

Senator Todd Weiler proposes the following substitute bill:

NAIL SALON AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This bill amends provisions related to nail salons.

Highlighted Provisions:

This bill:

- ▶ requires a nail salon that files or shapes an acrylic nail to be equipped with a source capture system under certain circumstances;
- ▶ requires a nail salon to provide inlets for a source capture system near the point of acrylic chemical application under certain circumstances; and
- ▶ exempts a nail salon from certain source capture system labeling and testing requirements under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

15A-3-401, as last amended by Laws of Utah 2016, Chapter 249

ENACTS:



26 **15A-3-402**, Utah Code Annotated 1953



27
28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **15A-3-401** is amended to read:

30 **15A-3-401. General provisions.**

31 ~~(1)~~ (1) The ~~[following]~~ amendments in this part are adopted as amendments to the IMC to
32 be applicable statewide[?].

33 ~~[(+)]~~ (2) In IMC, Section 1004.2, the first sentence is deleted and replaced with the
34 following: " In accordance with Title 34A, Chapter 7, Safety, and requirements made by rule by
35 the Labor Commission, boilers and pressure vessels in Utah are regulated by the Utah Labor
36 Commission, Division of Boiler, Elevator and Coal Mine Safety, except those located in
37 private residences or in apartment houses of less than five family units. Boilers shall be
38 installed in accordance with their listing and labeling, with minimum clearances as prescribed
39 by the manufacturer's installation instructions and the state boiler code, whichever is greater."

40 ~~[(2)]~~ (3) In IMC, Section 1004.3.1, the word "unlisted" is inserted before the word
41 "boilers".

42 ~~[(3)]~~ (4) IMC, Section 1101.10, is deleted.

43 ~~[(4)]~~ (5) In IMC, Section 1209.3, the following words are added at the end of the
44 section: "or other methods approved for the application."

45 Section 2. Section **15A-3-402** is enacted to read:

46 **15A-3-402. Amendments to Chapters 1 through 5 of the International Mechanical**
47 **Code.**

48 (1) In IMC, Table 403.3, note h is deleted and replaced with the following:

49 "h. 1. A nail salon shall provide each manicure station where a nail technician files or
50 shapes an acrylic nail, as defined by rule by the Division of Occupational and Professional
51 Licensing, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
52 with:

53 a. a source capture system equipped with at minimum, a MERV 8 particulate filter and
54 an activated carbon filter that is capable of filtering and recirculating air to inside space at a
55 rate not less than 50 cfm per station; or

56 b. a source capture system capable of exhausting not less than 50 cfm per station.

57 c. A nail salon that complies with Note h.l.a or h.l.b is not required to comply with the
58 labeling, listing, or testing requirements described in international mechanical code sections
59 301.7 or 301.8.

60 2. For a source capture system described in paragraph 1, the source capture system inlets for
61 exhausting or recirculating air shall be located in accordance with Section 502.20.

62 3. Where one or more exhausting source capture systems described in paragraph 1
63 operate continuously during occupancy, the source capture system exhaust rate shall be
64 permitted to be applied to the exhaust flow rate required by Table 403.3.1.1 for the nail salon.

65 4. The requirements of this note apply to:

66 a. an existing nail salon that remodels the nail salon after July 1, 2017;

67 b. a new nail salon that begins construction after July 1, 2017; and

68 c. all nail salons beginning on July 1, 2020."

69 (2) In IMC, Section 502.20 is deleted and rewritten as follows:

70 "502.20 Manicure stations. A nail salon that files or shapes an acrylic nail shall provide
71 each manicure station with a source capture system in accordance with Table 403.3.1.1, note h.
72 For a manicure table that does not have factory-installed source capture system inlets for
73 recirculating or exhausting air, a nail salon shall provide the manicure table with inlets for
74 recirculating or exhausting air located not more than 12 inches (305 mm) horizontally and
75 vertically from the point of any acrylic chemical application.

76 Exception: Section 502.20 applies to a manicure station in:

77 a. an existing nail salon that remodels the nail salon after July 1, 2017;

78 b. a new nail salon that begins construction after July 1, 2017; and

79 c. all nail salons beginning on July 1, 2020."

80 **Section 3. Effective date.**

81 If approved by two-thirds of all the members elected to each house, this bill takes effect
82 upon approval by the governor, or the day following the constitutional time limit of Utah
83 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
84 the date of veto override.