

## MOBILE COSMETOLOGICAL ESTABLISHMENT REGULATIONS

### **NRS 644.340 Application for license; verbal review; issuance and activation of license; on-site inspection; fees.**

1. Any person wishing to operate a cosmetological establishment in which any one or a combination of the occupations of cosmetology are practiced must apply to the Board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the Board. Each application must contain a detailed floor plan of the proposed cosmetological establishment and proof of the particular requisites for a license provided for in this chapter, and must be verified by the oath of the maker.

2. The applicant must submit the application accompanied by the applicable required fees for inspection and licensing. After the applicant has submitted the application, the applicant must contact the Board and request a verbal review concerning the application to determine if the cosmetological establishment complies with the requirements of this chapter and the regulations adopted by the Board. If, based on the verbal review, the Board determines that the cosmetological establishment meets those requirements, the Board shall issue to the applicant the required license. Upon receipt of the license, the applicant must contact the Board to request the activation of the license. A license issued pursuant to this subsection is not valid until it is activated. The Board shall conduct an on-site inspection of the cosmetological establishment not later than 90 days after the date on which the license is activated.

3. The fee for issuance of a license for a cosmetological establishment is:

- (a) For 2 years, \$200.
- (b) For 4 years, \$400.

4. The fee for the initial inspection is \$15. If an additional inspection is necessary, the fee is \$25.

[Part 16:218:1931; A 1933, 237; 1953, 150] + [Part 17:218:1931; A 1933, 237; 1953, 150]—  
(NRS A 1960, 314; [1971, 239](#); [1979, 1826](#); [1981, 1355](#); [1985, 1634, 1858](#); [1987, 731](#); [1991, 2060](#); [1999, 1155](#); [2005, 2644](#); [2015, 607](#))

**NAC 644.600 Definitions.** ([NRS 644.110](#)) As used in [NAC 644.600](#) to [644.655](#), inclusive, unless the context otherwise requires, “mobile cosmetological establishment” means a self-contained, self-supporting, enclosed mobile unit where one or more persons engage in the practice of cosmetology.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88; A by R064-15, 12-21-2015)

### **NAC 644.610 Application for license to operate or for transfer of ownership: Filing.** ([NRS 644.110](#))

1. An application for a license to operate a mobile cosmetological establishment must be filed with the Board not less than 10 days before the proposed opening date.

2. An application to transfer ownership of a licensed mobile cosmetological establishment must be filed with the Board within 3 days after purchase.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.615 Application for license to operate or for transfer of ownership: Contents.** ([NRS 644.110](#), [644.340](#), [644.345](#)) Each application for a license to operate a mobile

cosmetological establishment or for the transfer of ownership of a licensed mobile cosmetological establishment must include:

1. A detailed floor plan showing:
  - (a) The location of:
    - (1) Doors;
    - (2) Windows;
    - (3) Restrooms;
    - (4) Sinks;
    - (5) Lifts or ramps;
    - (6) Ventilation systems; and
    - (7) Equipment; and
  - (b) The dimensions of the establishment;
2. The owner's proof of purchase for the establishment and the equipment contained therein;
3. The required fee;
4. Copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city; and
5. Copies of letters of compliance from the city, county and state agencies governing applicable plumbing, electrical and fire codes.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88; A by R064-15, 12-21-2015)

**NAC 644.620 Inspection of establishment.** ([NRS 644.110](#), [644.340](#), [644.345](#)) After the floor plan and application have initially been approved, the applicant must schedule an appointment to show the mobile cosmetological establishment to the Board for final approval. If inspection of the establishment is denied, or if the establishment has been closed for 12 calendar months, the application will be denied.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.625 Delivery of license or return of application.** ([NRS 644.110](#)) A license to operate a mobile cosmetological establishment will be delivered to the owner following inspection of the establishment if the Board's requirements have been met. Applications not approved will be returned to the applicant.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.630 Removal of equipment from establishment.** ([NRS 644.110](#)) If equipment is removed from a mobile cosmetological establishment, the license to operate the establishment becomes null and void.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.635 Submission of monthly itinerary; changes in itinerary.** ([NRS 644.110](#))

1. The holder of a license to operate a mobile cosmetological establishment shall submit to the Board a monthly itinerary showing the dates, locations, and times of service to be provided throughout the State. The itinerary must be:

- (a) Submitted to the Board at least 15 days before the beginning of each month; and
- (b) Accompanied by copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city.

2. Changes in an itinerary must be called in to the Board's office and affirmed in writing. The written affirmation must be accompanied by copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.640 General standards for establishments. (NRS 644.110)** A mobile cosmetological establishment must comply with the following standards:

1. Exterior advertising depicting “Licensed Cosmetological Establishment” must be on both sides of the vehicle with the unit’s establishment number.
2. The floor, carpeting, walls, ceiling, furniture, equipment and all contents of the establishment must be kept clean and in good repair at all times.
3. Carpeting is permitted only within the driving or cab area, if applicable, and only if approved by the appropriate city and county agencies governing fire codes.
4. All storage cabinets must be secured by the use of spring struts or friction catches.
5. All equipment must be securely anchored to the establishment.
6. The interior of the establishment must be 7 to 8 feet wide, inclusive, have a ceiling height of at least 6 feet and be at least 24 feet long, as measured from the front interior wall to the back of the establishment.
7. One 5-pound ABC fire extinguisher must be mounted in public view.
8. A ramp or lift must be provided for access to the establishment if services are provided to persons with disabilities.
9. No services may be performed while the establishment is in motion.
10. Sleeping provisions must not be placed or maintained in the working area of the establishment.
11. Containers in the establishment must consist of galvanized stainless steel or other noncorrosive material not including glass.
12. All chemicals in the establishment must be stored in secured cabinets, separate and apart from other articles or equipment in the establishment.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88; A by R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.645 Supply of water. (NRS 644.110)**

1. Each mobile cosmetological establishment must have:
  - (a) A holding tank which holds at least 100 gallons of self-contained fresh water and which is permanently and distinctly labeled for such use;
  - (b) A holding tank which holds at least 100 gallons of self-contained gray water and which is permanently and distinctly labeled for such use; and
  - (c) Holding tanks which provide hot water continually and on demand with a combined capacity of at least 6 gallons.
2. The holding tanks described in paragraphs (a) and (b) of subsection 1 must contain gauges that indicate the levels in the tanks and reserve capabilities. If an establishment’s portable water supply is depleted, operation must cease until the supply is replenished.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88; A by R106-12, 10-24-2014)

**NAC 644.650 Disposal of waste. (NRS 644.110)**

1. A mobile cosmetological establishment must have restrooms within its perimeter including a self-contained, recirculating, flush chemical toilet with holding tank.
2. The plumbing system of the establishment must be installed and maintained in accordance with the requirements of all city, county, state, federal and national fire codes.
3. The owner of an establishment shall provide to the Board copies of written approval granting the owner permission to use dumping stations.

(Added to NAC by Bd. of Cosmetology, eff. 7-18-88)

**NAC 644.655 Electrical system. (NRS 644.110)**

1. A mobile cosmetological establishment must have a generator with:

- (a) A capacity of at least 6,500 watts;
  - (b) A remote starter;
  - (c) A muffler; and
  - (d) Outside ventilation.
2. Heaters for mobile cosmetological establishments must be:
- (a) Sealed combustible units;
  - (b) Vented outside; and
  - (c) Able to maintain an inside temperature of at least 70 degrees Fahrenheit.
3. All electrical wiring for an establishment must be wired in accordance with city, county, state and national fire codes.
- (Added to NAC by Bd. of Cosmetology, eff. 7-18-88; A by R064-15, 12-21-2015)

**DISCIPLINARY ACTIONS**

**NAC 644.700 Schedule of fines; disciplinary hearings. ([NRS 644.110](#), [644.430](#))**

1. The Board adopts the following schedule of fines for any violation of the provisions listed:

Violation	First Offense	Second Offense	Third Offense
<b>COSMETOLOGICAL ESTABLISHMENT</b>			
Operating an establishment without a license.....	\$1,000	\$1,500	\$2,000
Operating an establishment with an expired license.....	200	500	1,000
Allowing a licensee to work with an expired license (per person)...	200	500	1,000
Failure to display license in place of business.....	200	500	1,000
Allowing an unlicensed person to work in an establishment.....	1,000	1,500	2,000
Operating an establishment without supervision by a licensed person.....	200	500	1,000
Operating an establishment with an animal on the premises.....	200	500	1,000
Refusal to allow staff of the Board to inspect any licensed space..	1,000	2,000	5,000
<b>COSMETOLOGIST OR OTHER LICENSED OR REGISTERED NATURAL PERSON</b>			
Practicing with an expired license or registration.....	200	500	1,000
Failure to display license or registration at a work station.....	200	500	1,000
Failure to practice in a cosmetological establishment, unless the person holds a limited license to do so.....	500	1,000	2,000
Failure to comply with <a href="#">NAC 644.368</a> .....	200	500	1,000
Using advertisements which contain knowingly false or deceptive statements or otherwise engaging in acts described in subsection 2 or 3 of <a href="#">NAC 644.711</a> .....	100	200	500
<b>APPRENTICE</b>			
Failure to display a certificate of registration in plain view.....	100	500	1,000
Failure to wear a badge while working.....	100	500	1,000
Working on the public without a supervising cosmetologist, hair designer, aesthetician, nail technologist or electrologist, as appropriate, present.....	500	1,000	2,000
<b>SUPERVISOR OF AN APPRENTICE</b>			
Allowing an apprentice to work if his or her certificate of	100	500	1,000

Violation	First Offense	Second Offense	Third Offense
registration is not displayed in plain view.....			
Allowing an apprentice to work if the apprentice is not wearing his or her badge.....	100	500	1,000
Allowing an apprentice to work on the public without being present to supervise the apprentice.....	500	1,000	2,000
Failure to comply with <a href="#">NAC 644.169</a> .....	500	1,000	
<b>SUPERVISOR OF AN ELECTROLOGIST'S APPRENTICE</b>			
Failure to comply with <a href="#">NAC 644.267</a> .....	500	1,000	
<b>MAKEUP ARTIST</b>			
Failure to meet a requirement to engage in the practice of makeup artistry in this State.....	200	500	1,000
<b>SCHOOL OF COSMETOLOGY</b>			
Failure to comply with <a href="#">NRS 644.395</a> , subsection 1 of <a href="#">NRS 644.400</a> , paragraph (b) of subsection 2 of <a href="#">NRS 644.400</a> or <a href="#">NAC 644.085</a> .....	200	500	1,000
<b>ANY PERSON</b>			
Practicing without a license or certificate.....	1,000	1,500	2,000
Copying or altering a license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose.....	200	500	1,000
Using a copied or altered license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose.....	1,000	2,000	5,000

2. A licensee who violates a provision of [NAC 644.307](#) to [644.355](#), inclusive, will be fined \$100 for each violation unless, in the judgment of the Executive Director, the violation warrants a disciplinary hearing before the Board.

3. A person who violates a provision of this chapter or [chapter 644](#) of NRS for which this section does not provide a specific fine, including, without limitation, a second or subsequent violation, may be:

- (a) Ordered to appear at a disciplinary hearing before the Board; and
- (b) Punished by the Board as set forth in [NRS 644.430](#).

(Added to NAC by Bd. of Cosmetology, eff. 6-18-91; A by R029-02, 7-19-2002; R092-06, 9-18-2006; R030-08, 9-18-2008; R106-12, 10-24-2014; R064-15, 12-21-2015)

**NAC 644.705 Acts constituting gross malpractice. ([NRS 644.110](#), [644.430](#))** For the purposes of [NRS 644.430](#):

1. A violation of any provision of [NRS 644.470](#) or [NAC 644.340](#), [644.350](#), [644.360](#) to [644.368](#), inclusive, or [644.372](#); or

2. Malpractice where the failure to exercise the requisite degree of care, skill or knowledge amounts to:

- (a) A conscious indifference to the consequences which may result from the malpractice; and
- (b) A disregard for and indifference to the safety and welfare of the client,

↪ constitutes gross malpractice.

[Bd. of Cosmetology, No. 14.7, eff. 12-3-80] — (NAC A by R030-08, 9-18-2008; R106-12, 10-24-2014)

**NAC 644.711 Grounds for disciplinary action.** ([NRS 644.110](#), [644.430](#)) A licensee is subject to disciplinary action if the licensee:

1. Engages in unfair or unjust practices, methods or dealings, including, without limitation:

(a) Copying or altering a license for the purposes of fraud, deception, misrepresentation or other illegal purpose in violation of [NRS 644.476](#).

(b) Using a license that has been copied or altered for the purposes of fraud, deception, misrepresentation or other illegal purpose.

(c) Misrepresenting his or her qualifications to the public.

(d) Performing or offering to perform the functions of a licensee under a false or assumed name or social security number.

(e) Selling or offering to sell his or her license.

(f) Failing to cooperate with an investigation conducted by the Board.

(g) Failing to respond to communications from the Board.

(h) Providing false information to the Board.

2. Uses advertisements which contain knowingly false or deceptive statements, including, without limitation, using the terms “expert,” “advanced” or “medical” in connection with any description of a licensee’s practice in any branch of cosmetology or otherwise holding the licensee out to the public as an expert, advanced or medical practitioner of any branch of cosmetology.

(Added to NAC by Bd. of Cosmetology by R030-08, eff. 9-18-2008; A by R106-12, 10-24-2014; R064-15, 12-21-2015)