

HAWAII ADMINISTRATIVE RULES

TITLE 16

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CHAPTER 73

BARBERS

Subchapter 1 General Provisions

- §16-73-1 Objective
- §16-73-2 Definitions
- §16-73-3 Notification and filing of names, addresses, and changes
- §16-73-4 Exceptions to place of practice
- §16-73-5 Number of apprentices limited
- §16-73-6 Display of licenses or permits
- §16-73-7 Renewal of licenses
- §16-73-8 Workmanship

Subchapter 2 Applications

- §16-73-11 Forms and instructions
- §16-73-12 Application for examination
- §16-73-13 Application for barber apprentice
- §16-73-14 Application for barber shop license

Subchapter 3 Qualification Requirements

- §16-73-18 Qualification for barber and barber apprentice
- §16-73-19 Qualification for barber shop
- §16-73-20 Temporary permit
- §16-73-20.5 Barber training program
- §16-73-21 Denial of application
- §16-73-22 Demand for hearing
- §16-73-23 Proceedings upon demand for hearing

Subchapter 4 Examination

- §16-73-27 Barber
- §16-73-28 Reexamination
- §16-73-29 Reader/interpreter
- §16-73-30 Credits
- §16-73-31 Passing score
- §16-73-32 Place of examination

Subchapter 5 Requirements for a Barber Shop

- §16-73-36 Public health
- §16-73-37 Shop conditions
- §16-73-38 Sanitary practices
- §16-73-39 Infectious and contagious diseases
- §16-73-40 Shop license
- §16-73-41 Display of shop license
- §16-73-42 Failure to comply
- §16-73-43 Repealed

Subchapter 6 Violation

- §16-73-47 Violation
- §16-73-48 Restoration of forfeited license

Subchapter 7 Practice and Procedure

- §16-73-51 Administrative practice and procedure

Subchapter 8 Medical Clearance

- §16-73-56 Medical clearance

Subchapter 9 Oral Testimony

- §16-73-61 Oral testimony

SUBCHAPTER 1

GENERAL PROVISIONS

§16-73-1 Objective. This chapter adopted by the board of barbers, hereafter referred to as "board," is intended to clarify and implement chapter 438, Hawaii Revised Statutes, to the end that the provisions thereunder may be best effectuated and the public interest most effectively protected. [Eff 8/11/66; am and ren §16-73-1, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-5)

§16-73-2 Definitions. Definitions of terms found in section 438-1, HRS, shall be adopted by reference. In addition, as used in chapter 438, HRS, and this chapter:

"Barber training" means barber apprenticeship in a licensed barber shop under supervision of a licensed barber or as a student at a barber school with licensed barbers and licensed by the state department of education. [Eff 8/11/66; am and ren §16-73-2, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-1, 438-7, 438-10)

§16-73-3 Notification and filing of names, addresses, and changes. (a) Each person holding a license, permit, or any other authority to practice or engage in any activity in the State, under any and all laws administered by the board, shall file the person's proper and current mailing address with the board and shall immediately notify the board in writing of any and all changes which occur.

(b) In addition to the requirements of subsection (a), each holder of a license to operate a barber shop shall file the name and location of the barber shop, the name and license number of the barber in charge of the shop, and in the case of a partnership or a corporation, shall also file with the board the names and addresses of the partners or officers and directors, as the case may be, and shall notify the board within ten days of any and all changes which occur. Licenses are not transferable.

If a barber shop changes ownership it is considered a new shop. A barber shop that is remodeled and reopened on the same site as an existing shop and under the same ownership shall not be considered a new shop. [Eff 8/11/66; am and ren §16-73-3, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-5)

§16-73-4

§16-73-4 Exceptions to place of practice. (a) A duly licensed barber may practice outside of a licensed barber shop:

- (1) To service the public who for valid reasons are unable to visit a shop;
 - (2) Barber schools;
 - (3) Beauty shops; or
 - (4) For a charitable event.
- (b) The conditions for practicing outside of a shop are as follows:
- (1) Arrangements are made through a licensed shop;
 - (2) Records are kept of such arrangements; and
 - (3) The service shall comply with sanitary practices of section 16-73-38. [Eff 8/11/66; am and ren §16-73-4, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-2)

§16-73-5 Number of apprentices limited. There shall not be a ratio of more than two apprentices to one barber in any barber shop. [Eff 8/11/66; am and ren §16-73-5, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-6 Display of licenses or permits. The permit or license together with evidence of current validation, shall be conspicuously displayed at or near the barber's work station and the person to whom it was issued shall have evidence of current validation. [Eff 8/11/66; am and ren §16-73-6, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-9)

§16-73-7 Renewal of licenses. Renewal fees paid by mail shall be considered paid when due if the envelope bears a postmark of December 31 or earlier of the year in which the fees were due. [Eff 8/11/66; am and ren §16-73-7, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-12)

§16-73-8 Workmanship. All work performed shall conform to the industry standards. Conduct or practice contrary to recognized industry standards shall be construed as professional misconduct, gross negligence, or manifest incapacity. [Eff and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-14)

SUBCHAPTER 2

APPLICATIONS

§16-73-11 Forms and instructions. An application filed with the board shall be prepared in accord with and contain the information called for in the application form provided by the board and any instructions which may be required by the board with respect to the filing. The application forms may be modified from time to time as required. [Eff 8/11/66; am and ren §16-73-11, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-12 Application for examination. An application to take the examination shall be filed at least forty-five days before the examination. Examinations are regularly conducted four times a year. An application for examination shall be accompanied by the required fee which shall not be refunded. The executive secretary of the board shall determine the sufficiency of preliminary qualifications of applicants for admission to examination. [Eff 8/11/66; am and ren §16-73-12, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-13 Application for barber apprentice. An application for barber apprentice shall satisfy the qualification requirements. The barber apprentice shall include a barber student who shall register with the board as a barber apprentice. The executive secretary or such other person as may be designated by the department shall determine the sufficiency of qualifications of applicants. [Eff 8/11/66; am and ren §16-73-13, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-14 Application for barber shop license. The executive secretary or such other person as may be designated by the department shall determine the sufficiency of qualifications of applicants. [Eff 8/11/66; am and ren §16-73-14, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-7)

SUBCHAPTER 3

QUALIFICATION REQUIREMENTS

§16-73-18 Qualification for barber and barber apprentice. (a) A barber and barber apprentice shall file a notarized application. The application shall include:

(1) Verification that the applicant is at least seventeen years of age; and

(2) The required and appropriate fees.

(b) A barber applicant, in addition to complying with subsection (a), shall provide verification of successfully completing at least fifteen hundred clock hours of barber training as reflected in section 16-73-20.5.

(c) Upon complying with subsection (a), a barber apprentice applicant shall be issued an apprentice permit to learn and train in the practice of barbering. The apprentice permit shall be valid for a period that covers fifteen hundred clock hours but not more than twelve months, provided that an extension of not more than six months may be granted upon request with an explanation for the extension.

(d) Any barber apprentice registered with the board prior to January 1, 1994, and files a barber application before July 31, 1994, may satisfy the barber training requirement of section 16-73-18(b) upon completion of at least six months of experience under supervision of a licensed barber. The training shall include but is not limited to:

(1) Barber regulations;

(2) Safety and sanitation;

(3) Haircutting (standard and styling);

(4) Shaving;

(5) Scalp and facial treatment;

(6) Permanent waving;

(7) Hair coloring and lightening; and

(8) Product chemistry.

(e) A barber applicant who has not obtained licensure after four consecutive examinations offered by the board shall be required to apply as a barber apprentice and train for six months before qualifying for another series of examinations. The barber applicant shall provide verification of the six month barber training. The six months of barber training shall be concentrated in the areas of the applicant's weaknesses.

(f) A barber applicant's training requirement may be satisfied in whole or in part with equivalent out-of-state barber training. Should the out-of-state training be insufficient to satisfy the training requirement, then the difference may be made up by verification of at least six months barbering experience. [Eff

8/11/66; am and ren §16-73-18, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-19 Qualification for barber shop. (a) An applicant for a barber shop license shall file a notarized application and provide the following:

- (1) Name and license number of the licensed barber to qualify shop for license;
- (2) Verification that the shop complies with the sanitation requirements of the department of health; and
- (3) If the applicant is a corporation or partnership, verification of proper registration with the business registration division (BREG) of the department.

(b) The licensed barber shop shall be responsible for all operations of the shop and shall be responsible to see that only currently qualified persons are practicing in the shop.

(c) The barber shop license is nontransferable. The following changes require filing of a barber shop application along with payment of required fees:

- (1) A change in ownership shall meet the shop qualification requirements and be considered a new license.
- (2) A change in shop name shall identify a licensed barber and shop owner without affecting the shop license number.
- (3) A shop relocation shall require filing of a sanitation clearance and identification of a licensed barber without affecting the shop license number. [Eff 8/11/66; am and ren §16-73-19, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-7)

§16-73-20 Temporary permit. (a) A temporary permit shall be issued upon request to barber applicants that have been approved for examination. The temporary permit authorizes the permittee to work and train while waiting for examination. The temporary permit covers a period of four examinations as consecutively scheduled by the board from the date of qualifying for the first examination.

(b) The qualified barber applicant shall file a temporary permit application and pay a temporary permit fee as provided in chapter 16-53.

(c) The temporary permit provides that a qualified applicant work and train under supervision of a licensed barber in a qualified shop. [Eff 8/11/66; am and ren §16-73-20, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-10)

§16-73-20

§16-73-20.5 Barber training program. (a) The barber training program provides the standards and procedures for barber training as identified as Exhibit A, dated September 7, 1993, located at the end of this chapter. The program reflects the barbering subjects, the range of training hours for each subject and the minimum required operations for the identified subjects.

(b) The barber training curriculum shall be not less than fifteen hundred clock hours that includes but is not limited to the subjects, hours and operations as identified as Exhibit B, dated September 7, 1993, located at the end of this chapter.

(c) The barber training progress report reflects the monthly training hours and operations as identified as Exhibit C, dated September 7, 1993, located at the end of this chapter. The progress report shall be retained by the barber school or shop and be subject to inspection by the board.

(d) The notice of completion or withdrawal of barber training shall be utilized to reflect the completed training in hours in the appropriate subjects as identified as Exhibit D, dated September 7, 1993, located at the end of this chapter.

(e) Sixty minutes shall constitute one curriculum hour. Theory training shall be classroom type training of reading and acquiring knowledge of the practice of barbering. Theory training shall be introduced before practical application training begins. Practical application training shall occur on a mannequin or model before training on clients.

(f) Practical application operations are reflected as hands-on training in the identified subject areas whether the training occurs on mannequins, models or clients.

(g) Barber training shall occur in a licensed barber school or shop. Barber students or apprentices shall first register with the board before barber training begins. [Eff and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-21 Denial of application. In the event any application is denied, the board shall notify the applicant by letter of the board's action. The letter shall include a concise statement of the reasons for denial and a statement informing the applicant of the right to a hearing. [Eff 8/11/66; am and ren §16-73-21, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-6)

§16-73-22 Demand for hearing. Each person whose application has been denied shall be entitled to a hearing, provided that a demand for a hearing is filed

with the board within sixty days of the date of mailing of the letter informing the applicant of the board's denial. [Eff 8/11/66; am and ren §16-73-22, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-6)

§16-73-23 Proceedings upon demand for hearing. If a demand for hearing is filed within the time prescribed, the board shall order a hearing, in accordance with chapter 16-201. [Eff 8/11/66; am and ren §16-73-23, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-6)

SUBCHAPTER 4

EXAMINATION

§16-73-27 Barber. (a) Barber examinations shall be conducted in accordance with procedures formulated by the testing service and authorized by the board to develop and administer examinations. Failure to comply with established procedures may result in disqualification from future examinations.

(b) The examinations shall incorporate the board's law and rules, barber theory and practical barber demonstration.

(c) The examination shall be conducted four times a year, usually in March, June, September, and December.

(d) The examination shall be given in the English language. [Eff 8/11/66; am and ren §16-73-27, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

§16-73-28 Re-examination. The applicant not achieving a passing score on any part shall be required to retake and pass each part failed to be licensed as a barber, provided that the applicant must pass the failed parts by the fourth examination as consecutively scheduled by the board from the date of qualifying for the first examination. Should the applicant fail to achieve a passing grade by the fourth examination as consecutively scheduled by the board, the applicant shall be required to apply as an apprentice for six months before qualifying for

§16-73-28

another series of examinations. [Eff 8/11/66; am and ren §16-73-28, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

§16-73-29 Reader/interpreter. An applicant shall be permitted to have a reader/interpreter for the written examination parts. The cost of a reader/interpreter shall be borne by the applicant. The applicant requesting a reader/interpreter shall be a person not having the ability to read and comprehend the English language because of education, first language difficulty, or a medical handicap. The reader/interpreter shall not be associated with the barber or cosmetology profession. [Eff 8/11/66; am and ren §16-73-29, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

§16-73-30 Credits. The applicant shall earn credits for each examination part passed and the credit shall be maintained for the next three examinations as consecutively scheduled by the board from the date the applicant first qualifies for examination. [Eff 8/11/66; am and ren §16-73-30, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

§16-73-31 Passing score. A grade of not less than 75.00 points shall be a passing score for any part of the examination. [Eff 8/11/66; am and ren §16-73-31, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

§16-73-32 Place of examination. The examinations shall be regularly held in Honolulu. However, upon timely request by applicants residing on an island other than Oahu and a showing that their number exceeds eight, the board may, in its discretion, conduct examinations on that neighboring island. [Eff 8/11/66; am and ren §16-73-32, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8)

SUBCHAPTER 5

REQUIREMENTS FOR A BARBER SHOP

§16-73-36 Public health. Each applicant shall submit a certificate from the state department of health which indicates that the shop meets all sanitation and public health requirements before a license to operate and conduct a barber shop shall be issued. [Eff 8/11/66; am and ren §16-73-36, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-2)

§16-73-37 Shop conditions. A person who operates a barber shop shall comply with the following conditions:

- (1) The walls, floors, ceilings, furniture, fixtures, and all other parts and surfaces in a shop shall be kept clean at all times. Hair dropping shall be removed from the floor as soon as practicable and placed in a securely covered container pending disposal. Excessive accumulations shall not be allowed;
- (2) Every shop shall be properly and adequately lighted and ventilated;
- (3) Every shop shall be provided with adequate sanitary facilities, including toilets, hot and cold running water, sinks or wash basins. Toilets shall be located in suitable and properly ventilated toilet rooms with self-closing doors; and
- (4) A work station, including barber chair, shall be maintained in a safe, clean, and sanitary manner. [Eff 8/11/66; am and ren §16-73-37, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-38 Sanitary practices. All persons who are engaged in barbering shall observe the following sanitary practices:

- (1) The use of any astringent in lump or styptic pencil form, sponge, lump alum, powder puff, neck duster, shaving brush, or shaving mug shall be prohibited in any shop. Possession of the same is prima facie evidence that same is being used there in the practice of barbering;
- (2) No barber shall stop the flow of blood by using alum or other material unless the same is used in liquid form or as a powder and applied with a clean towel;
- (3) Razors, shears, scissors, clippers, tweezers, finger bowls, or combs, or any like article shall not be used on any customer unless they

have been thoroughly cleaned and sanitized since last used. All such instruments shall be thoroughly cleaned and sanitized by a method approved by the department of health, after having been used on a patron. After sanitization, they shall be stored in a manner to prevent contamination, or be sanitized again immediately before reuse;

- (4) No barber shall remove or attempt to remove any wart, mole, pimple, or ingrown hair or undertake any treatment properly performable by persons trained in medical science. Cleaning of ears is prohibited;
- (5) All persons engaged in barbering shall wash their hands thoroughly with soap and hot water immediately before attending to any person, and shall wear at all times a clean uniform or outer coat or apron of washable material;
- (6) Towels or other fabrics that come in contact with the skin or hair of a person shall not be used on more than one patron without being laundered in an acceptable manner. Such towel or fabric after use on a patron, shall be placed in a hamper or suitable receptacle, from which it shall not be removed except for laundering or final disposal. Laundry shall be washed clean and then subjected to a sanitizing process before being used on a patron again. The sanitation process shall hold such laundry for at least twenty minutes at a temperature of at least 180° F;
- (7) Prior to serving any patron, the headrest of any chair shall be covered with a clean towel or a clean sheet of paper. If any towel or implement is to be wet, such towel or implement shall be wet in running water and shall not be dipped in any water container;
- (8) All towels and other linens used in any shop shall be kept in a closed cabinet at all times when not in use;
- (9) All creams, tonic, cosmetics, and other applications used on patrons shall be kept in clean closed containers; and
- (10) A clean strip of cotton, towel, or paper band shall be placed around the neck of each patron served so that at no time will the hair, cloth, or cape come in contact with the neck or skin of the patron. [Eff 8/11/66; am and ren §16-73-38, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-39 Infectious and contagious diseases. (a) Persons afflicted with a contagious or infectious disease in a communicable form shall not be permitted

to attend any person in any barber shop, nor shall any person afflicted with such disease be permitted to receive any treatment in any barber shop.

(b) Any person who has been afflicted with any such disease shall return to work only upon a written statement from a physician that it is safe for the person to return to work. [Eff 8/11/66; am and ren §16-73-39, 7/30/81; am and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8.5)

§16-73-40 Shop license. More than one license to conduct a barber shop may be issued to any place of business; provided that each license holder is jointly and severally responsible and liable to the board. [Eff 8/11/66; am and ren §16-73-40, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-2)

§16-73-41 Display of shop license. (a) The license to operate and conduct a barber shop shall be conspicuously displayed, together with evidence of current validation, in the place of business.

(b) The shop owner or person in charge of the shop shall be responsible to see that only qualified persons are permitted to practice in the shop and ensure that the license or permit is conspicuously displayed adjacent to or near the work station. [Eff 8/11/66; am and ren §16-73-41, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-9)

§16-73-42 Failure to comply. Refusal or neglect on the part of any owner, manager, or employee to comply with this chapter shall be construed to be unprofessional conduct and may subject any violator to suspension or revocation of the license. [Eff 8/11/66; am and ren §16-73-42, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-14)

§16-73-43 Repealed. [R 8/25/90]

SUBCHAPTER 6

VIOLATION

§16-73-47

§16-73-47 Violation. (a) Any person or corporation who shall practice, maintain a shop, or act in any capacity without a license or permit, when a license or permit is required as provided for by chapter 438, HRS, and this chapter shall be prosecuted as provided by law, which may include but is not limited to revocation, suspension, fine or combination thereof, or refusal to grant or renew any license or permit.

(b) In all cases where the board proposes to suspend, revoke, fine or refuse to grant or renew any license or permit, it shall afford all parties an opportunity to be heard as provided for under chapter 91, HRS, and chapter 16-201. [Eff 8/11/66; am and ren §16-73-47, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §§438-5, 438-13)

§16-73-48 Restoration of forfeited license. (a) A license is immediately and automatically forfeited after the expiration date for non-compliance with the requirements for maintaining or renewing the license.

- (b) A forfeited license may be restored under the following conditions:
- (1) File a completed restoration application along with a notarized signature;
 - (2) Payment of all delinquent biennial renewal fees including the current fee;
 - (3) Payment of a penalty fee for each biennial renewal as provided in the department's fee rules, chapter 16-53; and,
 - (4) Should the restoration request be made after three years from the date of forfeiture, a written explanation along with supporting documentation shall be necessary and shall be subject to approval by the board. [Eff and comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-12)

SUBCHAPTER 7

PRACTICE AND PROCEDURE

§16-73-51 Administrative practice and procedure. The rules of practice and procedure for barbering shall be as provided in chapter 16-201, which are incorporated by reference and made a part of this chapter. [Eff 11/1/65; am and ren §16-73-51, 7/30/81; am and comp 8/25/90; am and comp 11/25/94] (Auth: HRS §91-2) (Imp: HRS §91-2)

SUBCHAPTER 8

MEDICAL CLEARANCE

§16-73-56 Medical clearance. If the department of health declares an emergency or epidemic concerning one or more contagious or infectious disease or diseases, all licensed barbers, barber applicants, and apprentices shall provide a medical clearance certificate from a physician attesting that the licensee or applicant is free from that particular contagious or infectious disease or diseases as the case may be. [Eff and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §438-8.5)

SUBCHAPTER 9

ORAL TESTIMONY

§16-73-61 Oral testimony. (a) The board shall accept oral testimony on any item which is on the agenda, provided that the testimony shall be subject to the following conditions:

- (1) Each person seeking to present oral testimony shall notify the board not later than forty-eight hours prior to the meeting, and at that time shall state the item on which testimony is to be presented;
- (2) The board may request that any person providing oral testimony submit the remarks, or a summary of the remarks, in writing to the board;
- (3) The board may rearrange the items on the agenda for the purpose of providing for the most efficient and convenient presentation of oral testimony;
- (4) Persons presenting oral testimony at the beginning of the testimony shall identify themselves and the organization, if any, that they represent;

§16-73-61

- (5) The board may limit oral testimony to a specified time period but in no case shall the period be less than five minutes, and the person testifying shall be informed prior to the commencement of the testimony of the time constraints to be imposed; and
- (6) The board may refuse to hear any testimony which is irrelevant, immaterial, or unduly repetitious to the agenda item on which it is presented.
 - (b) Nothing in this section shall require the board to hear or receive any oral or documentary evidence from a person on any matter which is the subject of another proceeding pending subject to the hearings relief, declaratory relief, or rule relief provisions of chapter 16-201.
 - (c) Nothing in this section shall prevent the board from soliciting oral remarks from persons present at the meeting or from inviting persons to make presentations to the board on any particular matter on the board's agenda. [Eff and comp 8/25/90; comp 11/25/94] (Auth: HRS §438-5) (Imp: HRS §92-3)

Amendments to and compilation of chapter 16-73, Hawaii Administrative Rules, on the Summary page dated September 21, 1994, were adopted on September 21, 1994, following a public hearing held on September 21, 1994, after public notices were given in The Honolulu Advertiser, Hawaii Tribune-Herald, Maui News, and West Hawaii Today, on August 14, 1994, and the Kauai Times on August 17, 1994.

They shall take effect ten days after filing with the Office of the Lieutenant Governor.

/s/ Barbara M. Kokubun
BARBARA M. KOKUBUN
Chairperson, Board of Barbers

APPROVED AS TO FORM: Date _____

/s/ James C. Paige
Deputy Attorney General

APPROVED: Date 10/19/94

/s/ Clifford K. Higa
CLIFFORD K. HIGA, Director
Commerce and Consumer Affairs

APPROVED: Date 11/15/94

/s/ John Waihee
JOHN WAIHEE
Governor
State of Hawaii

11/15/94
Filed

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

Amendments and Compilation of Chapter 16-73
Hawaii Administrative Rules

September 21, 1994

SUMMARY

1. §§16-73-2 through 16-73-4 are amended.
2. §§16-73-6 and 16-73-7 are amended.
3. §§16-73-13 and 16-73-14 are amended.
4. §§16-73-18 through 16-73-20 are amended.
5. A new §16-73-20.5 is added.
6. §§16-73-21 through 16-73-23 are amended.
7. §§16-73-27 and 16-73-28 are amended.
8. §§16-73-36 and 16-73-37 are amended.
9. §§16-73-40 through 16-73-42 are amended.
10. §16-73-47 is amended.
11. A new §16-73-48 is added.
12. §16-73-51 is amended.
13. Exhibits A through D are added.
14. Chapter 16-73 is compiled.

STATE OF HAWAII

BARBER TRAINING PROGRAM

The Barber Training Program shall not be less than 1500 clock hours of instruction in theory and practice which consists of the fundamentals of barbering in the following subjects:

200 to 300 hours of theory training shall include but not be limited to:

1. Laws, rules and regulations governing the practice of barbering in the State of Hawaii;
2. Barber history, ethics, hygiene, bacteriology, and implements;
3. Sanitation and sterilization of the shop and implements; patron protection;
4. Shampooing and conditioning;
5. Scalp manipulations and application of hair tonics and preparations;
6. Facials;
7. Shaving, beard and moustache trimming, honing and stropping;
8. Haircutting (taper, box, longer styles and razor cuts);
9. Hairstyling (shapes, wet styling and thermal styling);
10. Hair relaxing;
11. Hair coloring and bleaching;
12. Permanent waving;
13. Product knowledge;
14. Trichology, hair scalp and skin disorders and diseases; and
15. Shop management, fundamental bookkeeping and sales.

1200 to 1300 hours of practical application training shall include but not be limited to the subjects listed below and minimum operations:

- 350 to 900 hours - haircutting and hairstyling and operations at a minimum of 200 haircuts, 80 taper cuts, 5 razor cuts and 200 hairstyles;
- 75 to 130 hours - haircoloring, relaxing, bleaching and operations at a minimum of 25 colorings, 10 relaxings, and 10 bleachings;
- 90 to 175 hours - permanent waving and operations at a minimum of 50 permanent waves;
- 50 to 100 hours - shampooing, conditioning and operations at a minimum of 50 shampoos and conditionings;
- 20 to 50 hours - shaving, moustache and beard trims, and operations at a minimum of 20 shaves, 20 moustache and beard trims;
- 10 to 30 hours - facials and operations at a minimum of 15 facials;
- 5 to 15 hours - scalp treatments and operations at a minimum of 10 scalp treatments;
- 40 to 65 hours - sales and shop management (services, bookkeeping, retail experience); and
- 50 to 100 hours - shop sanitation and sterilization practices.

BARBER TRAINING CURRICULUM
HAWAII BOARD OF BARBERS

SUBJECTS OF TRAINING		PRACTICAL APPLICATION AND MINIMUM OPERATIONS	
HOURS	THEORY		
1500 TOTAL			
200 to 300 hours	BASIC THEORY Instruction in all subjects including the history of barbering, ethics, hygiene, bacteriology, sanitation, sterilization, safe work practices, trichology, dermatology, anatomy and chemistry (limited to their use in barbering), skin scalp and hair disorders and diseases, laws, rules and regulations governing the practice of barbering in Hawaii, and all practical services performed by a barber.		
350 to 900 hours	HAIRCUTTING AND STYLING Haircutting angles, terminology, techniques and equipment, product knowledge, patron protection, style selection, thermal styling, curling and drying, chemistry and safety.	HAIRCUTTING AND STYLING Required: A minimum operation of 200 style cuts, 80 tapered cuts, 5 razor cuts, and 200 hairstyles. Services: Blunt, taper, layer, box, and graduated cuts, flat tops, preparation, selection, sectioning, cutting, and thinning, the use of shears, clipper, razor, dryers and irons.	
75 to 130 hours	HAIRCOLORING AND BLEACHING Laws of color, color selection, patron protection, hair and scalp analysis, product knowledge: Colors, lighteners, and dye removers, chemistry, corrective measures, safety, materials and supplies, classification, penetration and application of single and double process colors. HAIR RELAXING Action and strength of chemical hair relaxers, thermal hair relaxing, patron protection, hair and scalp analysis, product knowledge and chemistry, materials and supplies, application techniques.	HAIRCOLORING AND BLEACHING Required: A minimum operation of 25 color and 10 bleach applications. Services: Patron protection and preparation, patch test, hair and scalp analysis, mix and apply temporary, semipermanent and permanent tints and lighteners, record forms, virgin tint and lightener application (lighter and darker), retouches, toners, frosting, tipping, streaking (cap and weave), color removal and tint backs. HAIR RELAXING Required: A minimum operation of 10 relaxer applications. Services: Patron preparation, protection and safety, scalp and hair analysis, virgin application of sodium hydroxide and thio relaxers, retouch applications, reverse perms, neutralizing, conditioning, and thermal hair straightening, record forms.	
90 to 175 hours	PERMANENT WAVING Action and strength of solutions, patron protection, hair and scalp analysis, product knowledge and chemistry, materials and supplies, communication, rod selection, sectioning, blocking, wrapping, processing, testing, neutralizing, techniques of single process and double process permanent waving.	PERMANENT WAVING Required: A minimum operation of 50 permanent wave operations. Services: Patron protection and preparation, consultation, sectioning, blocking and wrapping techniques for acid and alkaline perms, test curls, processing, neutralizing, record forms, single process and double process perms.	
50 to 100 hours	SHAMPOOING AND CONDITIONING Purposes and effects of shampoos, rinses and conditioners, patron protection, hair and scalp analysis, product knowledge and chemistry, characteristics, selection and application techniques.	SHAMPOOING AND CONDITIONING Required: A minimum operation of 50 shampoo and conditioning services. Services: Patron protection and preparation, hair and scalp analysis, shampoo manipulations, conditioning, rinsing.	
20 to 50 hours	SHAVING, MOUSTACHES AND BEARDS Facial analysis, use and care of implements, steam, leather and astringent, patron protection, safety, materials and supplies, techniques.	SHAVING, MOUSTACHES AND BEARDS Required: A minimum operation of 20 shaves, 20 moustache and beard trims. Services: Preparation and safety, facial analysis, moustache, nose and beard trims, proper position and use of the razor, steam, leather styptic powder, astringent, honing and stropping.	
10 to 30 hours	FACIALS Theory of massage, patron protection, skin analysis, product knowledge, chemistry and effects, massage techniques.	FACIALS Required: A minimum operation of 15 facial operations. Services: Patron protection and precautions, skin analysis, massage manipulations, application of cremes, astringent, packs and masks.	
5 to 15 hours	SCALP TREATMENT Purpose and effect of treatments, electricity and light therapy, patron protection, scalp analysis, product knowledge and chemistry, manipulation techniques.	SCALP TREATMENT Required: A minimum operation of 10 scalp treatments. Services: Patron protection and preparation, brushing, application of tonics or scalp conditioners (non-medical), and manipulations.	
40 to 65 hours	SHOP MANAGEMENT AND SALES Poise, personality, shop management, reception, fundamental bookkeeping, inventory and retailing.	SHOP MANAGEMENT AND SALES Required: Basic first aid. Services: Reception, telephone techniques, appointment booking, recordkeeping, fundamental bookkeeping, dispensary, inventory, stocking, pricing and retailing.	
50 to 100 hours	SANITATION AND STERILIZATION Methods, preparation and agents used to kill or retard the growth of pathogenic bacteria, sanitary rules and measures.	SANITATION AND STERILIZATION Required: Continuous cleaning of station, chair, sink, mirror, and floors, sanitation and sterilization of implements, sanitary use of supplies, all responsibilities necessary for managing a clean and safe shop.	

**HAWAII BOARD OF BARBERS
BARBER TRAINING PROGRESS REPORT**

Name of Barber School/Shop: _____ License No. _____
 Address: _____ Phone No. _____ Expiration Date _____
 Name of Student/Apprentice: _____ Permit No. _____ / _____
 Name of Licensed Barber: _____ License No. _____

Hrs	TRAINING	Month 1		Month 2		Month 3		QUARTER TOTAL		Month 4		Month 5		Month 6		QUARTER TOTAL	
		HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN
350 to 900	Minimum Operations																
	200 Hair Styles																
	200 Hair Cuts																
	80 Tapered																
	5 Razored																
75 to 130	25 Color																
	10 Relaxing																
	10 Bleaching																
90 to 175	50 Permanent Waves																
50 to 100	50 Shampoo/Conditioning																
20 to 50	20 Shaves																
	20 Moustache/Beards																
10 to 30	15 Facials																
5 to 15	10 Scalp Treatments																
40 to 65	Sales/Shop Management																
50 to 100	Sanitation/Sterilization																
200 to 300	Theory																

(Continued on Back)

**HAWAII BOARD OF BARBERS
BARBER TRAINING PROGRESS REPORT**

(Continued)

Hrs	TRAINING	Month 7		Month 8		Month 9		Month 10		Month 11		Month 12		QUARTER TOTAL		QUARTER TOTAL	
		HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN
350 to 900	Minimum Operations																
	200 Hair Styles																
	200 Hair Cuts																
	80 Tapered																
	5 Razored																
75 to 130	25 Color																
	10 Relaxing																
	10 Bleaching																
90 to 175	50 Permanent Waves																
50 to 100	50 Shampoo/Conditioning																
20 to 50	20 Shaves																
	20 Moustache/Beards																
10 to 30	15 Facials																
5 to 15	10 Scalp Treatments																
40 to 65	Sales/Shop Management																
50 to 100	Sanitation/Sterilization																
200 to 300	Theory																
1500	TOTAL CLOCK HOURS																

The foregoing information is a true and correct report of the hours and operations of the student/apprentice. This form is to be retained by the barber school/shop and subject to inspection by the board.

Student/Apprentice Signature _____ Date _____

Barber Signature _____ Date _____

**Notice of Completion or Withdrawal
of
BARBER TRAINING**

Student/Apprentice Name: _____ Permit No.: _____

Date Began: _____ Date Completed/Terminated: _____

School/Shop Name: _____ License No.: _____

Barber Name (Print): _____ License No.: _____

Indicate the **hours** applicable to the subjects:

- I. Theory
- II. Haircutting and Hairstyling
- III. Haircoloring, Relaxing and Bleaching
- IV. Permanent Waving
- V. Shampooing and Conditioning
- VI. Shaving, Moustache and Beard Trims
- VII. Facials
- VIII. Scalp Treatments
- IX. Shop Management and Sales
- X. Sanitation and Sterilization Practices
- Total Clock Hours

This is to certify that the above-named Student/Apprentice has satisfactorily completed 1500 clock hours of barber training which includes the minimum operation requirements.

Supervisor Signature: _____ Date: _____

School/Shop Signature: _____ Date: _____