

**NOTICE OF INTENT TO AMEND RULES OF
THE GEORGIA STATE BOARD OF BARBERS CHAPTER 70-6, EXAMINATIONS:
70-6-.01 APPLICANTS FOR BARBER LICENSE BY EXAMINATION,
70-6-.02 APPLICANTS FOR TEACHER'S LICENSE,
70-6-.03 EXAMINATION AND LICENSE FEES, AND
70-6-.04 LICENSE RENEWAL FEES, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Barbers (hereinafter "Board") proposes amendments to the Georgia Board of Barbers Rules, Chapter 70-3 (hereinafter "proposed amendments").

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed rules, is being forwarded to all persons who have requested, in writing, that they be placed on an interested parties list. A copy of this notice, an exact copy of the proposed rules, and a synopsis of the proposed rules may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Barber's web page at www.sos.ga.gov/plb/barbers/. Copies may also be requested by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at 9:00 a.m. on September 28, 2009 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rules. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before September 21, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Barbers, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-314-9188.

The proposed rules will be considered for adoption by the Georgia State Board of Barbers at its meeting scheduled to begin at 9:05 a.m. on September 28, 2009, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Barbers has the authority to adopt the proposed rule pursuant to authority contained in O.C.G.A §§ 43-1-2, 43-1-7, 43-7-9, 43-7-11, 43-7-13, 43-7-14, 43-7-18, to 43-7-20.

At its meeting on August 10, 2009, the Board voted that the formulation and adoption of these amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-1-2, 43-1-7, 43-7-9, 43-7-11, 43-7-13, 43-7-14, 43-7-18 to 43-7-20.

Also, at its meeting on August 10, 2009, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 43-1-2, 43-1-7, 43-7-9, 43-7-11, 43-7-13, 43-7-14, 43-7-18 to 43-7-20 to adopt or implement differing actions for businesses as listed at O.C.G.A§ 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of residential and general contracting.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 24th day of August, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

Posted: August 24, 2009

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.01 APPLICANTS FOR BARBER LICENSE BY
EXAMINATION**

Purpose: The purpose of this rule is to allow the board's agent to notify candidates regarding examination dates, times and locations and to clarify how emergency situations will be handled.

Main Features: This rule allows the board's agent to notify candidates regarding examination dates, times and locations and to clarify how emergency situations will be handled.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF BARBERS RULES
RULE 70-6-.01 APPLICANTS FOR BARBER LICENSE BY EXAMINATION**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

70-6-.01 Applicants for Master Barber or Barber Instructor's License by Examination.

~~(1) All applicants for a barber examination must submit an application on a form approved by the Board along with the required documentation and fee 30 days prior to a scheduled examination. All applicants who are approved by the Board as eligible for the examination shall be notified by regular mail of the date, time and place of examination.~~

~~(2) An approved applicant for a barber examination will be issued a work permit to practice the occupation of barbering until the results of the examination for which the applicant is scheduled are released. The work permit will be void after the results of the examination are released. In addition, if the applicant fails to report to the examination, the work permit will be automatically revoked as of the date of the examination unless the applicant notifies the Board in writing by certified mail within ten (10) days of the scheduled examination of just cause as to why he/she was unable to appear for the examination. For purposes of this rule, "just cause" shall be defined as an illness of the applicant supported by notarized letter from a physician, or an illness or death in the applicant's family. If the Board determines that there was "just cause" for failing to report to the examination, the applicant will be approved for the next scheduled examination and the work permit shall be valid until the results of the next scheduled examination are released. No person shall be issued a work permit for more than two examinations.~~

~~(3) Any person who fails an examination or fails to report to an examination, except as provided in Section (2), may reapply for an examination by submitting a new application and fee, and may requalify for a work permit. However, no person shall be granted a work permit for more than two examinations.~~

(1) An applicant for the master barber or barber instructor's examination shall receive notice of eligibility sent by the Board or the Board's designated agent, stating the date, time and place of examination. If the applicant fails the examination or fails to report to the examination upon notice, such person may qualify for examination again by submitting another application and examination fee.

(2) An applicant may be excused from examination in an emergency situation. An emergency situation is defined as illness or death in applicant's family. Only written excuses, with proof of emergency, will be considered. Any applicant receiving a notice of

examination, who fails to report to the examination or submit a written excuse to the Board or the Board's designated agent, within 10 days after date of examination, will be required to pay another examination fee before being permitted to take the examination.

AUTHORITY: O.C.G.A. §§ 43-7-9, 43-7-11, and 43-7-13

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.02 *APPLICANTS FOR TEACHER'S LICENSE.***

Purpose: Pertinent parts of this rule were moved to Rule 70-6-.01. This rule number is being reserved for future use.

Main Features: Pertinent parts of this rule were moved to Rule 70-6-.01. This rule number is being reserved for future use.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.02 *APPLICANTS FOR TEACHER'S LICENSE.***

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

70-6-.02 Applicants for Teacher's License. Reserved.

~~In the event an applicant does not report to the examination when first notified or fails the examination, the applicant's application will be closed until submission of another application and examination fee.~~

~~(1) An applicant approved for the Instructor's examination and otherwise deemed qualified, will be excused in an emergency situation, from taking that examination only one time without payment of additional examination fee. In the event an applicant does not report to examination when first notified, after having been excused one time, the applicant's application will be closed until submission of another examination fee. An emergency situation is defined as illness or death in applicant's family.~~

~~(2) Only written excuses, with proof of emergency for failing to report to the Instructor's examination, will be accepted by the Board. Any applicant receiving a notice of Instructor's examination who fails to report to the examination or submit a written excuse to the Board, or the Board's designated agent, within 10 days after date of examination, will be required to pay another examination fee before being permitted to take the examination.~~

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.03 EXAMINATION AND LICENSE FEES. AMENDED.**

Purpose: The purpose of this rule is to allow the board to designate an agent to administer examinations and perform tasks pertaining to the examinations applicants. It also defines how ADA accommodations requests will be made. It also defines the passing scores for the examination and states the examinations will be in English.

Main Features: This rule allows the board to designate an agent to administer examinations and perform tasks pertaining to the examinations applicants. It also defines how ADA accommodations requests will be made. It also defines the passing scores for the examination and states the examinations will be in English.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.03 EXAMINATION AND LICENSE FEES. AMENDED.**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

70-6-.03 Examination and License Fees. Amended.

(1) Barber ~~Examination and~~ License Fees shall be established by the Board periodically as set forth on a fee schedule. The fee schedule is available from the Board office and at the Board's website. Fees may be reviewed and changed at the discretion of the Board.

(2) The board may designate an agent or agents for the purpose of administering examinations to applicants for licensure in accordance with the authority and powers granted to the board by statute. The designated agent may perform tasks pertaining to the examination of applicants including, but not limited to, receiving applications for examination, scheduling examinations, notifying applicants, and conducting examinations. All such tasks shall be identified in writing and performed only with the written approval of the board.

(3) The board, through its designated agent, will provide reasonable accommodations to a qualified applicant with a disability in accordance with the Americans with Disabilities Act. The request for such an accommodation must be in writing and received by the designated agent of the board by the application deadline accompanied with appropriate documentation as indicated in the Request for Disability Accommodation Guidelines.

(4) The applicant taking the examination shall be required to pass the practical and written examination with a minimum scale score of 70% on each section. Failure to achieve a passing score requires the applicant to retake the section failed.

(5) The examination will be in English. No foreign language translators will be allowed or furnished.

AUTHORITY: O.C.G.A. §§ 43-1-2, 43-1-7, 43-7-9, and 43-7-18

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.04 LICENSE RENEWAL FEES. AMENDED.**

Purpose: The purpose of this rule is to change the late renewal period from six months to two months.

Main Features: This rule changes the late renewal period from six months to two months.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF BARBERS RULES
CHAPTER 70-6, RULE 70-6-.04 LICENSE RENEWAL FEES. AMENDED.**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

70-6-.04 License Renewal Requirements and Fees. Amended.

(1) Biennial fees of renewal of license shall be established by the Board periodically as set forth on a fee schedule. The fee schedule is available from the Board office and at the Board's website. Fees may be reviewed and changed at the discretion of the Board. The Board may assess a late renewal fee that is greater than or in addition to any other renewal fee if a license is renewed within ~~six (6)~~ two (2) months following the license expiration date.

(2) Renewal notices are only sent as ~~an accommodation~~ a courtesy. The responsibility for license renewal, on or before the expiration date, remains with the license holder.

(3) Failure to renew license within ~~six (6)~~ two (2) months following expiration of the license shall have the same effect as a revocation of license, which shall require the licensee to apply to the Board for reinstatement, pay a reinstatement fee and meet such other conditions as the Board may deem necessary.

AUTHORITY: O.C.G.A. §§ 43-7-9, 43-7-18 to 43-7-20