

2100.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 2100.0100 to 2100.9300, the terms defined in this part have the meanings given them.

Subp. 1a. **Barbering.** The practice of barbering as defined in Minnesota Statutes, section 154.02, means the services described in that section when performed on a living person and includes those services when performed in conjunction with the selling of hair pieces, wigs, or an artificial hair application. The definition of "barbering" in Minnesota Statutes, section 154.02, must be construed to not prohibit or regulate hair braiding, hair braiding services, and hair braiders, as defined in subparts 4 to 6. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 4 to 6, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

Subp. 2. **A certificate of registration as practicing barber.** The phrase "a certificate of registration as practicing barber" contained in Minnesota Statutes, section 154.11, means a current certificate of registration as a certified barber.

Subp. 3. **Has practiced as a barber.** The phrase "has practiced as a barber" contained in Minnesota Statutes, section 154.11, means that a person has performed the acts of barbering under a certificate of registration as either a registered barber or a registered apprentice.

Subp. 4. **Hair braiding.** "Hair braiding" means a natural form of hair manipulation that results in tension on hair strands by beading, braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving, or wrapping human hair, natural fibers, synthetic fibers, and/or hair extensions into a variety of shapes, patterns, and textures (predominantly by hand and/or by simple braiding devices), and maintenance thereof. Hair braiding includes what is commonly known as "African-style hair braiding" or "natural hair care" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles. Hair braiding includes the making of customized wigs from natural hair, natural fibers, synthetic fibers, and/or hair extensions. Hair braiding includes the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos. Hair braiding does not involve the use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles, or chemical hair bleaching agents applied to growing human hair.

Subp. 5. **Hair braiding services.** "Hair braiding services" means offering to perform or performing hair braiding, as defined in part 2105.0010, subpart 10b, as a service to members of the public for a fee or other consideration.

Subp. 6. **Hair braider.** "Hair braider" means a person who offers to perform or performs hair braiding or hair braiding services as defined in part 2105.0010, subparts 10b and 10c.

Subp. 7. **Simple braiding devices.** "Simple braiding devices" include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

Statutory Authority: *MS s 154.22; 154.24; 154.45; 155A.05; 155A.26*

History: *13 SR 1916; L 2005 c 27 s 9; 30 SR 1248; L 2009 c 78 art 6 s 26; L 2013 c 85 art 5 s 49*

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