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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

February 25, 2003

COMMITTEES

PROFESSIONAL LICENSURE,
MAJORITY CHAIRMAN
LIQUOR CONTROL
FIREFIGHTERS' CAUCUS,
COCHAIRMAN EMERITUS

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on February 25, 2003.

The Committee voted to take no formal action on Regulation 16A-607, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comments:

1. As set forth in Annex A, the draft of the proposed regulation is not underlined to indicate that it is an amendment to the Board's regulations.
2. The Committee recommends that the Board adopt minimum size and clarity specifications for the written disclosure required by Sec. 19.18a(d) to ensure proper notice to potential buyers.

The Committee voted to take no formal action on Regulation 16A-604, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comment:

1. How is the public to be kept out of non-conforming display areas, especially during non-business hours when no dealership personnel are present? Is the lowering of public safety measures for economic reasons justified, especially when the Board indicates that no neighboring states have lowered safety standards?

The Committee voted to take no formal action on Regulation 16A-603, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comment:

1. In requiring a display area that is open to the public for public or retail auctions, should the Board not require the same safety measures in regard to grading, surfacing, etc. that are required for dealership display areas?

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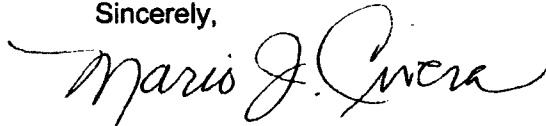
John R. McGinley, Jr., Chairman
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The Committee voted to take no formal action on Regulation 16A-454, State Board of Cosmetology, until final form regulations are promulgated. However, the Committee submits the following comment:

1. The Committee requests an explanation as to what is meant by "sufficient" equipment for each additional licensee in a shop. How would this requirement be enforceable?

Please feel free to contact my office if any questions should arise.

Sincerely,



Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms

Enclosures

cc: Edward J. Cernic, Jr., Chairperson
State Board of Vehicle Manufacturers,
Dealers and Salespersons
Franklin K. Schoeneman, Chairman
State Board of Cosmetology
Honorable Benjamin Ramos, Acting Secretary of the Commonwealth
Department of State

Regulation 16A-454

State Board of Cosmetology

PROPOSAL: Regulation 16A-454 amends 49 PA Code, Chapter 7, regulations of the State Board of Cosmetology. The amendment updates the Board's regulations pertaining to disinfection and sanitation.

The proposed Rulemaking was originally published in the Pennsylvania Bulletin on October 26, 2002, and was resubmitted for Committee review on February 5, 2002. The Professional Licensure Committee has until February 25, 2003 to submit comments on the regulation.

ANALYSIS: The Board's regulations pertaining to sanitation and disease control were last amended in 1975. The proposed amendments reflect advances in technology and changes in terminology since that time. The Board states that the proposed changes will make it easier for shop owners to comply with both state and federal standards.

References to the term "sterilization" would be deleted in that the term is now used in connection with infection control in highly sensitive environments such as hospitals. Definitions would be added for the terms "disinfect," "cleanse," "EPA registered disinfectant," "whirlpool foot spa," and "noncirculating foot spa."

Section 7.91 would be amended to required safe storage of sharp implements. Sec. 7.92 sets forth the requirements for sanitation and disinfection of equipment and implements. These items must be subjected to a four-step cleansing and disinfecting process after each client use. Additionally, the section sets forth specific procedures for cleaning and disinfecting both circulating and noncirculating foot spas. Sec. 7.94 would be amended to reflect the new cleanse and disinfect requirements rather than sterilization.

Sections 7.71, 7.71a, 7.71b, and 7.114 specify the minimum equipment and supply requirements for cosmetology shops, cosmetician shops, manicuring shops and cosmetology schools. These sections would be amended to delete outdated requirements and to update terminology. The requirement for dry sterilizers in licensed shops would be deleted. Instead, shops would be required to have wet disinfection containers and dry storage containers.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated, however, the Committee submits the following comment:

1. The Committee requests an explanation as to what is meant by "sufficient" equipment for each additional licensee in a shop. How would this requirement be enforceable?

House of Representatives
Professional Licensure Committee
February 18, 2003

PROFESSIONAL LICENSURE COMMISSION
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