

Title 17. Professions, Occupations, and Businesses

Chapter XLVII. State Board of Barber Examiners, Department of Labor and Licensing

Subchapter A. Generally

Part 275. Arkansas Rules for Barbering Including Safety and Sanitation

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Rules effective as of May 11, 2022"

Subpart 1. Generally

17 CAR § 275-101. Definitions.

As used in this part:

(1) "Disinfect" means the destruction of bacterial, viral, and fungal pathogens (not spores) through the use of proper process and chemical disinfectants intended for use in the barbershop setting;

(2) "Disinfectant" means a United States Environmental Protection Agency-registered-disinfectant that is:

- (A) Bactericidal;
- (B) Virucidal; and
- (C) Fungicidal;

(3) "Sterilize" means the destruction of all microbial life through proper use of an autoclave;

(4) "Sanitation" means measures necessary for improving and protecting the health and well-being of the people; and

(5)(A) "Cleaning" means the mechanical process of removing surface debris from implements to prepare them for disinfection.

(B) This process can be done with soap/water or a chemical cleaner.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-102. Establishments.

(a) Walls, ceilings, and floors.

(1) The walls, ceilings, and floors in every barbershop, barber school, or postsecondary barber school shall be kept clean and in good repair.

(2) Floors shall be constructed of smooth, nonabsorbent, durable material and shall be maintained in good repair.

(3) These requirements shall include the proper cleaning of:

- (A) Floors;
- (B) Shelves;
- (C) Cabinets;
- (D) Chairs;
- (E) Trays; and
- (F) Other equipment.

(4) Concrete blocks used for interior wall construction shall be:

- (A) Finished;
- (B) Filled; and
- (C) Sealed.

(5) All of the above-mentioned items shall be:

- (A) Free of leak spots, mildew, and peeling paint; and
- (B) Easily cleaned.

(b) Lighting and ventilation.

(1) Barber establishments shall have permanently fixed artificial light sources installed to provide sufficient light on the working area or clinical area.

(2) Establishments must have sufficient ventilation installed and operated according to state and local requirements to keep them free of excessive:

- (A) Heat;
- (B) Steam;

- (C) Condensation;
- (D) Vapors;
- (E) Obnoxious odors;
- (F) Smoke; and
- (G) Harmful fumes.

(c) **Water supply.**

(1) A safe and adequate supply of continuous hot and cold running water must be provided.

(2)(A) Where a public water system is available, a connection must be made thereto.

(B) Otherwise, the water must be obtained from a supply meeting the requirements set forth in the Department of Health rules pertaining to semipublic water supplies.

(d) **Restrooms.**

(1) Restrooms must be kept:

- (A) Clean;
- (B) Adequately lighted;
- (C) Properly ventilated; and
- (D) In good repair.

(2) No toilet facility shall be used for storage, especially of implements or supplies for services performed on the public.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-103. Instruments and supplies.

(a) All used porous supplies or instruments which cannot be disinfected shall be disposed of in a waste receptacle immediately after use.

(b) **Electrical instruments and equipment.**

(1) Before use upon a client, all electrical instruments shall be cleaned and then disinfected with a United States Environmental Protection Agency-registered

disinfecting solution (spray or wipe) that is labeled as:

- (A) Bactericidal (capable of destroying bacteria);
- (B) Virucidal (capable of destroying viruses); and
- (C) Fungicidal (capable of destroying fungi).

(2) Disinfectants must be used according to manufacturer labels to be safe and effective.

(3) All nonporous instruments that have been used on a client or soiled in any manner shall be placed in a properly labeled ("dirty") receptacle that contains only dirty items awaiting disinfection.

(4) Disinfected instruments and equipment shall be placed on a hook or on a clean towel and covered by a clean towel.

(5)(A) Electrical equipment shall be functioning in accordance with the manufacturer's specifications.

(B) Equipment that is not operable or functioning in accordance with the manufacturer's specifications shall be repaired or discarded.

(c) Nonelectrical instruments and equipment.

(1)(A) Before use upon a client, all nonelectrical instruments such as razors, shears, tweezers, combs, clipper blades, and all other instruments or appliances that come in contact with the patron must be thoroughly cleaned and then disinfected with a United States Environmental Protection Agency-registered disinfecting solution (spray or wipe) that is labeled as:

- (i) Bactericidal (capable of destroying bacteria);
- (ii) Virucidal (capable of destroying viruses); and
- (iii) Fungicidal (capable of destroying fungi).

(B) Disinfectants must be used according to manufacturer labels to be safe and effective.

(C) All disinfectable instruments that have been used on a client or soiled in any manner shall be placed in a properly labeled receptacle that contains only dirty items awaiting disinfection.

(D) Disinfected items should be stored in a clean, covered container that

is labeled as "clean" or "ready for use".

(2)(A) Nonelectrical equipment shall be functioning in accordance with the manufacturer's specifications.

(B) Equipment that is not operable or functioning in accordance with the manufacturer's specifications shall be repaired or discarded.

(3) The use of powder puffs, finger bowls, sponges, styptic pencils, and alum is positively prohibited.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-104. Conduct and sanitation.

(a)(1) All barbershops and barber schools shall have in use at all times at each chair, a hospital-grade, and United States Environmental Protection Agency-approved broad-spectrum disinfectant, similar to Barbicide.

(2)(A) The wet container must be adequate in size to accommodate all instruments to be used on each patron.

(B) It shall contain a disinfecting solution as defined by the State Board of Barber Examiners which shall be bacteriologically effective and must have an oil disinfectant for clipper blades.

(3) Dry cabinets must be dust tight and all tools or instruments must be kept in said cabinet or hanging at all times when not in use.

(b) Towels.

(1) A separate clean towel and/or sanitary neck strip shall be used to keep the protective covering from coming in direct contact with a client's neck.

(2) All barbershops and barber schools shall have sufficient closed towel cabinets for storage of clean towels and closed receptacles for soiled towels.

(3) After a towel has once been used, it shall be deposited in a closed receptacle and not permitted to be left on a lavatory or work stand and shall not be used until properly laundered.

(4) The headrest of each chair shall be provided with a clean towel or clean

paper for each patron using the chair.

(c) Communicable disease.

(1) No person affected with any disease in a communicable state shall serve the patrons in any barbershop or barber school.

(2) In addition, no barber shall serve a client with known communicable disease, or skin that is open, blistered, or otherwise disrupted in an area where a service will be performed.

(3) For purposes of this rule, HIV/AIDS are not considered communicable diseases.

(d) Cleanliness of personnel. The operator shall:

(1) Wear clean uniforms or clean clothes at all times; and

(2) Cleanse his or her hands thoroughly with soap and water or an equally effective alcohol-based hand sanitizer before attending each patron or after visiting the restroom.

(e) Objectionable establishments.

(1) No sleeping area shall be permitted in any barber establishment nor shall any part of it be so used.

(2) No barber establishment is permitted inside of a residence.

(3) Barber establishments may be connected to a residence, i.e., enclosed carport, if all other establishment standards are met.

(4) Connecting doors shall be solid and self-closing.

(5) No animals or reptiles are to be allowed on the premises, with the exception of medical assistance animals.

(f) Medical treatment. No barber shall undertake to treat any disease of the skin or any lesions of the skin whatsoever, such as pimples, boils, warts, moles, and similar conditions, but must refer such conditions to a licensed physician.

Authority. Arkansas Code § 17-20-206.

Codification Notes. "AIDS" means acquired immunodeficiency syndrome.

"HIV" means human immunodeficiency virus.

17 CAR § 275-105. Miscellaneous.

(a) No student in any school is authorized to barber in any barbershop for pay or without pay.

(b)(1) No barber school, barber college, or barbershop will be approved on any premises, or in any building or part of a building, unless a physical barrier is established separating said barber school, barber college, or barbershop from all other businesses, occupations, or establishments conducted on the same premises or in the same building or part thereof.

(2) All walls separating barber schools, barber colleges, or barbershops from other businesses, occupations, or establishments must be of solid construction, and a minimum of seven feet (7') high.

(c) Salons licensed by the State Board of Health, Cosmetology Section are exempt from the requirements that a wall separate the two (2) businesses.

(d) The State Board of Barber Examiners will charge fifteen dollars (\$15.00) for a barber or shop list.

(e) The last inspection report for the barbershop shall be displayed in a conspicuous place adjacent to the current shop and personal barber license which shall have a current picture attached.

(f) In accordance with Arkansas Code § 17-20-206(c), inspection will include appropriate personal identification of those working in any barber establishment.

(g) The State Board of Barber Examiners shall grant a license to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a "work permit".

Authority. Arkansas Code §§ 17-20-206, 17-20-208.

17 CAR § 275-106. Barber school/college teacher manager instructor (TMI).

To ensure that operators of barber colleges have sufficient time to make careful study and examination in selecting their TMI's, said operators are authorized by the State Board of Barber Examiners upon request to substitute a licensed barber, in good standing with the board, to exercise the duties and functions of a regular TMI until a licensed TMI can be hired.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-107. Director and investigator/inspector requirements.

(a) No person shall be employed in the position of Director of the State Board of Barber Examiners unless that person has been:

(1) Primarily employed in the active practice of barbering for at least five (5) years; or

(2) Employed by the State Board of Barber Examiners for at least two (2) years, immediately prior to assuming the position of director.

(b) No person shall be employed in the position of Investigator/ Inspector for the board unless that person has been primarily engaged in the active practice of barbering for at least two (2) years immediately prior to assuming the position of Investigator/Inspector.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-108. Barber college/barber school curriculum.

(a) The following one thousand five hundred-hour curriculum will be required for a barber:

Hygiene and Sanitation

80 hours

Related Science (elementary chemistry, physiology, anatomy of head, face, and ne	175 hours
Shaving and beard trimming	50 hours
Barber Chemical Services	345 hours
Barbershop Management	65 hours
Salesmanship & Product Knowledge	50 hours
Hair styling and waving	300 hours
Hair cutting and bobbing	425 hours
Shop Department	10 hours

(b) The following five hundred fifty-hour minimum curriculum will be required for the Cosmetology Crossover Program:

History of Barbering	10 hours
Implements and Tools	30 hours
Shaving	70 hours
Haircutting	405 hours
Arkansas Barber	15 hours
Hygiene and Sanitation	20 hours

(c)(1) The curriculum for students enrolled in a Teacher Manager Instructor (TMI) course shall consist of six hundred (600) clock hours of training, both technical (instructions by demonstration, lecture, classroom participation, or examination) and practical (the actual performance by the TMI trainee of teaching techniques and principles).

(2) The textbook to be used is Milady's Master Educator.

Required Preparatory Training	50 hours
Teaching of theory and practical operation. Selecting subject matter for class lecture. Preparing class lectures. Conducting review of all subjects taught. Preparing and grading examinations. Demonstrating practical operations. Teaching practical operations.	
Class attendance	100 hours
To be conducted by a licensed TMI to prepare TMI trainee to properly lecture and demonstrate on all subjects of barbering	
Conducting Theory Classes in all aspects of barbering	50 hours
Classes to be conducted under supervision of a licensed TMI	
Conducting Practical Classes in Haircutting, Shaving, Massage, Chemical Services	300 hours
Method of Keeping Student Records	10 hours
TMI's Discretion	90 hours
Training in subjects in which the individual may be deficient.	

(d) The curriculum described in this section may be completed through supervisory learning in a classroom, online, or on a distance education platform for up to fifty percent (50%) of the student's training program as authorized by the United States Department of Education as existed on January 1, 2021.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-109. Licensure of members of the armed forces in good standing and their spouses.

(a) Any member of the United States Armed Forces now or hereafter on active duty who, at the time of becoming such a member, was in good standing with the State

Board of Barber Examiners and was entitled to practice or engage in his or her profession shall be kept in good standing by the board, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the United States Armed Forces on active duty.

(b) The board will also exempt the spouse of a member of the United States Armed Forces from licensure renewal provisions, but only in cases of his or her absence from the state because of his or her spouse's duties with the armed forces.

(c)(1) The board may issue a professional license to the spouse of an active duty member of the United States Armed Forces if the spouse applies in the format prescribed by the board.

(2) An application must include proof that:

(A) The applicant is married to a member of the United States Armed Forces who is on active duty;

(B) The applicant holds a valid license for the profession issued by:

(i) Another state;

(ii) The District of Columbia;

(iii) Any possession or territory of the United States; or

(iv) Any foreign jurisdiction; and

(C) The applicant's spouse is assigned to a duty station in this state and that the applicant is also assigned to a duty station in this state pursuant to the member's official active duty military orders.

(d) An application must be accompanied by the fee prescribed by the board.

Authority. Arkansas Code §§ 17-20-206, 17-20-208.

17 CAR § 275-110. Automatic licensure for uniformed service veterans.

(a) As used in this section, "uniformed service veteran" means a former member of the uniformed services of the United States discharged under circumstances other than dishonorable.

(b) The State Board of Barber Examiners shall grant automatic licensure to an

individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the United States and is:

- (1) A uniformed service member stationed in the State of Arkansas;
 - (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
 - (3) The spouse of a:
 - (A) Person under subdivision (b)(1) or (b)(2) of this section;
 - (B) Uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - (C) Uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
- (c) The board shall grant such automatic licensure upon receipt of all the below:
- (1) Payment of the initial licensure fee;
 - (2) Evidence that the individual holds a license with a similar scope of practice in another state; and
 - (3) Evidence that the applicant is a qualified applicant under subsection (b) of this section.

Authority. Arkansas Code § 17-1-106.

17 CAR § 275-111. Licensure of displaced barbers due to employment or disaster.

(a) Any barber who was in good standing with the board of barber examiners in another state, the District of Columbia, any possession or territory of the United States, or any foreign jurisdiction and was entitled to practice or engage in his or her profession or their spouse, shall be allowed an expedited licensure procedure due to employment opportunities or disaster.

(b) An application must be accompanied by the fee prescribed by the board.

Authority. Arkansas Code §§ 17-20-206, 17-20-208.

17 CAR § 275-112. Reciprocity under Acts 2019, Nos. 426 and 1011.

(a) **Note.** This section does not apply to those individuals seeking reciprocity who are trained in a foreign country pursuant to Arkansas Code § 17-20-303(e).

(b) **Required qualifications.** An applicant applying for reciprocal licensure shall meet the following requirements:

(1) The applicant shall hold a substantially similar license in another United States jurisdiction.

(A) A license from another state is substantially similar to an Arkansas barber license if the other state's licensure qualifications require the applicant:

- (i) Be at least sixteen and one-half (16 1/2) years of age;
- (ii) Have an educational requirement of at least the eighth grade; and
- (iii) Have had their barber training in a state-approved school of

barbering.

(B) The applicant shall hold his or her occupational licensure in good standing and have the continuing education or training that is required to maintain licensure.

(C) The applicant shall not have had a license revoked for:

- (i) An act of bad faith; or
- (ii) A violation of:
 - (a) Law;
 - (b) Rule; or
 - (c) Ethics.

(D) The applicant shall not hold a suspended or probationary license (apprentice) in a United States jurisdiction;

(2) The applicant shall be sufficiently competent in the field of barbering; and

(3) If the currently licensed barber had less than fifteen hundred (1,500) hours of training, the barber must have been practicing at least one (1) year in a barbershop.

(c) **Required documentation.**

(1) An applicant shall submit a fully executed application, the required fee, and the documentation described below.

(2) As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas's, the applicant shall submit the following information:

(A)(i) Evidence of current and active licensure in that state.

(ii) The State Board of Barber Examiners may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and

(B)(i) Evidence that the other state's licensure requirements match those listed in subdivision (b)(1)(A) of this section.

(ii) The State Board of Barber Examiners may verify this information online or by telephone to the other state's licensing board.

(3) To demonstrate that the applicant meets the requirement in subdivisions (b)(1)(B) – (D) of this section, the applicant shall provide the board with:

(A) The names of all states in which the applicant is currently licensed or has been previously licensed;

(B)(i) Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant:

(a) Has not had his or her license revoked for the reasons listed in subdivision (b)(1)(C) of this section; and

(b) Does not hold a license on suspended or probationary status as described in subdivision (b)(1)(D) of this section.

(ii) The State Board of Barber Examiners may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and

(C) As evidence that the applicant is sufficiently competent in the field of barbering, an applicant shall submit a "certification of record" from the board under which the applicant is licensed.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-113. Temporary and provisional license.

(a) The State Board of Barber Examiners shall issue a temporary and provisional license immediately upon receipt of the application, the required fee, and the documentation required under Reciprocity, 17 CAR § 275-112(c).

(b) The temporary and provisional license shall be effective until the board makes a decision on the application, unless the board determines that the applicant does not meet the requirements in Reciprocity, 17 CAR § 275-112(b), in which case the temporary and provisional license shall be immediately revoked.

(c) An applicant may provide the rest of the documentation required above in order to receive a license, or the applicant may only provide the information necessary for the issuance of a temporary and provisional license.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-114. License for a person from a state (country) that does not license barbers.

(a) **Required qualifications.** An applicant from a state (country) that does not license barbers shall be sufficiently competent in the field of barbering and:

(1) Pass with a minimum score of seventy-five percent (75%) on a practical and written examination;

(2) Be at least sixteen and one half (16 1/2) years of age;

(3) Meet an educational requirement of at least the eighth grade; and

(4) Have a minimum of fifteen hundred (1,500) hours of training or have worked in a barbershop for at least one (1) year after training in a documented facility.

(b) **Required documentation.** An applicant shall submit a fully executed application, the required fee, and a "certification of record" to ensure minimum training from the facility attended.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-115. Prelicensure criminal background check.

(a)(1) Pursuant to Acts 2019, No. 990, an individual may petition for a prelicensure determination of whether the individual's criminal record will disqualify the individual from licensure and whether a waiver may be obtained.

(2) The individual must obtain the prelicensure criminal background check petition form from the State Board of Barber Examiners.

(3) The board will respond with a decision in writing to a completed petition within a reasonable time.

(4) The board's response will state the reason or reasons for the decision.

(5) All decisions of the board in response to the petition will be determined by the information provided by the individual.

(6) Any decision made by the board in response to a prelicensure criminal background check petition is not subject to appeal.

(7) The board will retain a copy of the petition and response, and it will be reviewed during the formal application process.

(b) **Waiver request.** If an individual has been convicted of an offense listed in Arkansas Code § 17-3-102(a) or (e), the board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

(1) An affected applicant for a license; or

(2) An individual holding a license subject to revocation.

(c) The board may grant a waiver upon consideration of the following without limitation:

(1) The age at which the offense was committed;

(2) The circumstances surrounding the offense;

(3) The length of time since the offense was committed;

(4) Subsequent work history since the offense was committed;

(5) Employment references since the offense was committed;

(6) Character references since the offense was committed;

(7) Relevance of the offense to the occupational license; and

(8) Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.

(d)(1) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(2) The board will respond with a decision in writing and will state the reasons for the decision.

(e) An appeal of a determination under this section will be subject to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

Authority. Arkansas Code § 17-20-206.

17 CAR § 275-116. Fees.

(a) The State Board of Barber Examiners shall charge and collect the following fees:

(1) For registration of a new or previously unregistered barber shop, seventy dollars (\$70.00);

(2) For the annual renewal of each barber shop registration certificate, fifty dollars (\$50.00);

(3) For restoration of an expired barber shop certificate, seventy-five dollars (\$75.00) per year of delinquency;

(4) For the examination for a certificate to practice as a registered barber, seventy-five dollars (\$75.00), and for the issuance of a certificate to practice as a registered barber, fifty dollars (\$50.00);

(5) For annual renewal of the certificate to practice as a registered barber and for its issuance, fifty dollars (\$50.00);

(6) For restoration of an expired certificate (renewal not postmarked by September 1), the fee to practice as a registered barber, seventy-five dollars (\$75.00) per year of delinquency;

(7) For the examination to practice as a teacher manager instructor (TMI),

eighty dollars (\$80.00), and for the issuance of a certificate to practice as a TMI, forty dollars (\$40.00);

(8) For annual renewal of the certificate to practice as a TMI and for its issuance, forty dollars (\$40.00);

(9) For restoration of an expired TMI certificate (renewal not postmarked by September 1), the fee to practice as a TMI, forty-eight dollars (\$48.00) per year of delinquency;

(10) Examination fee for restoration of an expired barber certificate to a previously registered barber whose license has been expired for more than three (3) years, seventy-five dollars (\$75.00);

(11) Examination fee for restoration of an expired barber certificate to a previously registered teacher manager instructor whose license has been expired for more than three (3) years, eighty dollars (\$80.00);

(12) Reciprocity and license fee, one hundred fifty dollars (\$150);

(13) For the examination of an applicant for a certificate to practice as a barber technician, thirty-five dollars (\$35.00), and for the issuance of a certificate to practice as a barber technician, thirty-five dollars (\$35.00);

(14) For annual renewal of the certificate to practice as a barber technician, thirty-five dollars (\$35.00);

(15) For restoration of an expired certificate to practice as a barber technician, forty-two dollars (\$42.00);

(16) For a student license fee for one (1) year of barber schooling, twenty dollars (\$20.00);

(17) Certification of hours or certified correspondence to any other entity, fifty dollars (\$50.00); and

(18)(A) A duplicate certificate will be issued upon the filing of the payment of a fee of five dollars (\$5.00) for the issuance of the duplicate certificate.

(B) Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof and will bear the same number as the certificate that it was issued in lieu of.

(b) The board shall waive the initial fee if the applicant:

(1) Is receiving assistance through the:

(A) Arkansas Medicaid Program;

(B) Supplemental Nutrition Assistance Program;

(C) Special Supplemental Nutrition Program for Women, Infants, and Children;

(D) Temporary Assistance for Needy Families Program; or

(E) Lifeline Assistance Program;

(2) Was approved for unemployment within the last twelve (12) months; or

(3) Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

Authority. Arkansas Code §§ 17-20-206, 17-20-208.