

§14203. Exemptions; exceptions

1. Exemptions. The prohibitions and penalties of this chapter do not apply to the following persons when acting within the scope of their profession or occupation:

- A. Persons authorized by law of this State to practice medicine and surgery and persons under the supervision and control of those persons; [PL 1993, c. 179, §1 (AMD).]
- B. Commissioned medical officers of the United States Armed Forces; [PL 1991, c. 397, §6 (NEW).]
- C. Registered nurses, licensed practical nurses and nurse's aides; [PL 1991, c. 397, §6 (NEW).]
- D. Persons who practice upon members of their immediate families or on persons residing in their household and who receive no payment for such practice; [PL 1993, c. 179, §1 (AMD).]
- E. Persons employed by licensed establishments who provide shampooing services within the licensed establishments; [PL 1997, c. 210, §15 (AMD).]
- F. Persons employed to apply special make-up designed for theater lighting to a person who requires this make-up for an appearance in the theater or a movie, on television or as a model; and [PL 1997, c. 210, §16 (AMD).]
- G. Persons licensed under chapter 21 who practice the funeral service profession on human remains in a licensed funeral establishment. [PL 1997, c. 210, §17 (NEW).]

[PL 1997, c. 210, §§15-17 (AMD).]

1-A. Activities exempted. A license under this chapter is not required for the following activities:

- A. Hair braiding services; [PL 2019, c. 373, §12 (NEW).]
 - B. Threading services for removal of unwanted facial hair; [PL 2019, c. 373, §12 (NEW).]
 - C. Selling makeup, oils and cosmetics and application of those products during the process of selling those products by persons employed by a retail store; and [PL 2019, c. 373, §12 (NEW).]
 - D. Tanning services by means of airbrushing or spray tanning. [PL 2019, c. 373, §12 (NEW).]
- [PL 2019, c. 373, §12 (NEW).]

2. Exceptions. The practice of cosmetology, barber hair styling, hair design, aesthetics or nail technology may be performed only by persons duly licensed to practice in this State and only in an establishment licensed by the director, except as provided in this subsection. Duly licensed persons may practice their respective practices:

- A. On patients in hospitals or nursing homes; [PL 1991, c. 397, §6 (NEW).]
- B. On residents of youth camps; [PL 2009, c. 211, Pt. B, §29 (AMD).]
- C. On inmates or residents of institutions of the Department of Health and Human Services or the Department of Corrections; [PL 2019, c. 373, §13 (AMD).]
- D. On persons with disabilities in those persons' places of residence; [PL 2021, c. 348, §49 (AMD).]
- E. On residents of nursing homes; [PL 1991, c. 397, §6 (NEW).]
- F. On hotel or motel occupants in their hotel or motel rooms; [PL 1991, c. 397, §6 (NEW).]
- G. On persons in their residences; [PL 1997, c. 210, §18 (AMD).]
- H. On persons in their private businesses; [PL 1997, c. 210, §19 (AMD).]
- I. On human remains in licensed funeral establishments; and [PL 1997, c. 210, §20 (NEW).]

J. On persons at special events such as weddings, conventions and other similar events as determined by the director. [PL 2019, c. 373, §13 (AMD).]

The services provided pursuant to this subsection must comply with any applicable health and safety requirements, the requirements of this chapter and rules adopted under this chapter and all federal, state and local laws.

[PL 2021, c. 348, §49 (AMD).]

3. Hair braiding.

[PL 2019, c. 373, §14 (RP).]

SECTION HISTORY

PL 1991, c. 397, §6 (NEW). PL 1991, c. 728, §1 (AMD). PL 1993, c. 179, §1 (AMD). PL 1995, c. 560, §K82 (AMD). PL 1995, c. 560, §K83 (AFF). PL 1997, c. 210, §§15-20 (AMD). PL 2001, c. 354, §3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2007, c. 402, Pt. HH, §3 (AMD). PL 2009, c. 48, §§1-3 (AMD). PL 2009, c. 211, Pt. B, §29 (AMD). PL 2009, c. 369, Pt. B, §6 (AMD). PL 2011, c. 286, Pt. M, §7 (AMD). PL 2015, c. 132, §1 (AMD). PL 2019, c. 373, §§12-14 (AMD). PL 2021, c. 348, §49 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.