

**CHAPTER 2642**  
**DEPARTMENT OF COMMERCE**  
**COSMETOLOGY; SALONS**

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**2642.0010 DEFINITIONS.**

*[For text of subpart 1, see M R ]*

Subp. 2 [Repealed, 22 SR 594]

Subp 3 [Repealed, 22 SR 594]

*[For text of subp 4, see M R.]*

Subp 5 [Repealed, 22 SR 594]

Subp 6 [Repealed, 22 SR 594]

*[For text of subp 7, see M.R.]*

Subp 8 [Repealed, 22 SR 594]

*[For text of subp 9, see M R ]*

Subp 10 [Repealed, 22 SR 594]

*[For text of subp 11, see M R ]*

Subp 12 [Repealed, 22 SR 594]

Subp 12a **Dispensary.** "Dispensary" means a physical location or area in a salon that is primarily where cosmetology supplies, products, or chemicals are prepared, measured, mixed, portioned, or disposed of

*[For text of subps 13 to 17, see M R.]*

Subp 18 [Repealed, 22 SR 594]

*[For text of subps 19 and 20, see M R.]*

Subp 21 [Repealed, 22 SR 594]

**Statutory Authority:** *MS s 45.023, 155A 05, 155A.08, 155A 09*

**History:** 22 SR 594

**2642.0100 UNREGULATED SERVICES.**

All services not licensed as the practice of cosmetology offered within a salon or school clinic shall be clearly identified as "unregulated services" and listed on a sign conspicuously posted in the reception area. The sign shall contain lettering at least one inch high and shall state: "Unregulated services The following services offered by (salon name) are not regulated by the state of Minnesota:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_”

**Statutory Authority:** *MS s 45 023, 155A.05, 155A 08; 155A 09*

**History:** 22 SR 594

**2642.0110 ADVERTISING.**

The following provisions govern all advertising relating to the education, licensing, or practice of cosmetology

A It is a violation of this chapter to advertise in any manner that is misleading or inaccurate with respect to any services or policies offered by the licensee

B. No advertisement shall state or imply favorable consideration by the Department of Commerce other than to state that the salon is licensed by the department

C Any salon advertisement shall list the licensed name of the establishment and the type of license held

D. No salon advertisement stating licensure by the state of Minnesota shall include reference to any unregulated services

**Statutory Authority:** *MS s 45 023, 155A 05, 155A 08, 155A 09*

**History:** 22 SR 594

**2642.0120 INSPECTIONS.**

Subp. 2. **Violations.** All violations cited by department staff shall be corrected within ten business days, and written notification of the correction shall be sent to the department within that time.

*[For text of subp 3, see M R ]*

Subp 4 **Inspection requirements.** Each cosmetology salon shall be subject to inspection at any time the commissioner deems it necessary to affirm compliance.

Subp 5. **Results.** Inspectors may discuss the results of the inspection at its conclusion, in private, with the salon owner, manager, or a responsible person so designated in writing by the manager. A written report shall also be given or sent to the owner or salon.

Subp 6 **Report availability notice.** A five-inch by seven-inch notice shall be posted in the reception area stating in boldface letters "THIS SALON HAS BEEN LICENSED AND INSPECTED BY THE STATE OF MINNESOTA. A COPY OF THE MOST RECENT INSPECTION REPORT IS AVAILABLE FOR YOUR REVIEW UPON REQUEST"

**Statutory Authority:** *MS s 45 023, 155A 05, 155A 08, 155A 09*

**History:** 22 SR 594

**2642.0140 APPLICANTS FOR INDIVIDUAL LICENSE.**

Applications for licensure shall be made in writing and contain the requirements of items A to C.

*[For text of items A and B, see M R ]*

C The applicant shall pay the required examination and license fees. Applicants whose professional training is documented under parts 2642 0150, items B and C, and 2642.0210, subparts 2 and 3, shall also pay the processing fee

**Statutory Authority:** *MS s 45 023, 155A 05, 155A.08; 155A 09*

**History:** 22 SR 594

**2642.0170 [Repealed, 22 SR 594]****2642.0180 LICENSE RECIPROCITY WITH OTHER JURISDICTIONS.**

Subpart 1. **License issued.** A license shall be issued to an individual applying from another jurisdiction if the requirements of subpart 2 are met

Subp 2. **Compliance with state rules.** The applicant shall demonstrate compliance with parts 2642 0140, item C, and 2642 0150, item B or C. The applicant shall also successfully complete a written examination demonstrating knowledge of Minnesota statutes and rules pertinent to the practice of cosmetology at the level of the license sought. If more than three years have elapsed since the expiration of the applicant's most recent active license, the applicant shall provide evidence of completion of the appropriate refresher course in part 2642.0210, subpart 3, and compliance with part 2642.0140, items B and C

Subp 3. [Repealed, 22 SR 594]

**Statutory Authority:** *MS s 45.023; 155A.05; 155A.08, 155A 09*

**History:** 22 SR 594

**2642.0190 MAINTAINING INDIVIDUAL LICENSES.**

*[For text of subps 1 and 2, see M R ]*

Subp 3 **Renewal.** The licensee shall renew the license as required by part 2642 0200 prior to its expiration date

Subp 4 **Display of license.** The licensee shall post his or her license as required by part 2642 0380, item Y

Subp 5. **Additional requirements.** In addition to the requirements of subparts 1 to 4, the manager and owner shall ensure that all salon personnel comply with all applicable statutes and rules, and that the salon is in compliance with all applicable statutes and rules

**Statutory Authority:** *MS s 45 023, 155A.05, 155A.08, 155A 09*

**History:** *22 SR 594*

**2642.0200 LICENSE RENEWAL FOR INDIVIDUALS.**

*[For text of subpart 1, see M R ]*

Subp 2 **Practical and educational requirements.** The licensee shall establish that his or her knowledge and skills are up to date, by meeting the following requirements no later than the expiration of his or her current license

A A cosmetologist, manicurist, esthetician, or manager shall provide documentation of having practiced in a licensed salon, or school for school managers, for at least 1800 hours at any time within the three years prior to the license expiration, or 400 hours acquired through approximately regular weekly experience within each of the last three years, or successfully completed an approved refresher course, of at least 40 hours, within the three years prior to the license expiration or reactivation

B An instructor shall pay the processing fee and shall provide evidence of having successfully completed 45 hours of continuing education approved by the department, within three years before the license expiration or reactivation, including at least 15 hours of teaching-related material and 15 hours related to analysis and use of professional clinical products

*[For text of subps 3 and 4, see M.R ]*

**Statutory Authority:** *MS s 45 023; 155A 05; 155A.08; 155A.09*

**History:** *22 SR 594*

**2642.0210 PROCEDURE FOR ACTIVATING A LAPSED OR INACTIVE LICENSE.**

Subpart 1 **Procedure for lapsed licensee.** If an individual's license has expired, the individual shall be reissued a license after submission of a request for renewal, proof of experience or education as required in part 2642 0200, subpart 2, payment of the license fee, and payment of the processing fee If more than three years have elapsed, the applicant shall apply for a new license in accordance with subpart 3 and parts 2642 0140 to 2642 0160

Subp 2 **Procedure for inactive license.** An individual who has an "inactive" Minnesota license and whose most recent active license has expired by less than three years shall be reissued an active license for the remainder of the licensmg period, after completion of an application, evidence of compliance with part 2642 0200, subpart 2, and payment of the processing fee If more than three years have elapsed since the applicant's most recent active license has expired, an applicant who wishes to resume the practice of cosmetology shall be reissued a license after submission of an application, payment of the license fee, payment of the processing fee, and evidence of completion of the appropriate refresher course in subpart 3.

Subp 3 **Refresher courses.** Applicants whose most recent active license has expired by more than three years must complete a refresher program of a minimum of 155 hours for a cosmetologist, 60 hours for an esthetician, or 35 hours for a manicurist in a licensed school of cosmetology The documentation provided upon application shall include a certification of skills

**Statutory Authority:** *MS s 45 023, 155A.05, 155A 08, 155A 09*

**History:** *22 SR 594*

**2642.0220 REINSTATEMENT AFTER REVOCATION.**

An applicant may apply for relicensure after revocation by meeting the following requirements

- A the applicant shall provide documentation of the correction or elimination of the grounds for the revocation,
- B the applicant shall make application for relicensure, in writing and on forms provided by the department,
- C the applicant shall pay the reinstatement fee and the license fee,
- D the salon applicant shall meet the requirements for initial licensure,
- E the individual applicant shall meet the requirements of part 2642 0140 and the requirements of part 2642 0200, subpart 2, or 2642 0210, subpart 3; and
- F at least two years have expired from the effective date of the revocation

**Statutory Authority:** *MS s 45 023, 155A.05; 155A.08; 155A.09*

**History:** 22 SR 594

**2642.0300 SCOPE OF RULES.**

The provisions of parts 2642 0300 to 2642 0400 apply to cosmetology, esthetician, and manicure salons. The following are exceptions for esthetician salons: parts 2642 0370, item B, and 2642 0380, items A, B, C, G, L, Q, and S. The following are exceptions for manicure salons: part 2642 0380, items A, B, C, G, L, Q, and S.

**Statutory Authority:** *MS s 45 023, 155A.05, 155A.08, 155A.09*

**History:** 22 SR 594

**2642.0310 SALON LICENSURE.**

**Subpart 1 All salon licenses.** The requirements of parts 2642 0300, 2642.0310, 2642 0360, 2642.0370, and 2642 0400 shall be met by all applicants proposing to establish a salon. Upon compliance, the department will issue a provisional license which will enable the salon to open for business. The salon's compliance with this chapter and Minnesota Statutes, chapter 155A, shall be confirmed by an operational inspection by the department. A permanent license for the balance of the three-year license cycle shall be issued upon confirmation of the salon's compliance.

**Subp 2 Application.** The person, association, firm, or corporation proposing to establish a cosmetology, esthetician, or manicure salon shall apply in writing to the department, on forms supplied by the department, giving the following information:

A the name of the salon, its address, and names, addresses, and telephone numbers of all owners of sole proprietorships or partnerships and controlling officers of corporations,

*[For text of items B and C, see M.R.]*

D evidence of the salon's compliance with local zoning requirements, local building codes and ordinances, and the rules of the Minnesota Department of Health and the State Fire Marshal if no local fire codes exist, and

E a floor plan of the salon, drawn to scale on 8-1/2 inches x 11 inches or 8-1/2 inches x 14 inches paper, providing the dimensions of the salon as a whole and designating the size and location of all entrances and exits, and indicating the location and dimensions of all required areas, facilities, and equipment.

**Statutory Authority:** *MS s 45 023, 155A.05, 155A.08, 155A.09*

**History:** 22 SR 594

**2642.0320 MAINTAINING A SALON LICENSE.**

The following requirements shall be met by all salons:

A The licensee shall continuously comply with all applicable provisions of Minnesota Statutes and rules.

B The licensee shall renew the license before its expiration date.

C The licensee shall display the required documents.

**Statutory Authority:** *MS s 45.023; 155A.05, 155A.08; 155A.09*

**History:** 22 SR 594

**2642.0330 SALON LICENSE RENEWAL.**

*[For text of subps 1 to 5, see M R.]*

Subp 6 **Identity of owner.** The licensee shall state the name, address, and telephone number of the salon owner on the renewal application

**Statutory Authority:** *MS s 45.023, 155A 05, 155A 08, 155A 09*

**History:** 22 SR 594

**2642.0350 SALON REQUIREMENTS.**

Subpart 1 **Location.** No cosmetology service shall be provided in a place other than a licensed cosmetology salon, esthetician salon, manicurist salon, cosmetology school, or as otherwise provided by this chapter

*[For text of subps 2 and 3, see M R.]*

Subp 4 **Termination of license.** A salon license is not permanently transferable and terminates after occurrence of a change of either ownership or location. Upon change of either salon ownership or location, the salon's owner will have 60 days to apply for and receive a new salon license in accordance with part 2642 0310

Subp 5 **Change of name.** The salon owner shall inform the department in writing, within 60 days, of a name change, including old and new name, and pay the processing fee. A license will be issued in the new name for the remaining term of the old license. The old license shall be returned to the department upon receipt of the license in the new name

**Statutory Authority:** *MS s 45.023, 155A.05; 155A.08, 155A.09*

**History:** 22 SR 594

**2642.0370 FIXTURES, FURNITURE, AND EQUIPMENT.**

A salon shall meet the following minimum requirements:

A There shall be a separate work station with chair, storage space, and mirror for each licensee on duty

B All shampoos must be given in a shampoo bowl that has plumbing that includes hot and cold water

C. All furniture in the service area shall have a washable covering or finish and shall at all times be kept clean and in good repair

D There shall be a waste receptacle at each work station. This receptacle shall be emptied at least daily. It shall be lined with a disposable plastic bag or liner, or washed daily.

There shall be at least one container which shall be used exclusively as a receptacle for soiled towels and linen. It shall be kept closed at all times. It must comply with local fire codes. If there are no applicable local fire codes, the state fire code applies.

There shall be at least one large covered container for disposal of garbage. This container shall be emptied at intervals necessary to maintain cleanliness. The container shall be lined with a disposable plastic bag or liner, or be washed daily. It must comply with local fire codes and must be kept closed at all times. If there are no applicable local fire codes, the state fire code applies.

E There shall be storage cabinets or containers for all clean linen and towels. They shall be equipped with tight fitting closable doors or covers, which shall be kept closed

F There shall be storage space for all supplies. Supplies which contain any caustic or other harmful material shall be conspicuously labeled and kept inaccessible to clients

G Each salon shall maintain readily accessible first aid supplies

H Each salon shall have at least one readily accessible fire extinguisher that complies with state fire code requirements. All employees shall be instructed in the location and use of the fire extinguisher.

I. A current copy of Minnesota Statutes and rules pertaining to the regulation of the practice of cosmetology shall be centrally located and made available to all salon personnel.

**Statutory Authority:** *MS s 45 023, 155A 05, 155A 08, 155A 09*

**History:** 22 SR 594

**2642.0380 OPERATIONAL REQUIREMENTS FOR SALONS.**

It is the responsibility of the manager and owner of the salon and of each operator to comply with the following operational requirements.

A. Each licensee shall maintain an adequate supply of clean and disinfected brushes, combs, and other implements and tools for use on patrons

*[For text of items B and C, see M R.]*

D. Clean linens and protective papers shall be used for each person. A towel or protective paper shall be placed on the head rest of the facial chair before any person reclines in that chair. A towel or protective paper shall be placed between the client's head and the shampoo bowl during shampooing

*[For text of items E to H, see M R.]*

I. All clean towels, robes, and linen shall be stored in a clean, closed cabinet until used. The cabinet shall be made of a solid, completely closed material. Disinfected capes, aprons, and robes may be hung in an area of the salon that is not within five feet of any work station or customer servicing area for purposes of drying, and must be stored according to this part immediately after drying

*[For text of items J to X, see M R.]*

Y. Current licenses of salon personnel shall be conspicuously posted in the reception area or in each licensee's assigned work station. The licensee's street address may be obliterated with tape, but name and town must remain unobstructed. If the license is at the reception area, the licensee's name shall be posted at the work station. The salon manager and owner are responsible for assuring that all licenses are current and renewed. All licensees must have a valid picture state or governmental identification in their possession when working in the salon, and must produce this identification for inspection when requested by the department staff

*[For text of items Z to BB, see M R.]*

**Statutory Authority:** *MS s 45 023, 155A 05, 155A.08, 155A 09*

**History:** *22 SR 594*

**2642.0390 SALON SUPERVISION.**

A. The owner and the designated manager appointed in writing by the owner are responsible for the salon at all times

B. Only one person shall be designated as a manager for each salon. No manager may be concurrently responsible for more than one salon unless the salons are under the same ownership and all located in the same complex which is designated as an assisted-living care facility. When the manager is not on duty, the manager may specify a responsible person in the manager's absence. The responsible person shall be licensed as a manager, and licensed as a cosmetologist in a cosmetology salon, esthetician salon, or manicurist salon, a licensed esthetician in an esthetician salon, or a licensed manicurist in a manicure salon

C. The manager, owner, and responsible person shall ensure that all licensees under his or her supervision comply with all provisions of this chapter and Minnesota Statutes, chapter 155A

D. The manager, owner, and responsible person shall ensure that no unlicensed individual provides any cosmetology service in the salon.

E. The manager and owner shall maintain, on the salon premises, the work time records of each employee, as required by Minnesota Statutes, section 177 30. Time records shall be provided upon written request to the licensee or to the department.

F. The manager, owner, and responsible person shall ensure that all equipment is operational and maintained in proper working condition, that adequate supplies are in stock at all times, and that sanitation and safety requirements are met

**Statutory Authority:** *MS s 45.023, 155A.05, 155A.08; 155A 09*

**History:** *22 SR 594*

**2642.0450 CERTIFICATE OF IDENTIFICATION.**

Subpart 1 **Issuance.** Upon written request to the department, a licensee may be issued a certificate of identification authorizing his or her lawful practice in a place other than a licensed salon. To obtain the certificate, the individual shall

A hold a current Minnesota cosmetologist, manicurist, or esthetician license,

B provide documentation to the department of at least 2,700 hours of lawful practice in Minnesota,

C provide documentation of current employment in a Minnesota licensed cosmetology, esthetician, or manicuring salon, and

D attest that the services shall be provided only in a licensed health care facility, or in the residence of a homebound individual, and that the licensee is representing a licensed salon as an employee or independent contractor when providing these services.

Subp 2 **Retention.** The certificate shall remain with the salon at all times except when work is actually being performed outside the shop. It is the owner's responsibility to ensure that use conforms to the restrictions of subpart 1, item D.

Subp 3 **Health and safety procedures.** The licensee shall observe all sanitary, disinfecting, and safety procedures.

**Statutory Authority:** *MS s 45.023, 155A.05, 155A.08; 155A.09*

**History:** *22 SR 594*

**2642.0510 INTOXICANTS AND CONTROLLED SUBSTANCES.**

No licensee shall perform cosmetology services while consuming or under the influence of an intoxicant or controlled substance.

**Statutory Authority:** *MS s 45.023, 155A.05, 155A.08, 155A.09*

**History:** *22 SR 594*

**2642.0620** [Repealed, 22 SR 594]

**2642.0650 PENALTIES.**

The commissioner may take action as authorized under Minnesota Statutes, chapter 45, against any licensee who has violated any law, rule, or order entrusted to the commissioner.

**Statutory Authority:** *MS s 45.023, 155A.05, 155A.08, 155A.09*

**History:** *22 SR 594*