

PROFESSIONAL LICENSURE DIVISION [645]

Notice of Intended Action

The Professional Licensing and Regulation Bureau hereby proposes to amend Chapter 21, “Licensure,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 158.15.

The proposed amendments were approved by the Board of Barbering on [date].

State or Federal Law Implemented

This rule making implements, in whole or in part, 2020 Acts, Senate File 155.

Purpose and Summary

These amendments implement changes recommended and required by 2020 Iowa Acts, Senate File 155.

Fiscal Impact

[Content].

Jobs Impact

[Content].

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the board for a waiver of the discretionary provisions, if any, pursuant to 645—chapter 18.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Bureau no later than 4:30 p.m. on [Date]. Comments should be directed to:

[Contact name and address]. E-mail may be sent to [email address].

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

[Date and location].

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Bureau and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action proposed:

ITEM 1. Amend rule 645—21.11(158) as follows:

645—21.11(158) Requirements for a barbershop license.

c. A barbershop license may be for a stationary barbershop or a mobile barbershop.

1. Stationary barbershop. A stationary barbershop license shall be issued for a specific location. A change in location or site of a stationary barbershop shall result in the cancellation of the existing license and necessitate application for a new license and payment of the fee required by rule 645—~~subrule~~ 5.2(8). A change of address without change of actual location shall not be construed as a new site.

2. Mobile barbershop. A mobile barbershop license shall be issued for a permanent physical address. The licensee is required to provide a permanent physical address for board correspondence. A mobile barbershop may operate in a legal parking spot or on private property, with the permission of the owner or his designee, anywhere in the State of Iowa provided the mobile barbershop is operating in compliance with applicable federal and state transportation, environmental, and sanitary regulations, including those herein.

3. Barbershop owner's contact information. The listed owner of either a stationary or mobile barbershop must update the Board within thirty days of a change in contact information, which includes telephone number, e-mail address, and or mailing address.

ITEM 2. Adopt the following **new** rule 645—21.19 (158):

645—21.19(158) Mobile Barbershops. A mobile home, motor home, trailer, or other recreational vehicle may be used as a mobile barbershop if it complies with the following:

- a. Possess a current mobile barbershop license issued by the board.
- b. The owner shall complete a board-approved application.

c. The mobile barbershop's owner's telephone number, e-mail address, and permanent address must be included on the mobile barbershop's application for licensure, and must be updated and accurate;

d. No service may be performed on a patron in a moving vehicle. Services shall be performed in a mobile salon or barber shop that is parked in a legal parking spot;

e. Mobile barbershops must provide:

1. A supply of hot and cold water;

2. Adequate lighting;

3. A floor surface in the service area that is nonabsorbent and easily cleanable;

4. Work surfaces that are easily cleaned;

5. Cabinets secured with safety catches wherein all chemicals shall be stored when the vehicle is moving.

6. A first-aid kit that includes adhesive dressing, gauze and antiseptic, tape, triple antibiotics, eyewash, and gloves.

f. Mobile barbershops must comply with all rules in Chapter 22, Infection Control for Barbershops and Barber Schools except rules 645— 645—22.5 through 22.7