderance of the evidence that the business:

a. Has made false or misleading statements of a material nature in the application for registration;

b. Failed to demonstrate that each employee of the employer who is engaged in the performance of pet grooming is in possession of a license to practice pet grooming;

c. Failed to demonstrate proof of having general liability insurance or a letter of credit of a type and amount required by the board; or

d. Failed to comply with the provisions of section 11 or 12 of this act.

13. a. Every holder of a license or registration issued by the board shall display it to the public at the location for which it was issued.

b. Renewal of licenses and registrations shall be attached to the original license or registration in the lower left-hand corner.

14. a. The board shall establish and undertake a public information campaign to educate and inform the consumers of this State of the provisions of this act. The public information campaign shall include, but not be limited to, the preparation, printing, and distribution of booklets, pamphlets or other written pertinent information.

b. The board shall provide a toll-free telephone number for consumers making inquiries or complaints regarding pet groomers or pet grooming businesses.

15. This act shall take effect on the 360th day next following enactment, but the State Board of Veterinary Medical Examiners may take such anticipatory acts in advance of that date as may be necessary for the timely implementation of this act.

STATEMENT

This bill defines a “pet groomer” as an individual who bathes, brushes, clips, or styles a pet for compensation, and requires pet groomers to be licensed.

To be eligible for licensure as a pet groomer, an applicant must: be at least 18 years of age; be of good moral character; and pass an examination prepared by or approved by the State Board of Veterinary Medical Examiners to determine the applicant's competence to practice pet grooming.

The bill stipulates that in order to practice, attempt to practice, or hold himself out as being able to practice pet grooming, that person is required to be licensed in accordance with the provisions of this bill.

In addition, as specified in the bill, none of the bill's provisions apply to: a registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; or an individual engaged in performing grooming services while not enrolled in a school if the individual performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer's licensing examination.

This bill also mandates that no business is to engage in or advertise or hold itself out as offering pet grooming services unless the business is registered with the board. Furthermore, any such business is required to provide to the board evidence of proof of general liability insurance or a letter of credit of a type and amount required by the board by regulation.

In addition, the bill provides that a business engaged in or offering pet grooming services is required to comply with the following requirements:

1) Pets not in the grooming process are required to be caged separately in a structurally sound and clean cage large enough to allow each pet to make normal postural adjustments, including sitting, standing, and turning around;

2) An adequate water supply of drinking water is to be available to all animals at all times;

3) Drying cages are not to be utilized;

4) Sufficient lighting must be provided to facilitate the cleaning of pets and facilities;

5) The premises of the pet grooming facility is required to be maintained in a sanitary condition;

6) Surveillance cameras are required throughout the business, to provide recorded video surveillance of all areas of the business inside and outside on the property of the business, 24 hours a day, seven days a week; and

7) The footage from the surveillance cameras is required to be kept by the facility at least 60 days.

The bill also mandates that every pet grooming business is required to maintain a pet incident file to be submitted annually to the State Board of Veterinary Medical Examiners, in a form as may be prescribed by the board, which must contain the following

information: pet injuries sustained while at the facility that required veterinary contact; severe pet illnesses; veterinary treatment plans relevant to pet grooming procedures and processes; pet deaths; and pet escapes.

The board may suspend or revoke the registration of any business offering pet grooming upon proof showing by a preponderance of the evidence that the business: has made false or misleading statements of a material nature in the application for registration; failed to demonstrate that each employee of the employer who is engaged in the performance of pet grooming is in possession of a license to practice pet grooming; failed to demonstrate proof of having general liability insurance or a letter of credit of a type and amount required by the board; failed to comply with the aforementioned sanitary and facility conditions required of businesses engaging in or offering pet grooming services; or failed to maintain the pet incident file, as required by the bill.

Furthermore, the bill requires the State Board of Veterinary Medical Examiners to establish and undertake a public information campaign to educate and inform the consumers of New Jersey of the provisions in this bill. The bill also mandates that the board provide a toll-free telephone number for consumers making inquiries or complaints regarding pet groomers or pet grooming businesses.