

ASSEMBLY, No. 2264

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JANUARY 27, 2014

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

SYNOPSIS

“Pet Groomers Licensing Act;” designated as “Bijou’s Law.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/13/2015)

AN ACT providing for the licensing of pet groomers and the registration of certain businesses, designated as “Bijou’s Law,” and supplementing chapter 16 of Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known and may be cited as the “Pet Groomers Licensing Act.”

2. As used in this act:

“Board” means the Board of Veterinary Medical Examiners.

“Pet” means any animal placed in the care of a pet groomer for grooming or styling.

“Pet groomer” means an individual licensed as a pet groomer, who engages in pet grooming.

“Pet Grooming” means the cleaning and hygienic care of a dog including but not limited to; bathing in lukewarm water.

Shampooing/Conditioning with products intended for dogs that are soap free. Drying, combing, brushing, clipping, dematting, hand stripping, hand-stripping is the process of pulling the dead hair out of the coat of a non-shedding dog, either by using a stripping knife or the fingers, anal expression, teeth cleaning or styling a pet.

“Registered student” means a person who is engaged in learning and acquiring a knowledge of the practice of pet grooming, under the direction and supervision of a person duly authorized under this act to teach pet grooming and who is enrolled in a program of instruction at a licensed school of pet grooming, completion of which may render him eligible for licensure pursuant to this act.

“School” means an establishment or place licensed by the board to be maintained for the purpose of teaching pet grooming to registered students.

3. The board shall:

- a. Review the qualifications of applicants for licensure under this act;
- b. Ensure the proper conduct and standards of examination; (form attached)
- c. Issue and renew licenses to pet groomers and schools pursuant to the provisions of this act;
- d. Suspend, revoke, or fail to renew the license of a pet groomer pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);
- e. Prescribe or change the charges for examinations, licensures, renewals and other services performed pursuant to P.L.1974, c.46 (C.45:1-3.1 et seq.);
- f. Adopt rules and regulations pursuant to the “Administrative

Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.); and

g. Maintain a record of every pet groomer licensed in this State, and the date and number of his license, and publish a list of the names and addresses of all licensees annually.

4. No person shall practice, attempt to practice, or hold himself/herself out as being able to practice pet grooming unless that person is licensed in accordance with the provisions of this act.

5. To be eligible to be licensed as a pet groomer, an applicant shall fulfill the following requirements: a. Be at least 18 years of age;

b. Be of good moral character; and

c. Pass an examination prepared by or approved by the board to determine the applicant’s competence to practice pet grooming.

6. a. The examination required by subsection c. of section 5 of this act shall include both a practical demonstration and a written test, and shall be consistent in both practical and technical requirements.

b. The examination required by subsection c. of section 5 of this act shall be held within the State at least four times a year at a time and place to be determined by the board. The board may contract or otherwise arrange for reasonably required physical accommodations and facilities to conduct examinations.

c. The board may, by regulation it creates by a two-thirds majority of the members of the board, 1 vote Master Groomer, 1 vote Veterinarian, 3 votes Animal Advocate, 2 votes State Certified Groomer, establish standards and procedures to provide that the written test be offered via the Internet and the practical demonstration portion of the examination be offered throughout the year to an applicant under the aegis of a licensed pet groomer.

7. No person, firm, corporation, partnership or other legal entity shall operate, maintain or use premises at which courses of instruction in pet grooming are offered to registered students without first having secured a school license from the board. All educational programs and courses offered at school premises shall be conducted by persons holding pet groomer licenses.

8. a. All pet groomer and school licenses shall be issued for a two-year period and shall be renewed upon filing of a renewal application.

CEUs requirements for license renewal will require a minimum of 6 hours/year

b. All applicants shall pay a fee for licensure or renewal of licensure under this act. Fees shall be determined by the board and established by regulation. The revenue generated from these fees shall not exceed the operating costs incurred by the board in administering this act.

9. The provisions of this act shall not apply to:

a. A registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; ¹[or]¹

b. An individual engaged in performing grooming services while not enrolled in a school if the individual 'is at least 16 years of age and' performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer's licensing examination ¹; or

c. An individual who grooms dogs in the course of preparing them for exhibition at a dog show.¹

10. a. No business shall engage in or advertise or hold itself out as offering pet grooming services unless the business is currently registered with the board and met all the requirements of this act.

b. A written application for registration shall be made to the board on the form prescribed by the board and shall contain the following information:

(1) The name and residence of the owner or operator of the entity providing pet grooming services;

(2) The municipality and location including email and address of the owner and the operator's primary place of business and the locations of all other branches of business;

(3) Proof of general liability insurance or an unconditional irrevocable letter of credit of a type and amount required by the board by regulation; and

(4) Any other biographical information of the applicant as required by the board.

c. Each applicant for registration and each registrant pursuant to the provisions of this section shall pay to the board a fee for the issuance of a two-year registration in the amount established by the board in accordance with the provisions of P.L.1974, c.46 (C.45:13.1 et seq.).

11. No business shall engage in or offer pet grooming services unless the business, as determined by the board by regulation, complies with the following:

a. Pets not in the grooming process shall be caged separately in a structurally sound and clean cage large enough to allow each pet to make normal postural adjustments, including sitting, standing, and turning around;

b. Sufficient lighting shall be provided to facilitate the cleaning of pets and facilities;

c. The premises of the pet grooming facility shall be maintained in a sanitary condition;

d. An adequate water supply shall be available for drinking; and

e. Drying cages ¹that use a heat element¹ shall not be utilized ¹unless the owner of the pet grants written prior consent to the use of such cages for the pet.

Notwithstanding the provisions of subsection a. of this section, two pets not in the grooming process, who are owned by the same owner, may be caged in a structurally sound and clean cage large enough to allow

each pet to make normal postural adjustments, including sitting, standing, and turning around¹.

12. Every pet grooming business shall maintain a pet incident file to be submitted semiannually to the board, in a form as may be prescribed by the board, which shall contain at least the following information:

- a. Pet injuries sustained while at the facility whether it required veterinary contact;
- b. Severe pet illnesses;
- c. Veterinary treatment plans relevant to pet grooming procedures and processes;
- d. Pet deaths; and
- e. Pet escapes.

13. The board may suspend, revoke, or fail to renew the registration of any business offering pet grooming upon proof showing by a preponderance of the credible evidence that the business:

- a. Has made false or misleading statements of a material nature in the application or renewal for registration;
- b. Failed to demonstrate that each employee of the employer who is engaged in the performance of pet grooming is in possession of a current license to practice pet grooming;
- c. Failed to demonstrate proof of having general liability insurance or an unconditional irrevocable letter of credit of a type and amount required by the board; or
- d. Failed to comply with the provisions of section 11 or 12 of this act.

14. a. Every holder of a license or registration issued by the board shall display it in a conspicuous place to the public at the location for which it was issued.

b. Renewal of licenses and registrations shall be attached to the original license or registration in the lower left-hand corner.

c. If a license is suspended, revoked, or not renewed the certificate must be taken down.

15. a. The board shall establish and undertake a public information campaign to educate and inform the consumers of this State of the provisions of this act. The public information campaign shall include, but not be limited to, the preparation, printing, and distribution of booklets, pamphlets or other written pertinent information.

b. The board shall provide a toll-free telephone number who is manning the telephone and what information must be given, consumers making inquiries or complaints regarding pet groomers or pet grooming businesses.

16. This act shall take effect on the 360th day next following enactment, but the State Board of Veterinary Medical Examiners may take such anticipatory acts in advance of that date as may be necessary for the timely implementation of this act.

STATEMENT

This bill, to be known as “Bijou’s Law,” provides for the licensing of pet groomers. The bill defines a “pet groomer” as an individual who bathes, brushes, clips, or styles a pet for compensation.

To be eligible for licensure as a pet groomer, an applicant must: be at least 18 years of age; be of good moral character; and pass an examination prepared by or approved by the State Board of Veterinary Medical Examiners to determine the applicant’s competence to practice pet grooming.

The bill stipulates that no person shall practice, attempt to practice, or hold himself out as being able to practice pet grooming unless that person is licensed in accordance with the provisions of this bill.

In addition, as specified in the bill, none of the bill’s provisions shall apply to: a registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; or an individual engaged in performing grooming services while not enrolled in a school if the individual performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer’s licensing examination.

This bill also mandates that no business shall engage in or advertise or hold itself out as offering pet grooming services unless the business is registered with the board. Furthermore, any such business shall provide to the board evidence of proof of general liability insurance or a letter of credit of a type and amount required by the board by regulation. In addition, the bill provides that no business shall engage in or offer pet grooming services unless the business provides proper sanitary conditions, sufficient lighting, an adequate water supply, and structurally sound and clean cages for the pets that are being groomed.

The bill also mandates that every pet grooming business shall maintain a pet incident file to be submitted annually to the State Board of Veterinary Medical Examiners, in a form as may be prescribed by the board, which shall contain the following information: pet injuries sustained while at the facility that required veterinary contact; severe pet illnesses; veterinary treatment plans relevant to pet grooming procedures and processes; pet deaths; and pet escapes.

The board may suspend or revoke the registration of any business offering pet grooming upon proof showing by a preponderance of the evidence that the business: has made false or misleading statements of a material nature in the application for registration; failed to demonstrate that each employee of the employer who is engaged in the performance of pet grooming is in possession of a license to practice pet grooming; failed to demonstrate proof of having general liability insurance or a letter of credit of a type and amount required by the board; failed to comply with the aforementioned sanitary and facility conditions required of businesses engaging in or offering pet grooming services; or failed to maintain the pet incident file, as required by the bill.

1. Furthermore, the bill requires the State Board of
Veterinary 2 Medical Examiners to establish and undertake
a public information 3 campaign to educate and inform the
consumers of New Jersey of the 4 provisions in this bill.
The bill also mandates that the board shall 5 provide a toll-
free telephone number for consumers making 6 inquiries or
complaints regarding pet groomers or pet grooming 7
businesses.

4/10/2015
jwg

G:\Cmucom\I06\AMD14-15\I06_0016.doc

BPU#

CL 024

SR 252

TR xxx

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

AMENDMENTS

to

ASSEMBLY, No. 2264

(Sponsored by Assemblywomen VAINIERI HUTTLE and JIMENEZ and Assemblyman GARCIA)

INSERT NEW SECTION 3 TO READ:

'3. A State Advisory Board shall be initially appointed by Assemblyperson "Bijou's Law" sponsor thereafter by the State Board of veterinary medical examiners and each member of the State advisory board shall serve for a term of three years, with no member serving for more than two consecutive terms. Members of the advisory board shall serve in a voluntary capacity to advise the veterinary medical board on all licensing matters relating to this act, including assistance in developing the examination required by subsection c. of section 6 of this act to determine an applicant's competence to practice pet grooming. The advisory board shall consist of members, who are residents of the State, and except for the members first appointed, shall be licensed pet groomers under the provisions of this act. Members shall serve without compensation but shall receive actual and necessary expenses.'¹

RENUMBER SECTIONS 3 THROUGH 8 AS SECTIONS 4 THROUGH 9

REPLACE SECTION 9 TO READ:

'[9.] 10.' The provisions of this act shall not apply to:

- a. A registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; '[or]'
- b. An individual engaged in performing grooming services while not enrolled in a school if the individual 'is at least 16 years of age and' performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer's licensing examination '; or
- c. An individual who grooms dogs in the course of preparing them for exhibition at a dog show.'¹

RENUMBER SECTION 10 AS SECTION 11

REPLACE SECTION 11 TO READ:

'[11.] 12.' No business shall engage in or offer pet grooming services unless the business, as determined by the board by regulation, complies with the following:

- a. Pets not in the grooming process shall be caged separately in a structurally sound and clean cage large enough to allow each pet to make normal postural adjustments, including sitting, standing, and turning around;
- b. Sufficient lighting shall be provided to facilitate the cleaning of pets and facilities;

- c. The premises of the pet grooming facility shall be maintained in a sanitary condition;
- d. An adequate water supply shall be available for drinking; and
- e. Drying cages 'that use a heat element' shall not be utilized 'unless the owner of the pet grants written prior consent to the use of such cages for the pet.

Notwithstanding the provisions of subsection a. of this section, two pets not in the grooming process, who are owned by the same owner, may be caged in a structurally sound and clean cage large enough to allow each pet to make normal postural adjustments, including sitting, standing, and turning around'.

RENUMBER SECTIONS 12 THROUGH 16 AS SECTIONS 13 THROUGH 17