

ASSEMBLY, No. 2867

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JUNE 14, 2010

Sponsored by:

Assemblywoman MARY PAT ANGELINI
District 11 (Monmouth)

SYNOPSIS

Prohibits all persons under 18 from using tanning facilities.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the use of tanning facilities by minors and
2 amending P.L.1989, c. 234 and P.L.2006, c.48.

3

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

6

7 1. Section 1 of P.L.2006, c.48 (C.26:2D-82.1) is amended to
8 read as follows:

9 1. a. A tanning facility operator shall not permit a person who
10 is under **[14]** 18 years of age to use a tanning facility.

11 b. **[A tanning facility operator shall not permit a person who is**
12 **at least 14 but less than 18 years of age to use a tanning facility**
13 **without written authorization of the person's parent or legal**
14 **guardian indicating that such parent or guardian has read and**
15 **understood the safety standards and warnings required pursuant to**
16 **section 3 of P.L.1989, c.234 (C.26:2D-83). An emancipated minor**
17 **shall be exempt from the authorization requirement of this**
18 **subsection upon legal proof documenting said emancipation.]**
19 (Deleted by amendment, P.L. , c.) (pending before the Legislature
20 as this bill)

21 c. **[The Commissioner of Health and Senior Services shall**
22 **establish by regulation:**

23 (1) the contents required in the authorization form;

24 (2) the method for maintaining a record of the forms; and

25 (3) the frequency with which the forms shall be authorized or
26 reauthorized. .] (Deleted by amendment, P.L. , c.) (pending before
27 the Legislature as this bill)

28 d. The penalties for violating the provisions of this section
29 shall be as provided in section 7 of P.L.1989, c.234 (C.26:2D-87).
30 (cf: P.L.2006, c.48, s.1)

31

32 2. Section 3 of P.L.1989, c.234 (C.26:2D-83) is amended to
33 read as follows:

34 3. The Commissioner of Health and Senior Services, in
35 consultation with the Commissioner of Environmental Protection,
36 shall, by regulation, establish minimum safety standards for tanning
37 facilities. The standards shall include, but not be limited to:

38 a. Establishment of a maximum safe time of exposure to
39 radiation and a maximum safe temperature at which tanning devices
40 may be operated;

41 b. A requirement that a patron at a tanning facility wear
42 protective eye glasses when using tanning equipment and that a
43 patron be supervised as to the length of time the patron uses tanning
44 equipment at the facility;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. A requirement that the facility operator post easily legible,
2 permanent warning signs near the tanning equipment which state:
3 "DANGER-ULTRAVIOLET RADIATION FOLLOW ALL
4 INSTRUCTIONS";

5 d. A requirement that the facility have protective shielding for
6 tanning equipment in the facility; and

7 e. A requirement that the facility operator post a sign in
8 conspicuous view at or near the reception area which states:
9 "PERSONS UNDER AGE ~~[14]~~ 18 SHALL NOT BE PERMITTED
10 TO USE THIS TANNING FACILITY. ~~PERSONS BETWEEN 14~~
11 ~~AND 18 YEARS OF AGE SHALL NOT BE PERMITTED TO USE~~
12 ~~THIS TANNING FACILITY WITHOUT WRITTEN~~
13 ~~AUTHORIZATION OF A PARENT OR LEGAL GUARDIAN."]~~
14 (cf: P.L.2006, c.48, s.2)

15

16 3. This act shall take effect on the 120th day after the date of
17 enactment.

18

19

20

STATEMENT

21

22 This bill would prohibit all persons under 18 years of age from
23 using tanning facilities in the State. Current law allows
24 emancipated minors and minors between 14 and 18 years of age
25 who have written authorization of a parent or legal guardian to use
26 tanning facilities.

27 The bill would also require that tanning facility operators
28 conspicuously post a sign in the reception area stating:

29 "PERSONS UNDER AGE 18 SHALL NOT BE PERMITTED TO
30 USE THIS TANNING FACILITY."

31 Penalties for violating the provisions of the bill would be the
32 same as for other violations of N.J.S.A.26:2D-81 et seq., that is,
33 \$100 for the first offense and \$200 for each subsequent offense.

34 The bill takes effect on the 120th day after the date of enactment.