



State of Tennessee

PUBLIC CHAPTER NO. 983

SENATE BILL NO. 2167

By Tate

Substituted for: House Bill No. 2486

By Akbari, Parkinson, Hardaway, Camper

AN ACT to amend Tennessee Code Annotated, Title 55; Title 62 and Title 68, relative to mobile businesses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 3, is amended by adding the following as a new section:

(a) No person shall operate a mobile shop, as defined in § 62-4-102, where barbering or barber styling is practiced without a valid certificate of registration for a mobile shop issued by the board. Application for the certificate shall be made upon application forms furnished by the board.

(b) The board shall issue a certificate of registration for a mobile shop to an applicant who:

(1) Holds a valid, current certificate of registration for a barber shop that has a fixed location;

(2) Pays an application fee in an amount set by the board by rule, not to exceed the cost of administering this section;

(3) Pays an initial registration fee in the amount set by the board by rule; and

(4) Undergoes and passes an initial inspection.

(c) A certificate of registration for a mobile shop shall be subject to renewal at the same time that the registrant's barber shop registration is subject to renewal pursuant to § 62-3-129. The renewal fee for a certificate of registration for a mobile shop shall be set by the board by rule.

(d) A mobile shop for which a certificate of registration is issued shall be subject to all of the health and safety requirements that apply to barber shops that have a fixed location under this chapter and the rules promulgated pursuant thereto; provided, that a mobile shop shall not be required to have a restroom and that the board may promulgate rules allowing or requiring mobile shops to have equipment different from shops with a fixed location.

(e)(1) The board may either refuse to issue or renew or may suspend or revoke any certificate of registration for a mobile shop for any of the reasons in § 62-3-121.

(2) The board shall revoke any certificate of registration for a mobile shop if the registrant's certificate of registration for a barber shop that has a fixed location expires or is revoked.

(3) If a registrant's certificate of registration for a barber shop that has a fixed location is suspended, the board shall also suspend any certificate of registration that has been issued to such registrant for a mobile shop for the same period of time.

SECTION 2. Tennessee Code Annotated, Section 62-3-109(d), is amended by deleting the language "licensed funeral establishment, nursing home," and substituting instead "licensed funeral establishment, registered mobile shop, nursing home,".

SECTION 3. Tennessee Code Annotated, Section 62-4-102(a), is amended by adding the following as a new subdivision:

() "Mobile shop" means any self-contained, self-supporting, enclosed motor vehicle that may be used as a barber shop, cosmetology shop, dual shop, manicure shop, skin care shop, or any other category of shop licensed by the board.

SECTION 4. Tennessee Code Annotated, Title 62, Chapter 4, is amended by adding the following as a new section:

(a) No person shall operate a mobile shop without a valid mobile shop license issued by the board. Application for the license shall be made upon application forms furnished by the board.

(b) The board shall issue a license for a mobile shop to an applicant who:

(1) Holds a valid, current license for a shop that has a fixed location;

(2) Pays an application fee in an amount set by the board by rule, not to exceed the cost of administering this section;

(3) Pays an initial license fee in the amount set by the board by rule; and

(4) Undergoes and passes an initial inspection.

(c) A license for a mobile shop shall be subject to renewal at the same time that the licensee's shop license is subject to renewal pursuant to § 62-4-118(h). The renewal fee for a license for a mobile shop shall be set by the board by rule.

(d) A mobile shop for which a license is issued shall be subject to all of the health and safety requirements that apply to shops that have a fixed location under this chapter and the rules promulgated pursuant thereto; provided, that a mobile shop shall not be required to have a restroom and that the board may promulgate rules allowing or requiring mobile shops to have equipment different from shops with a fixed location.

(e)(1) The board may either refuse to issue or renew or may suspend or revoke any license for a mobile shop for any of the reasons in § 62-4-127.

(2) The board shall revoke any license for a mobile shop if the licensee's license for a shop that has a fixed location expires or is revoked.

(3) If a licensee's license for a shop that has a fixed location is suspended, the board shall also suspend any license that has been issued to such licensee for a mobile shop for the same period of time.

SECTION 5. Tennessee Code Annotated, Section 62-4-125(d)(2), is amended by inserting the following as a new subdivision:

(G) In a licensed mobile shop.

SECTION 6. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2017, the public welfare requiring it.

SENATE BILL NO. 2167

PASSED: April 13, 2016



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of April 2016



BILL HASLAM, GOVERNOR