

---

By: **Delegates Owings and Mandel**  
Introduced and read first time: February 12, 1999  
Assigned to: Environmental Matters  
Reassigned: Economic Matters, February 18, 1999

---

Committee Report: Favorable  
House action: Adopted  
Read second time: March 16, 1999

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Cosmetologists - Licensing Requirements**

3 FOR the purpose of altering the number of hours of instruction an esthetician must  
4 undergo for licensure; altering the number of hours of instruction a nail  
5 technician must undergo for licensure; altering certain definitions; making a  
6 stylistic change; and generally relating to licensing requirements of  
7 cosmetologists.

8 BY repealing and reenacting, with amendments,  
9 Article - Business Occupations and Professions  
10 Section 5-101, 5-205(b)(4), 5-301(b)(3), 5-305, 5-310(d), 5-404(2)(iii),  
11 5-501(b)(3), and 5-605(b)(2)  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume and 1998 Supplement)

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

16 **Article - Business Occupations and Professions**

17 5-101.

18 (a) In this title the following words have the meanings indicated.

19 (b) "Apprentice" means an individual who is learning to practice cosmetology  
20 or any limited practice of cosmetology in a beauty salon that holds a beauty salon  
21 permit under the supervision of:

- 1 (1) if learning to practice cosmetology, a licensed senior cosmetologist;
- 2 (2) if learning to provide esthetic services, a licensed senior cosmetologist  
3 or a licensed esthetician with 2 years' experience; and
- 4 (3) if learning to provide [manicuring] NAIL TECHNICIAN services, a  
5 licensed senior cosmetologist or a licensed [manicurist] NAIL TECHNICIAN with 2  
6 years' experience.
- 7 (c) (1) "Beauty salon" means any commercial establishment, except a  
8 barbershop, in which an individual practices cosmetology.
- 9 (2) "Beauty salon" does not include a clinic in a cosmetology school.
- 10 (d) "Beauty salon permit" means a permit issued by the Board to operate a  
11 beauty salon.
- 12 (e) "Board" means the State Board of Cosmetologists.
- 13 (f) "Cosmetologist" means an individual who practices cosmetology.
- 14 (g) (1) "License" means, unless the context requires otherwise, a license  
15 issued by the Board.
- 16 (2) "License" includes, unless the context requires otherwise, each of the  
17 following licenses:
- 18 (i) a license to practice cosmetology;
- 19 (ii) a license to practice as a senior cosmetologist;
- 20 (iii) a limited license to provide makeup artist services;
- 21 (iv) a limited license to provide esthetic services; and
- 22 (v) a limited license to provide [manicuring] NAIL TECHNICIAN  
23 services.
- 24 (h) "Licensed cosmetologist" means, unless the context requires otherwise, a  
25 cosmetologist who is licensed by the Board to practice cosmetology.
- 26 (i) "Licensed senior cosmetologist" means a person who:
- 27 (1) has at least 2 years of experience as a licensed cosmetologist; and
- 28 (2) has passed a test approved by the Board.
- 29 (j) (1) "Limited license" means a license issued by the Board to practice  
30 cosmetology as limited in § 5-301 of this title.

1 (2) "Limited license" includes, unless the context requires otherwise,  
2 each of the following licenses:

- 3 (i) a limited license to provide makeup artist services;  
4 (ii) a limited license to provide esthetic services; and  
5 (iii) a limited license to provide [manicuring] NAIL TECHNICIAN  
6 services.

7 (k) (1) "Practice cosmetology" means to engage in any of the following for  
8 compensation:

9 (i) beautifying, cleaning, or embellishing the hair of an individual  
10 by:

- 11 1. arranging the hair;  
12 2. bleaching the hair;  
13 3. cleansing the hair;  
14 4. coloring the hair;  
15 5. curling the hair;  
16 6. cutting the hair;  
17 7. dressing the hair;  
18 8. singeing the hair;  
19 9. permanent waving the hair;  
20 10. waving the hair; or  
21 11. performing any other similar procedure intended to  
22 beautify, clean, or embellish the hair;

23 (ii) arching or dyeing eyebrows;

24 (iii) dyeing eyelashes;

25 (iv) providing makeup artist services;

26 (v) providing esthetic services; or

27 (vi) providing [manicuring] NAIL TECHNICIAN services.

28 (2) The practice of cosmetology does not include:

29 (i) the mere sale, fitting, or styling of wigs or hairpieces;

1 (ii) the mere shampooing of hair; or

2 (iii) a service that results in tension on hair strands or roots by  
3 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical  
4 device, provided that the service does not include the application of dyes, reactive  
5 chemicals, or other preparations to alter the color of the hair or to straighten, curl, or  
6 alter the structure of the hair.

7 (l) "Provide makeup artist services" means to apply creams, lotions, cosmetic  
8 preparations, and cleansing solutions to an individual's face for compensation.

9 (m) "Provide esthetic services" means to provide to an individual, for  
10 compensation, the service of:

11 (1) cleansing, exercising, massaging, stimulating, or performing any  
12 other similar procedure [on the arms, face, hands, or scalp] ON THE SKIN OR SCALP  
13 by electrical, mechanical, or any other means;

14 (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic  
15 preparation; or

16 (3) removing superfluous hair by the use of a depilatory, tweezers, or  
17 wax.

18 (n) "Provide [manicuring] NAIL TECHNICIAN services" means to [manicure or  
19 pedicure for compensation the nails of an individual] PROVIDE TO AN INDIVIDUAL,  
20 FOR COMPENSATION, THE SERVICE OF:

21 (1) MANICURING OR PEDICURING THE INDIVIDUAL'S NAILS;

22 (2) APPLYING ARTIFICIAL NAIL ENHANCEMENT PRODUCTS; OR

23 (3) MAINTAINING ARTIFICIAL NAIL ENHANCEMENT PRODUCTS.

24 5-205.

25 (b) (4) The Board shall require a \$25 fee for the licensure or renewal of  
26 licensure of cosmetologists, senior cosmetologists, estheticians, [manicurists] NAIL  
27 TECHNICIANS, and makeup artists.

28 5-301.

29 (b) If an individual holds the appropriate limited license, the individual may  
30 practice cosmetology in a manner limited to:

31 (3) providing [manicuring] NAIL TECHNICIAN services.

32 5-305.

33 (a) To qualify for a limited license to practice cosmetology, an applicant shall  
34 be an individual who meets the requirements of this section.

1 (b) An applicant for a limited license to provide makeup artist services shall:

2 (1) be at least 17 years old;

3 (2) have successfully completed a 9th grade education or the equivalent;  
4 and

5 (3) have successfully completed a course or program in makeup artist  
6 services approved by the State Department of Education or the Maryland Higher  
7 Education Commission in consultation with the Board.

8 (c) An applicant for a limited license to provide esthetic services shall:

9 (1) be at least 17 years old;

10 (2) have completed successfully a 9th grade education or the equivalent;  
11 and

12 (3) have received training by:

13 (i) serving as a registered apprentice for at least 6 months as  
14 provided under §§ 5-404 and 5-405 of this title; or

15 (ii) successfully completing at least [300] 600 hours of instruction  
16 in providing esthetic services in a cosmetology school approved by the State  
17 Department of Education or the Maryland Higher Education Commission in  
18 consultation with the Board.

19 (d) An applicant for a limited license to provide [manicuring] NAIL  
20 TECHNICIAN services shall:

21 (1) be at least 17 years old;

22 (2) have successfully completed a 9th grade education or the equivalent;  
23 and

24 (3) have received training by:

25 (i) serving as a registered apprentice for at least 3 months as  
26 provided under §§ 5-404 and 5-405 of this title; or

27 (ii) successfully completing at least [100] 250 hours of instruction  
28 in providing [manicuring] NAIL TECHNICIAN services in a cosmetology school  
29 approved by the State Department of Education or the Maryland Higher Education  
30 Commission in consultation with the Board.

31 (e) If an applicant is licensed to practice as a makeup artist, esthetician, or  
32 [manicurist] NAIL TECHNICIAN in another state or foreign country, the applicant  
33 meets the training requirements of this section if the applicant has held a limited  
34 license in the other state or foreign country and has actively practiced in the other  
35 state or foreign country for a period of 6 months.

1 (f) Except for an applicant for a limited license to provide makeup artist  
2 services, an applicant for a limited license shall pass an examination given by the  
3 Board under this subtitle.

4 5-310.

5 (d) While a limited license to provide [manicuring] NAIL TECHNICIAN  
6 services is in effect, it authorizes the licensee to provide only [manicuring] NAIL  
7 TECHNICIAN services.

8 5-404.

9 While registration as an apprentice is in effect, the registration authorizes the  
10 individual to learn to practice cosmetology or any limited practice of cosmetology:

11 (2) under the supervision of:

12 (iii) if learning to provide [manicuring] NAIL TECHNICIAN services,  
13 a licensed senior cosmetologist or a licensed [manicurist] NAIL TECHNICIAN with 2  
14 years' experience.

15 5-501.

16 (b) A beauty salon may operate as a limited practice beauty salon by offering  
17 cosmetology services limited to:

18 (3) providing [manicuring] NAIL TECHNICIAN services.

19 5-605.

20 (b) (2) An individual who holds a limited license to provide [manicuring]  
21 NAIL TECHNICIAN services may provide [manicuring] NAIL TECHNICIAN services in  
22 a barbershop.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 1999.