

2025 -- H 5833

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- MOBILE COSMETOLOGY AND
BARBERING SERVICES

Introduced By: Representatives Shallcross Smith, Boylan, and Alzate

Date Introduced: February 28, 2025

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 5 of the General Laws entitled "BUSINESSES AND PROFESSIONS"

2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 10.1

4 MOBILE COSMETOLOGY AND BARBERING SERVICES

5 **5-10.1-1. Definitions.**

6 (a) Definitions. For the purposes of this chapter, the following terms shall have the
7 meanings indicated below:

8 (1) "Business address" means a permanent street address in Rhode Island where the records
9 required by this chapter shall be kept.

10 (2) "Mobile business" means an enterprise, which may include a licensed shop, that is
11 authorized by the board to provide mobile services and includes more than one person.

12 (3) "Mobile services" means those practices within the definitions of aesthetics, barbering,
13 cosmetology, hairdressing and manicuring that the board authorizes to be provided in remote
14 locations and mobile units, but does not include electrolysis services.

15 (4) "Mobile unit" means a vehicle approved by the board in which interior space is
16 designed and equipped for mobile services.

17 (5) "Registrant" and "registrants" means a reference only to those individuals who are
18 licensed by the board and approved under this chapter to provide mobile services.

1 (6) “Remote location” means an indoor room in a permanent building selected by the
2 consumer that is neither a mobile unit nor a shop or salon licensed by the board.

3 **5-10.1-2. Requirement of license and registration.**

4 (a) All persons and businesses that offer mobile services shall register with the board by
5 completing a registration form provided by the board, and shall be approved by the board before
6 providing mobile services.

7 (b) Except as provided in subsection (c) of this section, mobile services may be provided
8 to a consumer only by an individual licensed cosmetologist, aesthetician, manicurist or master
9 barber who:

10 (i) Has registered with the board to provide mobile services; and

11 (ii) Has been approved by the board, which may require an appearance before the board
12 regarding review of applicants with criminal history or pending criminal charges.

13 (c) Any apprentice cosmetologist, aesthetician and apprentice barber may provide mobile
14 services only if the apprentice:

15 (i) Is supervised at the remote location or in the mobile unit by the appropriate licensed
16 cosmetologist, aesthetician or barber;

17 (ii) Has registered with the board to provide mobile services; and

18 (iii) Has been approved by the board, which may require an appearance before the board
19 regarding review of applicants with criminal history or pending criminal charges.

20 (d) While providing mobile services, every registrant shall have their original license
21 visible to the consumer, and shall have in their possession a copy of their approved registration to
22 provide mobile services and a government-issued identification card with photograph.

23 (e) All persons or entities registering to provide mobile services shall provide a business
24 address where they shall maintain the records required by this chapter, including, but not limited
25 to, their original approved mobile registration, license numbers and copies of the mobile
26 registrations of every registrant engaged by a mobile business to provide mobile services, records
27 of dates, times and locations of mobile services appointments, itineraries and mobile unit vehicle
28 registration and insurance certificates.

29 (f) Every registration to perform mobile services is valid only for the person, entity or
30 mobile unit stated on the approved registration and is not transferable or assignable. The purchaser
31 of an entity or mobile unit that has previously been registered and approved to provide mobile
32 services shall submit a new registration at least thirty (30) days in advance of the sale or change in
33 ownership and obtain board approval in writing before providing mobile services.

34 **5-10.1-3. Mobile business registration.**

1 All businesses that engage individual registrants to provide mobile services and are not
2 registered as a mobile unit shall register and be approved by the board as a mobile business before
3 providing mobile services.

4 **5-10.1-4. Mobile unit registration.**

5 (a) A mobile unit shall be registered, inspected and approved by the board before mobile
6 services may be provided in it, and shall comply with all requirements for fixed shops applicable
7 to mobile services.

8 (1) A mobile unit shall provide a permanent business address where all records relating to
9 its mobile services shall be maintained.

10 (b) A mobile unit shall possess all of the following:

11 (2) A self-contained, potable water supply including continuous, on-demand hot water,
12 with potable water tanks of not less than twenty-five (25) gallons for each work station in the mobile
13 unit;

14 (ii) A self-contained, flush chemical toilet with holding tank;

15 (iii) A covered galvanized, stainless steel or other non-corrosive metal container for
16 purposes of depositing hair clippings and other waste materials;

17 (iv) Stabilizing jacks; and

18 (v) A sign stating “No Services May Be Provided While This Mobile Unit is In Motion”
19 in letters no less than one inch high, displayed in a conspicuous place in the mobile unit.

20 (b) The potable water supply in a mobile unit shall be adequate for sanitation and the
21 services provided; and if the potable water is depleted, operations shall cease until the supply is
22 replenished.

23 (c) The wastewater holding tank and chemical holding tank of a mobile unit shall be of
24 adequate capacity. Wastewater and chemical discharge shall be disposed of at discharge points that
25 comply with applicable federal, state, local and municipal law or regulation.

26 (d) No services shall be performed and no consumers shall be in the mobile unit while it is
27 in motion. Before any service is rendered in the mobile unit, the mobile unit shall be parked and
28 stabilizing jacks shall be deployed.

29 (e) An itinerary showing the vehicle license plate number of the mobile unit and the dates,
30 locations, and times of service for at least the previous week of service shall be made available in
31 the mobile unit, upon request, to an authorized representative of the board.

32 (f) A copy of the board’s approval of the mobile unit registration shall be displayed in a
33 conspicuous place in the mobile unit, and the original approval shall be maintained at the business
34 address.

1 (g) A mobile unit shall obtain applicable local licenses or permits to provide mobile
2 services in each city or town.

3 (h) A mobile unit shall comply with all applicable requirements of the registry of motor
4 vehicles including, but not limited to, inspection, registration and insurance requirements. Copies
5 of vehicle registration and insurance certificates shall be provided to the board with the application
6 for registration as a mobile unit and shall be maintained at the business address. The vehicle's
7 annual inspection shall be up to date at the time of the board's inspection.

8 (j) A mobile unit shall comply with any and all applicable federal, state, local and municipal
9 laws, regulations, ordinances and codes related to the operation of vehicles to be used as mobile
10 units, insurance, safety, health, plumbing, water supply, disposal of wastewater and waste
11 materials, electricity and fire.

12 **5-10.1-5. Location and scope of mobile services.**

13 (a) Mobile services may be provided in a remote location or a mobile unit only.

14 (b) Other than wheelchairs, no chair with wheels may be used for mobile services.
15 Wheelchair wheels shall be locked during mobile services.

16 (c) No remote location shall be used repeatedly as a de facto shop without complying with
17 the board's regulations regarding licensing of shops and home salons.

18 (d) Manicuring services at remote locations and in mobile units shall be limited to basic
19 manicures and pedicures only.

20 (e) Mobile aesthetics services in remote locations and in mobile units may include basic
21 facials, facial waxing and makeup application provided:

22 (i) Mobile aesthetics in remote locations shall not include microdermabrasion, chemical
23 peels, comedone extraction, body waxing, or hair removal using intense pulsed light equipment;
24 and

25 (ii) Aesthetics services in mobile units may include microdermabrasion, chemical peels,
26 comedone extraction, body waxing and hair removal using intense pulsed light equipment as long
27 as all other requirements related to mobile units are met.

28 (f) Mobile hairdressing services in remote locations and mobile units may include hair
29 washing, arranging or styling, cutting and drying provided:

30 (i) Mobile hairdressing in remote locations shall not include hair coloring, waving,
31 straightening or other chemical processes; and.

32 (ii) Hairdressing services in mobile units may include hair coloring, waving, straightening
33 and other chemical processes as long as all other requirements related to mobile units are met.

34 (g) Mobile cosmetology services shall be subject to the requirements of subsections (a)

1 through (f) of this section.

2 (h) Mobile barber services at remote locations and mobile units may include basic hair
3 washing, arranging, cutting, drying, styling and shaving provided:

4 (i) Mobile barber services in remote locations shall not include hair coloring, waving,
5 straightening or other chemical processes; and

6 (ii) Mobile barber services in mobile units may include hair coloring, waving, straightening
7 and other chemical processes as long as all other requirements related to mobile units are met.

8 (i) Mobile services shall be performed with a level of care appropriate to conditions of risk
9 specific to the remote location or mobile unit.

10 **5-10.1-6. Sanitation and safety for mobile services.**

11 (a) Registrants shall comply with all requirements of the board's regulations and policies
12 applicable to mobile services for cleaning and disinfection, the board's policy regarding practices
13 outside the scope of licensure, and the prohibition against narcotics, alcohol, marijuana and tobacco
14 while providing mobile services, in the immediate vicinity of mobile services and in mobile units.

15 (b) Mobile units shall observe all sanitation requirements applicable to shops regarding
16 cleaning and disinfection, lighting and ventilation, washable floors and furniture, toilet and hand-
17 washing facilities, and the prohibitions against food, narcotics, alcohol, marijuana, tobacco,
18 sleeping or living quarters and animals except service animals authorized by law to be in places of
19 public accommodation.

20 (c) Registrants providing mobile services at remote locations shall wipe the surfaces of the
21 remote location on which the registrant will be working with antiseptic and place a disposable
22 sanitary cover on the surfaces before providing services to each and every consumer.

23 (d) All remote locations shall have a clean, empty sink with hot and cold running water
24 easily accessible to the consumer receiving services.

25 (e) Towels, sheets, and similar items shall be placed in closed containers and laundered
26 after use on each consumer; and after being laundered, all towels and linens shall be placed in
27 disinfected drawers or containers.

28 (f) Mobile services shall be performed with single-use disposable tools to the greatest
29 extent feasible.

30 (g) Registrants providing mobile services shall dispose of single-use tools and clean and
31 disinfect all authorized reusable tools and items that come into contact with a consumer as follows:

32 (i) After the first use at a remote location or mobile unit, all single-use disposable tools
33 shall be placed in a disposable bag and disposed of in a proper trash receptacle in accordance with
34 applicable laws and regulations;

1 (ii) After being used for mobile services on one consumer, reusable tools shall be placed
2 in a closed container and shall be cleaned and disinfected by the methods prescribed by the board's
3 regulations, except that:

4 (A) Used tools shall not be placed in ultraviolet light boxes until they have been cleaned
5 and disinfected using other methods authorized by the board's regulations;

6 (B) Formalin or formaldehyde shall not be used for any purpose; and

7 (iii) After being cleaned and disinfected, all reusable tools shall be placed in disinfected
8 drawers or containers.

9 (h) A registrant providing mobile services shall possess a basic first aid kit on site and shall
10 use universal precautions against blood-borne pathogens when treating a consumer.

11 **5-10.1-7. Disclosures.**

12 A registrant shall provide consumers with a disclosure that shall be visible during mobile
13 services in substantially the form below:

14 "Notice: Mobile services provided in locations that are not licensed shops or salons are
15 subject to sanitation and safety requirements established by the Department of Health.

16 Any complaints relating to the services performed can be filed with the department at:

17 Rhode Island Department of Health

18 3 Capitol Hill

19 Providence, RI 02908

20 401-222-5960"

21 **5-10.1-8. Records and inspections of mobile services.**

22 (a) All registrants approved to provide mobile services on their own account and all mobile
23 businesses and mobile units registered to perform mobile services shall maintain the following
24 records at the business address:

25 (1) The original approval of the mobile business or mobile unit registration or approval to
26 provide mobile services;

27 (2) For mobile businesses and mobile units, a list of all registrants who provide and have
28 provided mobile services and for each registrant, copies of their license, approved registration to
29 provide mobile services and a government-issued photo ID;

30 (3) Dates, times and locations of appointments; and

31 (4) Mobile unit itineraries, vehicle inspection, registration and insurance certificates, and
32 vehicle identification numbers.

33 (b) All records of mobile services shall be available for inspection by the board or the
34 division of professional licensure at the business address upon request without prior notice

1 provided:

2 (i) Whenever the board conducts an inspection related to mobile services, an authorized
3 representative shall sign the inspection slip; and

4 (ii) The holder of an approved registration to provide mobile services shall maintain the
5 records relating to the mobile services for five (5) years.

6 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- MOBILE COSMETOLOGY AND
BARBERING SERVICES

- 1 This act would provide for the licensure and operation of mobile cosmetology and barber
- 2 services.
- 3 This act would take effect upon passage.

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