

CF 7r1468

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**By: Delegates Donoghue, Walkup, Mossburg, Kirk, Pendergrass, and Goldwater**

Introduced and read first time: January 22, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Tanning Facilities - Disclosure and Notice of Risks**

3 FOR the purpose of requiring certain individuals to sign a written statement  
4 acknowledging certain facts and warnings about the use of tanning devices before  
5 using a tanning facility; requiring a parent or legal guardian of a minor individual to  
6 sign a written statement acknowledging certain facts and warnings about the use of  
7 tanning devices before the minor may use a tanning facility; requiring certain  
8 language to be included in a written statement required under this Act; defining  
9 certain terms; and generally relating to the disclosure and notice of risks at tanning  
10 facilities.

11 BY adding to

12 Article - Commercial Law  
13 Section 14-1315  
14 Annotated Code of Maryland  
15 (1990 Replacement Volume and 1996 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Commercial Law**

19 14-1315.

20 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
21 INDICATED.

22 (2) "TANNING DEVICE" MEANS:

23 (I) A DEVICE, INCLUDING A SUNLAMP, TANNING BOOTH, AND  
24 TANNING BED, THAT:

25 1. EMITS ELECTROMAGNETIC RADIATION WITH  
26 WAVELENGTHS IN THE AIR BETWEEN 200 AND 400 NANOMETERS; AND

27 2. IS USED FOR THE TANNING OF THE HUMAN SKIN; AND

28 (II) ANY ACCOMPANYING EQUIPMENT, INCLUDING PROTECTIVE  
29 EYEWEAR, TIMERS, AND HANDRAILS.

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1 (3) "TANNING FACILITY" MEANS A BUSINESS THAT PROVIDES ACCESS  
2 TO OR USE OF TANNING DEVICES.

3 (B) BEFORE AN ADULT INDIVIDUAL MAY USE A TANNING DEVICE AT A  
4 TANNING FACILITY FOR THE FIRST TIME, AND EACH TIME AN INDIVIDUAL  
5 EXECUTES OR RENEWS A CONTRACT TO USE A TANNING DEVICE AT A TANNING  
6 FACILITY, THE INDIVIDUAL SHALL SIGN A WRITTEN STATEMENT ACKNOWLEDGING  
7 THAT THE INDIVIDUAL:

8 (1) HAS READ THE WRITTEN WARNINGS GIVEN BY THE TANNING  
9 FACILITY;

10 (2) UNDERSTANDS THE NATURE AND EXTENT OF THE RISKS  
11 ADDRESSED IN THE WRITTEN WARNINGS; AND

12 (3) AGREES TO USE PROTECTIVE EYEWEAR.

13 (C) BEFORE A MINOR INDIVIDUAL MAY USE A TANNING DEVICE AT A  
14 TANNING FACILITY FOR THE FIRST TIME, THE MINOR'S PARENT OR LEGAL  
15 GUARDIAN SHALL SIGN A WRITTEN STATEMENT ACKNOWLEDGING THAT THE  
16 PARENT OR LEGAL GUARDIAN:

17 (1) HAS READ THE WRITTEN WARNINGS GIVEN BY THE TANNING  
18 FACILITY;

19 (2) UNDERSTANDS THE NATURE AND EXTENT OF THE RISKS  
20 ADDRESSED IN THE WRITTEN WARNINGS;

21 (3) CONSENTS TO THE MINOR'S USE OF A TANNING DEVICE; AND

22 (4) AGREES THAT THE MINOR WILL USE PROTECTIVE EYEWEAR.

23 (D) THE WRITTEN STATEMENTS REQUIRED UNDER SUBSECTIONS (B) AND (C)  
24 OF THIS SECTION SHALL CONTAIN THE FOLLOWING LANGUAGE DISPLAYED IN  
25 STANDARD TYPEFACE, FONT, AND SIZE:

26 "(1) TOO FREQUENT OR LENGTHY EXPOSURE TO ULTRAVIOLET  
27 RADIATION MAY CAUSE SERIOUS EYE AND SKIN INJURIES AND ALLERGIC  
28 REACTIONS.

29 (2) REPEATED EXPOSURE TO ULTRAVIOLET RADIATION MAY CAUSE  
30 CHRONIC SUN DAMAGE CHARACTERIZED BY WRINKLING, DRYNESS, FRAGILITY, OR  
31 BRUISING OF THE SKIN, OR SKIN CANCER.

32 (3) YOU SHOULD NOT SUNBATHE BEFORE OR AFTER EXPOSURE TO  
33 ULTRAVIOLET RADIATION FROM SUNLAMPS.

34 (4) FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE  
35 BURNS OR PERMANENT INJURY TO THE EYES.

36 (5) MEDICATIONS OR COSMETICS MAY INCREASE YOUR SENSITIVITY  
37 TO ULTRAVIOLET RADIATION. YOU SHOULD CONSULT A PHYSICIAN BEFORE USING  
38 A TANNING DEVICE IF YOU:

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1 (I) ARE USING ANY MEDICATIONS;

2 (II) HAVE A HISTORY OF SKIN PROBLEMS; OR

3 (III) BELIEVE YOU ARE ESPECIALLY SENSITIVE TO SUNLIGHT.

4 (6) ABNORMAL SKIN SENSITIVITY OR BURNING MAY BE CAUSED BY  
5 CERTAIN:

6 (I) FOODS;

7 (II) COSMETICS;

8 (III) TRANQUILIZERS;

9 (IV) DIURETICS;

10 (V) ANTIBIOTICS;

11 (VI) HIGH BLOOD PRESSURE MEDICINES; AND

12 (VII) BIRTH CONTROL PILLS.

13 (7) PREGNANT WOMEN OR WOMEN TAKING ORAL CONTRACEPTIVES  
14 WHO USE THIS PRODUCT MAY DEVELOP DISCOLORED SKIN.

15 (8) IF YOU DO NOT TAN IN THE SUN, YOU WILL NOT TAN FROM USE OF  
16 AN ULTRAVIOLET LAMP OR SUNLAMP.".

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 1997.