



NORTH CAROLINA BOARD OF BARBER EXAMINERS

Memo

TO: Board members

FROM: Dennis Seavers

DATE: August 10, 2020

SUBJECT: Adoption of rules

At its August 18, 2020 meeting, the board will consider nine rule amendments that the board previously proposed. This memo explains the background of the rulemaking actions and what steps the board needs to take.

Proposed amendments

At its April 21, 2020 meeting, the board proposed the amendments to eliminate the requirement for notarization on certain forms, instead requiring attestations. The change would make it easier to file documents with the board while still requiring accuracy on them. The amendments also would make it easier for the board to receive online applications and filings.

The 60-day comment period ended July 14, 2020, and the board received no public comments during the comment period or at the public hearing.

The text of the proposed rules is attached to this memo.

Upcoming steps

- The board must decide whether to adopt and amend the rules.
- I will file the rules for consideration by the Rules Review Commission at its September 17, 2020 meeting.
- If approved, the rules will go into effect on October 1, 2020.

1 21 NCAC 06N .0102 is proposed for amendment as follows:

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3 **21 NCAC 06N .0102 FORM BAR-1**

4 (a) The Form BAR-1 shall be filed when one applies to open or manage a new barber shop. It requests the following:

- 5 (1) the name and address of the shop;
- 6 (2) the name, address, and certificate number of the manager;
- 7 (3) the name and address of the shop owner;
- 8 (4) the physical dimensions of the shop;
- 9 (5) for a new or renovated shop, a copy of the certificate of occupancy;
- 10 (6) the shop business hours;
- 11 (7) the type of fixtures installed; and
- 12 (8) the date the shop will be ready for inspection.

13 (b) The fee required by Rule .0101(a)(19) of this Section shall accompany this form.

14 (c) The Form BAR-1 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

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16 *Authority G.S. 86A-1; 86A-13; 86A-15; 86A-25*

1 21 NCAC 06N .0104 is proposed for amendment as follows:

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3 **21 NCAC 06N .0104 FORM BAR-3**

4 (a) The Form BAR-3 shall be filed for permission to enroll in barber school. It requires the following:

5 (1) the name, address, social security number, and birth date of the applicant;

6 (2) the applicant's prior barber school attendance, if any;

7 (3) the name of the school enrolled;

8 (4) the date of enrollment; and

9 (5) ~~the signature of the school manager.~~ manager's attestation that the information in the form is correct.

10 (b) The fee in 21 NCAC 06N .0101(a)(12) shall accompany this form.

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12 *Authority G.S. 86A-18; 86A-22; 86A-25; 93B-14*

1 21 NCAC 06N .0105 is proposed for amendment as follows:

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3 **21 NCAC 06N .0105 FORM BAR-4**

4 (a) The Form BAR-4 shall be filed by one applying to take the examination to receive a registered apprentice
5 certificate. It requires the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the name of any barber school attended and the date of enrollment and graduation; and

8 (3) the place of proposed employment as an apprentice barber.

9 ~~(b) The course training certification shall be filled in by the manager of the barber school the applicant last attended.~~

10 ~~(e)~~(b) The fee in Rule .0101(a)(5) of this Section shall be submitted with the application.

11 ~~(d)~~(c) The Form BAR-4 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is
12 correct.

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14 *Authority G.S. 86A-1; 86A-10; 86A-24; 86A-25; 93B-14*

1 21 NCAC 06N .0106 is proposed for amendment as follows:

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3 **21 NCAC 06N .0106 FORM BAR-5**

4 (a) The Form BAR-5 shall be filed by one applying to take the examination to receive a registered barber certificate.

5 It requires the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) barber school training; and

8 (3) the length of barbering experience.

9 (b) The Form BAR-5 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

10 (c) The fee in 21 NCAC 06N .0101(a)(4) shall accompany this form.

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12 *Authority G.S. 86A-1; 86A-3; 86A-10; 86A-25; 93B-14*

1 21 NCAC 06N .0107 is proposed for amendment as follows:

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3 **21 NCAC 06N .0107 FORM BAR-6**

4 (a) The Form BAR-6 shall be filed by one applying to take an examination as a barber school instructor. It requires
5 the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the current registered certificate number;

8 (3) the name of barber school attended; and

9 (4) the proposed place of employment, if any.

10 (b) The fee in Rule .0101(a)(11) of this Section shall accompany this form.

11 (c) The Form BAR-6 shall include the applicant's attestation that the information in the form is correct.

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13 *Authority G.S. 86A-23; 86A-25; 93B-14*

1 21 NCAC 06N .0109 is proposed for amendment as follows:

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3 **21 NCAC 06N .0109 FORM BAR-8**

4 (a) The Form BAR-8 shall be filed by one who has practiced as a barber in a state other than North Carolina for three
5 years or more and is applying to obtain a certificate as a registered barber in North Carolina. It requires the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the name and address of any barber school attended in another state; and

8 (3) barbering experience and the status of each barber license in another state.

9 (b) The fee in Rule .0101(a)(21) of this Section shall accompany this form.

10 (c) The Form BAR-8 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

11 (d) The Form BAR-8 shall be accompanied by verification from the applicant's out-of-state agency of the applicant's
12 licensure in that state.

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14 *Authority G.S. 86A-1; 86A-12; 86A-25*

1 21 NCAC 06N .0110 is proposed for amendment as follows:

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3 **21 NCAC 06N .0110 FORM BAR-9**

4 (a) The Form BAR-9 shall be filed when one applies to open a new barber school. It requires the following:

5 (1) the date the barber school will be ready for the Board inspection;

6 (2) the name and address of the barber school;

7 (3) the name and address of the owner;

8 (4) the name and address of the manager;

9 (5) the names, instructor certificate numbers, and address of the instructors;

10 (6) the physical dimensions of the barber school;

11 (7) the number of barber chairs, tool cabinets, towel cabinets, and lavatories; and

12 (8) a copy of the bond or alternative to a bond required by G.S. 86A-22(7)(a) or a request for waiver
13 under G.S. 86A-22(7)(c).

14 (b) The Form BAR-9 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

15 (c) The Form BAR-9 shall be accompanied by the fee in 21 NCAC 06N .0101(a)(20).

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17 *Authority G.S. 86A-1; 86A-22*

1 21 NCAC 06N .0112 is proposed for amendment as follows:

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3 **21 NCAC 06N .0112 FORM BAR-11**

4 (a) The Form BAR-11 shall be filed by an individual who has military training and expertise and who wants to apply
5 to become a registered barber pursuant to 21 NCAC 06K .0112. It requires the following:

- 6 (1) the name, address, social security number, and birthdate of the applicant; and
- 7 (2) copies of the military service records showing the applicant's military certification and experience
8 in barbering.

9 (b) The applicant shall submit with the Form BAR-11 a certification letter from the applicant's out-of-state agency of
10 the applicant's licensure if the conditions set forth in 21 NCAC 06K .0112(b) apply.

11 (c) The Form BAR-11 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

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13 *Authority G.S. 86A-1; 86A-12; 93B-14; 93B-15.1*

1 21 NCAC 06N .0113 is proposed for amendment as follows:

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3 **21 NCAC 06N .0113 FORM BAR-12**

4 (a) The Form BAR-12 shall be filed by an individual who has practiced as a barber pursuant to Rule 21 NCAC 06K
5 .0113. It requires the following:

- 6 (1) the name, address, social security number, and birthdate of the applicant; and
- 7 (2) copies of the military service records showing that the applicant's spouse is serving in the military,
8 along with evidence of the marriage, such as a copy of the marriage license.

9 (b) The applicant shall submit with the Form BAR-12 a certification letter from the applicant's out-of-state agency of
10 the applicant's licensure.

11 (c) The Form BAR-12 shall ~~be notarized.~~ include the applicant's attestation that the information in the form is correct.

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13 *Authority G.S. 86A-1; 86A-25; 93B-14; 93B-15.1*