



## **NORTH CAROLINA STATE BOARD OF BARBER EXAMINERS**

www.ncbarbers.com • info@ncbarbers.com  
Telephone (919) 981-5210 • Fax (919) 981-5068

### **Minutes for Public Meeting**

Held February 16, 2017, at 6:00 p.m.  
5809 Departure Drive, Suite 102  
Raleigh, North Carolina

#### **Board Members**

Don Beal, Chair  
Steffon Sharpless, Vice Chair  
Gary Gardner  
Jamie Norton  
Valerie Willis

#### **Executive Director**

Dennis Seavers

#### **Counsel to the Board**

Palmer Sugg

The meeting of the North Carolina State Board of Barber Examiners was called to order at 6:01 p.m., on February 16, 2017, at the board's office at 5809 Departure Drive, Suite 102, Raleigh, North Carolina.

The following board members were present by telephone during the meeting: Don Beal, Steffon Sharpless, Gary Gardner, and Jamie Norton. Valerie Willis was absent

Also in attendance were Dennis Seavers, Executive Director, and Palmer Sugg, Counsel to the Board.

**Ethics awareness and conflict of interest**

Mr. Beal read the statement required by N.C.G.S. § 138A–15(e) on ethics awareness and conflicts of interest. No board members indicated that they had any potential or actual conflicts.

**Minutes from previous meeting**

Mr. Sharpless made a motion to approve the minutes from the December 13, 2016 meeting. Mr. Norton seconded the motion, which passed, 4–0.

**Proposed rules and review of public comments**

Mr. Beal referred board members to Mr. Seavers’s January 31, 2017 memo (see Attachment 1). Mr. Seavers said that there had been no comments from the public on any of the rules. Mr. Norton made a motion to approve the rules with the changes recommended by Mr. Seavers. Mr. Sharpless seconded the motion, which passed, 4-0.

Mr. Beal adjourned the meeting at 6:06 p.m.

Minutes approved on February 21, 2017

\_\_\_\_\_  
Don Beal

\_\_\_\_\_  
Steffon Sharpless

\_\_\_\_\_  
Gary Gardner

\_\_\_\_\_  
Jamie Norton

\_\_\_\_\_  
Valerie Willis



# NORTH CAROLINA BOARD OF BARBER EXAMINERS

## Memo

TO: Board members

FROM: Dennis Seavers

DATE: January 31, 2017

**SUBJECT: Approval of proposed rules**

---

At its October 24 and November 15, 2016 meetings, the board proposed new rules and amendments to rules. On February 16, 2017, the board will hold a meeting to review any comments submitted by the public and adopt the rules. This memo offers background information, recommends a change to one of the rules, and describes the steps the board will need to take.

### Background

The board proposed five new rules and amendments to four existing rules, as summarized below. The rules were proposed in the December 1 and December 15, 2016 issues of the *North Carolina Register*.

Statute requires the board to have a 60-day comment period for each of the rule publications. For all but one of the rules, the comment period ended on January 30, 2017. For the proposed amendment to 21 NCAC 06L .0102 (measurements of barber shop), the comment period will end on February 13, 2017. The board cannot adopt any rules unless their comment period has ended.

### Comments

As of January 31, 2017, the board has not received any comments from the public. As indicated above, for most of the rules, the comment period ended yesterday. However, please keep in mind that you must consider any comments about 21 NCAC 06L .0102 that are received on or before February 13, 2017. I will provide you with any comments that the board receives by the deadline.

## **Proposed changes**

Attached to this memo are the proposed rules, along with any changes that I recommend that the board make. All of the changes I'm proposing are technical to improve the language of the rule or address any issues. None of them change the intent of the rule.

Before each rule, I have provided an explanation of the purpose of the rule. I also have indicated whether I recommend any changes and, if so, how to see in the rule what has been changed.

## **Upcoming steps**

- After fully considering all comments submitted by February 13, 2017, the board must decide whether to approve the proposed rules and whether to make any changes.
- I will then file the proposed rules with the Rules Review Commission after the board meeting.
- The Rules Review Commission will consider the proposals at the March 16 meeting.
- If approved, the rules will become effective on April 1, 2017.

**21 NCAC 06C .0912—Complaints**  
**Proposed new rule**

The following rule was proposed as an adoption. The proposed rule would establish a formal complaint process for violations of the Board's rules or statutes.

I have recommended changes to the rule as it was originally proposed, and these recommendations are indicated as follows:

- New language that was not in the rule as it was originally proposed is underlined (for example: new language)
- Language that is recommended for removal from the rule as it was originally proposed is struck through (for example: ~~removed language~~)

If you have any questions about what changes are being proposed, please contact me.

21 NCAC 06C .0912 is adopted with changes as published in 31:11 NCAC 1108 as follows:

**21 NCAC 06C .0912 COMPLAINTS**

(a) An individual who wishes to make a complaint alleging a violation of G.S. 86A or the Board's rules shall submit the complaint in writing to the address or through the website set forth in 21 NCAC 06A .0102.

(b) Upon receipt of a complaint, the Board's Executive Director shall review the ~~complaint and~~ complaint. The Executive Director shall assign a staff member to investigate the complaint, except for complaints that are dismissed as set forth in ~~Paragraph (c)~~ Paragraph (c) of this Rule.

(c) The Executive Director shall dismiss the complaint and notify the complainant if the complaint:

~~(1) — alleges conduct that is not prohibited by G.S. 86A or the Board's rules;~~

~~(2)~~(1) lacks information, such as barbershop location or a description of the alleged conduct, necessary to investigate the complaint, except that the Executive Director shall attempt to collect additional information from the complainant; or

~~(3)~~(2) alleges conduct that is not prohibited by G.S. 86A or the Board's rules or is not within the Board's jurisdiction, except that the Executive Director shall ~~direct refer the complainant complaint~~ to any other agency that may have jurisdiction.

(d) After conducting an investigation, the assigned staff member shall:

(1) recommend to the Executive Director that the board counsel issue a probable cause letter for violations of G.S. 86A or the Board's rules; or

(2) recommend that the Executive Director dismiss the complaint because there is insufficient evidence of a violation of G.S. 86A or the Board's ~~rules~~ rules or the alleged conduct is not within the Board's jurisdiction.

(e) After receiving a recommendation required by ~~Paragraph (d)~~ Paragraph (d) of this Rule, the Executive Director shall:

(1) request additional investigation by the assigned staff member;

(2) recommend that the board counsel issue a probable cause letter for violations of G.S. 86A or the Board's rules; or

(3) dismiss the complaint and notify the ~~complainant~~ complainant, except that the Executive Director shall refer the complaint to any other agency that may have jurisdiction.

(f) At each regularly scheduled Board meeting, the Executive Director shall submit to the Board a report of dismissed complaints that he or she has not previously reported, with a summary of the allegations and a justification for the dismissal. If the complaint was dismissed within 30 days of the Board meeting, the Executive Director may instead include the dismissal in the report for the Board meeting following the next regularly scheduled meeting.

(g) By a majority vote, the Board may reopen any complaint that the Executive Director has dismissed, in which case the complaint shall be handled as if the Executive Director had not dismissed the complaint.

*History Note: Authority G.S. 86A-5;*

1

Eff. April 1, 2017.

**21 NCAC 06I .0105—Apprentice barber  
Proposed amendment to existing rule**

The following rule was proposed to be amended. The proposed amendment would eliminate a requirement already established in another rule and correct an erroneous cross-reference.

I have not recommended any changes to the rule as it was originally proposed.

1 21 NCAC 06I .0105 is amended as published in 31:11 NCR 1108 as follows:

2

3 **21 NCAC 06I .0105 APPRENTICE BARBER**

4 A student who has trained in another state may take the examination to become a registered apprentice barber  
5 provided:

6 (1) his or her hours of training in the out-of-state barber school have been credited under 21 NCAC 06I  
7 .0101;

8 ~~(2) he or she provides proof of completion of barber school training;~~

9 ~~(3)~~(2) he or she completes and furnishes to the Board the Form ~~BAR-7~~BAR-4 that meets the requirements  
10 of ~~21 NCAC 06N .0108;~~ 21 NCAC 06N .0105; and

11 ~~(4)~~(3) he or she pays the required fee in 21 NCAC 06N .0101(a)(5).  
12

13 *History Note: Authority G.S. 86A-5; 86A-18; 86A-24; 86A-25;*  
14 *Eff. February 1, 1976;*  
15 *Readopted Eff. February 8, 1978;*  
16 *Amended Eff. March 1, 1983;*  
17 *Legislative Objection Lodged Eff. March 7, 1983;*  
18 *Amended Eff. September 1, 2013; June 1, 2008; May 1, 1989;*  
19 *Readopted Eff. October 1, ~~2016-2016~~;*  
20 *Amended Eff. April 1, 2017.*

**21 NCAC 06K .0112—Applicants with military training and expertise  
Proposed new rule**

The following rule was proposed as an adoption. The proposed rule would establish a process for individuals with military training and expertise in barbering to apply for licensure as registered barbers instead of applying under the normal application process.

I have recommended changes to the rule as it was originally proposed, and these recommendations are indicated as follows:

- New language that was not in the rule as it was originally proposed is underlined (for example: new language)
- Language that is recommended for removal from the rule as it was originally proposed is struck through (for example: ~~removed language~~)

If you have any questions about what changes are being proposed, please contact me.

1 21 NCAC 06K .0112 is adopted with changes as published in 31:11 NCAC 1108-1109 as follows:

2  
3 **21 NCAC 06K .0112 APPLICANTS WITH MILITARY TRAINING AND EXPERTISE**

4 (a) Except for individuals who want to apply under another provision in G.S. 86A for licensure as a registered barber,  
5 an individual who has military training and expertise and wants to apply to become a registered barber in this State  
6 shall:

- 7 (1) meet the requirements of G.S. 93B-15.1(a) or (a2); and  
8 (2) submit the Form BAR-11 as set forth in ~~21 NCAC 06N .0112~~; and 21 NCAC 06N .0112.  
9 ~~(3) provide copies of the military service records that show the applicant's military specialty~~  
10 ~~certification and experience in barbering.~~

11 (b) The applicant shall submit with the Form BAR-11 a certification letter from the applicant's out-of-state agency  
12 of the applicant's licensure in that state if the following apply:

- 13 (1) the applicant has been licensed in another state;  
14 (2) the applicant wants to be licensed without examination;  
15 (3) the military service records do not show that the applicant received at least 1,500 hours of military  
16 training and that the applicant practiced at least two of the five years preceding the date of  
17 application; and  
18 (4) the combination of the certification letter and the military service records show that the applicant  
19 received at least 1,500 hours of training and practiced at least two of the five years preceding the  
20 date of application.

21 (c) If the applicant does not meet the requirements in Paragraph (a) and, if applicable, Paragraph (b) of this Rule, the  
22 applicant shall:

- 23 (1) submit the fee as set forth in 21 NCAC 06N .0101(a)(4); and  
24 (2) make a score of at least 70 percent on the practical examination.

25 (d) ~~The~~ After being approved under this Rule, the applicant shall submit the following fee:

- 26 (1) if the applicant meets the requirements of this Rule for licensure without examination, the fee as set  
27 forth in 21 NCAC 06N .0101(a)(21); or  
28 (2) if the applicant meets the requirements of Paragraph (c) of this Rule, the fee as set forth in 21 NCAC  
29 06N .0101(a)(1).

30 (e) The Board shall issue a temporary permit for the applicant to work as a registered barber while he or she complies  
31 with the requirements of this Rule under the following circumstances:

- 32 (1) if the applicant has submitted the Form BAR-11 and at least part of the documentation required  
33 by ~~Subparagraph (a)(3), 21 NCAC 06N .0112(a)(2),~~ and this partial documentation establishes that  
34 he or she served in the military and has certification or experience in barbering, the Board shall issue  
35 a temporary permit that lasts 90 days or until the Board denies the application, whichever is earlier;  
36 or

1           (2)     if the applicant is required to take the practical examination and has met the requirements in  
2                   Paragraph (a) and Subparagraph (c)(1) of this Rule, the Board shall issue a temporary permit that  
3                   last 90 days or until the Board denies the application, whichever is earlier. Upon written request by  
4                   the applicant, this temporary permit shall be extended for 90 days no more than twice, unless the  
5                   Board denies the application.

6  
7     *History Note:*     *Authority G.S. 86A-1; 86A-11; 86A-12; 86A-25; 93B-14; 93B-15.1;*  
8                   *Eff. April 1, 2017.*

**21 NCAC 06K .0113—Military spouses  
Proposed new rule**

The following rule was proposed as an adoption. The proposed rule would establish a process for individuals to become registered barbers in North Carolina if they are spouses of military members and hold a barber license in another state. This process would be an alternative for the usual application process for out-of-state barbers.

I have recommended changes to the rule as it was originally proposed, and these recommendations are indicated as follows:

- New language that was not in the rule as it was originally proposed is underlined (for example: new language)
- Language that is recommended for removal from the rule as it was originally proposed is struck through (for example: ~~removed language~~)

If you have any questions about what changes are being proposed, please contact me.

1 21 NCAC 06K .0113 is adopted with changes as published in 31:11 NCAC 1109 as follows:

2

3 **21 NCAC 06K .0113      MILITARY SPOUSES**

4 (a) An individual who is currently licensed as a barber in another state, is the spouse of a person serving in the military,  
5 and wants to apply to become a registered barber in this State shall provide the following, unless he or she wants to  
6 apply under another provision in G.S. 86A for licensure as a registered barber:

7       (1)       the Form BAR-12 as set forth in 21 NCAC 06N .0113; and

8       ~~(2)       the fee set forth in 21 NCAC 06N .0101(a)(21); and~~

9       ~~(3)(2)~~     a certification letter from the applicant's out-of-state agency of the applicant's licensure in that state.

10 (b) The applicant shall instead apply for out-of-state licensure under G.S. 86A-12 and Rule .0104 of this Section if  
11 the certification letter required by ~~Subparagraph (a)(3)~~ Subparagraph (a)(2) of this Rule does not show that the  
12 applicant:

13       (1)       completed at least 1,500 hours of barber school training; and

14       (2)       has been licensed as a barber for at least one of the five years preceding the date of application.

15 (c) After being approved under this Rule, the applicant shall submit the fee set forth in 21 NCAC 06N .0101(a)(21).

16 ~~(d)~~ Upon request by the applicant, the Board shall issue ~~a one~~ temporary permit for the applicant to work as a  
17 registered barber for 90 days while the applicant gathers the documents required by this Rule.

18

19 *History Note:*     *Authority G.S. 86A-1; 86A-3; 86A-11; 86A-25; 93B-14; 93B-15.1;*

20                     *Eff. April 1, 2017.*

**21 NCAC 06L .0102—Measurements of barber shop  
Proposed amendment to existing rule**

The following rule was proposed to be amended. The proposed amendment would: (1) reduce the number of linear feet required from front wall to back wall in each area where a barber chair is located from 12 feet to eight feet, and (2) fix a typographical error.

I have not recommended any changes to the rule as it was originally proposed.

1 21 NCAC 06L .0102 is amended as published in 31:12 NCR 1234 as follows:

2

3 **21 NCAC 06L .0102 MEASUREMENTS OF BARBER SHOP**

4 (a) Each barber shop shall be a minimum of 196 square feet measured from the inside walls of the shop, not including  
5 common areas shared with other businesses or residents.

6 (b) Each chair shall be located in an area where there is no less than ~~12~~eight linear feet from front wall to back wall,  
7 measured through the center of the chair, with the back wall being the wall or ~~plain plane~~ to which the backstand is  
8 affixed. There shall be a minimum of five linear feet of space between each barber chair, from center to center of each  
9 chair and there shall be no less than three linear feet from the center of any chair to any side wall. There shall be an  
10 unobstructed aisle in front of each chair of no less than four feet.

11 (c) Paragraphs (a) and (b) apply to barber shops permitted on or after December 1, 1994 or that undergo modification  
12 or structural renovations on or after that date.

13 (d) Barber shops permitted prior to February 1, 1976, shall be a minimum of 12 feet in width and 14 feet in length.

14 (e) Barber shops permitted between February 1, 1976 and November 30, 1994 shall be a minimum of 14 feet in width  
15 and 14 feet in length.

16 (f) Barber shops permitted within the North Carolina Department of Public Safety, Division of Adult Correction and  
17 Juvenile Justice prior to July 1, 2010 are exempt from the requirements of this Rule.

18

19 *History Note: Authority G.S. 86A-15;*

20 *Eff. February 1, 1976;*

21 *Readopted Eff. February 8, 1978;*

22 *Amended Eff. September 1, 2009; June 1, 2008; December 1, 1994; May 1, 1989;*

23 *Readopted Eff. July 1, ~~2016~~, 2016;*

24 *Amended Eff. April 1, 2017.*

**21 NCAC 06N .0101—Fees and access to forms**  
**Proposed amendment to existing rule**

The following rule was proposed to be amended. The proposed amendment would move language from another rule to this rule. The language explains where forms in Subchapter N can be accessed. Moving the language to this rule would improve the codification of this Subchapter.

At its October 24, 2016 meeting, the board also proposed a change to this rule that would mandate online license renewals. That proposed change is not part of this rulemaking package because it must go through a longer process that includes approval by the Office of State Budget and Management of a fiscal analysis.

I have not recommended any changes to the rule as it was originally proposed.

1 21 NCAC 06N .0101 is amended as published in 31:11 NCR 1109-1110 as follows:

2

3 **21 NCAC 06N .0101 FEES AND ACCESS TO FORMS**

4 (a) The Board charges the following amounts for the fees authorized by G.S. 86A-25:

5	(1)	Certificate of registration or renewal as a barber	\$50.00
6	(2)	Certificate of registration or renewal as an apprentice barber	\$50.00
7	(3)	Barbershop permit or renewal	\$50.00
8	(4)	Examination to become a registered barber	\$85.00
9	(5)	Examination to become a registered apprentice barber	\$85.00
10	(6)	Late fee for restoration of an expired barber certificate within first year after expiration	\$35.00
11	(7)	Late fee for restoration of an expired barber certificate after first year after expiration but within five years after expiration	\$70.00
13	(8)	Late fee for restoration of an expired apprentice certificate within the first year after expiration	\$35.00
15	(9)	Late fee for restoration of an expired apprentice certificate after first year after expiration but within three years of first issuance of the certificate	\$45.00
17	(10)	Late fee for restoration of an expired barber shop certificate	\$45.00
18	(11)	Examination to become a barber school instructor	\$165.00
19	(12)	Student permit	\$25.00
20	(13)	Issuance of any duplicate copy of a license, certificate, or permit	\$10.00
21	(14)	Barber school permit or renewal	\$130.00
22	(15)	Late fee for restoration of an expired barber school certificate	\$85.00
23	(16)	Barber school instructor certificate or renewal	\$85.00
24	(17)	Late fee for restoration of an expired barber school instructor certificate within first year after expiration	\$45.00
26	(18)	Late fee for restoration of an expired barber school instructor certificate after first year after expiration but within three years after expiration	\$85.00
28	(19)	Inspection of newly established barbershop	\$120.00
29	(20)	Inspection of newly established barber school	\$220.00
30	(21)	Issuance of a registered barber or apprentice certificate by certification	\$120.00
31	(22)	Charge for certified copies of public documents \$10.00 for first page, \$0.25 per page thereafter	
32	(23)	Charge for duplication services and material shall be as set forth in 26 NCAC 01 .0103(a), including any subsequent amendments and editions of the Rule	
34	(24)	Certificate of registration or renewal as a barber for barbers over 70 years of age	\$0.00
35	(25)	Administrative fee under G.S. 86A-27(d) for paying any required fee for renewal or restoration, or a civil penalty and attorney fee, where the apprentice barber or registered barber is subject to a pick-up order issued to an inspector.	\$70.00

37

1 (b) In the event the Board's authority to expend funds is suspended pursuant to G.S. 93B-2, the Board shall continue  
2 to issue and renew licenses and all fees tendered shall be placed in the escrow account maintained by the Board for  
3 this purpose.

4 (c) The forms set forth in this Subchapter may be obtained on the website or at the address listed in 21 NCAC 06A  
5 .0102.

6  
7 *History Note: Authority G.S. 86A-25; 86A-27(d); 93B-2;*  
8 *Eff. February 1, 1976;*  
9 *Readopted Eff. February 8, 1978;*  
10 *Amended Eff. April 1, 2010; September 1, 2009; June 1, 2008; April 1, 2005; May 1, 1989; March*  
11 *1, 1983;*  
12 *Readopted Eff. July 1, ~~2016-2016~~;*  
13 *Amended Eff. April 1, 2017.*

**21 NCAC 06N .0112—Form BAR-11  
Proposed amendment to existing rule**

The following rule was proposed to be amended. The proposed rule would remove the language that is being moved to 21 NCAC 06N .0101. It also would list the requirements for the form that must be filed by certain individuals who have military training and expertise and want to become a registered barber in this state.

I have recommended changes to the rule as it was originally proposed, and these recommendations are indicated as follows:

- Unlike some of the other rules, strikethrough and underlining do not indicate changes from the original proposal. Instead the only change is new language on line 9 marked with highlighting and underlining (for example: new language).

If you have any questions about what changes are being proposed, please contact me.

1 21 NCAC 06N .0112 is amended with changes as published in 31:11 NCAC 1110 as follows:

2

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

4 (a) ~~The forms set forth in this Subchapter may be accessed on the Board's website, www.ncbarbers.com, or may be~~  
5 ~~obtained at the Board's address listed in 21 NCAC 06A .0102.~~ The Form BAR-11 shall be filed by an individual who  
6 has military training and expertise and who wants to apply to become a registered barber in this State, unless he or she  
7 wants to apply under another provision in G.S. 86A for licensure as a registered barber. It requires the following:

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

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

13 (c) The Form BAR-11 shall be notarized.

14

15 *History Note: Authority G.S. 86A-5; 150B-19.1;*  
 16 *Eff. May 1, 1989;*  
 17 *Amended Eff. September 1, 2013;*  
 18 *Readopted Eff. July 1, 2016-2016;*  
 19 *Amended Eff. April 1, 2017.*

**21 NCAC 06N .0113—Form BAR-12**  
**Proposed new rule**

The following rule was proposed as an adoption. The proposed rule would • list the requirements for the form that must be filed by certain individuals who hold a license in another state, have spouses who are members of the military, and wish to become a registered barber in this state.

I have recommended changes to the rule as it was originally proposed, and these recommendations are indicated as follows:

- New language that was not in the rule as it was originally proposed is underlined (for example: new language)
- Language that is recommended for removal from the rule as it was originally proposed is struck through (for example: ~~removed language~~)

If you have any questions about what changes are being proposed, please contact me.

1 21 NCAC 06N .0113 is adopted with changes as published in 31:11 NCAC 1110 as follows:

2

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

4 (a) The Form BAR-12 shall be filed by one who has practiced as a barber in a state other than North Carolina and is  
5 the spouse of an individual serving in the military. 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  
10 of the applicant's licensure.

11 ~~(c) The fee required by Rule .0101(a)(21) of this Section shall accompany the Form BAR-12.~~

12 ~~(d)~~(e) The Form BAR-12 shall be notarized.

13

14 *History Note: Authority G.S. 86A-1; 86A-25; 93B-14; 93B-15.1;*

15 *Eff. April 1, 2017.*

**21 NCAC 06N .0114—Extensions for members of the Armed Forces  
Proposed new rule**

The following rule was proposed as an adoption. The proposed adoption would list the conditions under which members of the Armed Forces may receive waivers of fees related to licensure. The proposed rule also lists the specific fees that may be waived.

I have not recommended any changes to the rule as it was originally proposed.

1 21 NCAC 06N .0114 is adopted as published in 31:11 NCR 1110-1111 as follows:

2  
3 **21 NCAC 06N .0114 EXTENSIONS FOR MEMBERS OF THE ARMED FORCES**

4 (a) If an individual is licensed or owns a business licensed under G.S. 86A, is serving in the Armed Forces of the  
5 United States, and has received an extension of time to file a tax return under G.S. 105-249.2, the board shall waive  
6 the following fees for the same period that would apply if the license fee were a tax:

7 (1) the late fee for restoration of an expired barber certificate within the first year after expiration as set  
8 forth in 21 NCAC 06N .0101(a)(6);

9 (2) the late fee for restoration of an expired barber certificate after the first year after expiration but  
10 within five years after expiration as set forth in 21 NCAC 06N .0101(a)(7);

11 (3) the late fee for restoration of an expired apprentice certificate within the first year after expiration  
12 as set forth in 21 NCAC 06N .0101(a)(8);

13 (4) the late fee for restoration of an expired apprentice certificate after the first year after expiration but  
14 within three years of first issuance of the certificate as set forth in 21 NCAC 06N .0101(a)(9);

15 (5) if the individual serving in the Armed Forces is the barbershop manager or owner, the late fee for  
16 restoration of an expired barber shop certificate as set forth in 21 NCAC 06N .0101(a)(10);

17 (6) if the individual serving in the Armed Forces is the barber school manager or owner, the late fee for  
18 restoration of an expired barber school certificate as set forth in 21 NCAC 06N .0101(a)(15);

19 (7) the late fee for restoration of an expired barber school instructor certificate within the first year after  
20 expiration as set forth in 21 NCAC 06N .0101(a)(17); and

21 (8) the late fee for restoration of an expired barber school instructor certificate after the first year after  
22 expiration but within three years after expiration as set forth in 21 NCAC 06N .0101(a)(18).

23 (b) To receive any extension as set forth in Paragraph (a) of this Rule, the individual must submit the following to the  
24 Board at the address in 21 NCAC 06A .0102:

25 (1) a written request that indicates what extension he or she is seeking; and

26 (2) a copy of the documentation from the North Carolina Department of Revenue granting the extension  
27 under G.S. 105-249.2.

28  
29 History Note: Authority G.S. 93B-15;

30 Eff. April 1, 2017.

**21 NCAC 06P .0103—General definitions**  
**Proposed amendment to existing rule**

The following rule was proposed to be amended. The proposed amendment would add a definition for the term “military service record.” (This term is used in the new rules on licensure for military spouses and individuals who have military training and expertise.)

I have not recommended any changes to the rule as it was originally proposed.

1 21 NCAC 06P .0103 is amended as published in 31:11 NCR 1111 as follows:

2

3 **21 NCAC 06P .0103 GENERAL DEFINITIONS**

4 For purposes of the rules in this Chapter, the following definitions shall apply:

5 (1) "Barber" means any person who engages in or attempts to engage in the practice of barbering or  
6 provide barbering services.

7 (2) "Barber instructor" means any person who engages in or attempts to engage in the teaching of the  
8 practice of barbering.

9 (3) "Barber pole" means an actual or representation of a cylinder or pole with alternating stripes of any  
10 combination including red and white, and red, white, and blue that run diagonally along the length  
11 of the cylinder or pole.

12 (4) "Barber school" means any establishment that engages in or attempts to engage in the teaching of  
13 the practice of barbering.

14 (5) "Barber student" means any person who is enrolled in barber school, including those taking classes  
15 beyond the 1528 required hours.

16 (6) "Board" means the State Board of Barber Examiners.

17 (7) "License" or "permit" or "certificate of registration" means the actual license or permit issued by the  
18 Board and current government issued photo identification depicting the licensee's or permittee's  
19 photograph and legal name.

20 ~~(8)~~ "Military service record" means veteran service records, such as the U.S. Department of Defense  
21 Form 214 (DD-214), or other military service records from the military or National Archives.

22 ~~(8)(9)~~ "Pick-up order" means an order issued by the Board and signed by the Executive Director  
23 authorizing an inspector to physically retrieve a permit or license.

24 ~~(9)(10)~~ "Practice of barbering" and "barber services" means all activities set forth in G.S. 86A-2, and the  
25 sanitary requirements of Chapter 86A and the sanitary rules adopted by the Board.

26 ~~(10)(11)~~ "Sanitary" means free of infectious agents, diseases, or infestation by insects or vermin and free of  
27 soil, dust, or dirt.

28

29 *History Note: Authority G.S. 86A-2; 86A-5; 86A-13; 86A-15; 86A-22; 86A-23;*

30 *Eff. June 1, 2008;*

31 *Readopted Eff. July 1, ~~2016-2016~~;*

32 *Amended Eff. April 1, 2017.*