

AMENDED IN SENATE MAY 14, 1998

AMENDED IN SENATE APRIL 21, 1998

AMENDED IN SENATE APRIL 13, 1998

**SENATE BILL**

**No. 1959**

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**Introduced by Senator Schiff**

**(Coauthors: Senators Craven and Watson)**

(Coauthors: Assembly Members Havice, House, Margett,  
Martinez, and Wayne)

February 19, 1998

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An act to amend Sections 7321.5, ~~7334~~, 7582.8, and 7583.1 of the Business and Professions Code, and to amend Section 44031.5 of the Health and Safety Code, relating to licensing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1959, as amended, Schiff. Professions: licensing: military service.

Existing law provides that any person who has served on active duty in the medical corps of any of the armed forces, in which no less than an aggregate of 12 months was spent in rendering bedside patient care, and who has completed the basic course of instruction in nursing required by his or her particular branch of the armed forces, and whose service in the armed forces has been under honorable conditions, or whose general discharge has been under honorable conditions, shall be granted a vocational nursing license upon proof that he or she possesses certain necessary qualifications, as set forth in his or her service records, and upon his or her passing an examination.

This bill would make verified military training that is comparable a substitute for training requirements applicable to licensure, registration, or certification under provisions regulating barbers, ~~barbering apprentices~~, security guards, private patrol operators, and smog check technicians, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 7321.5 of the Business and  
2 Professions Code is amended to read:  
3 7321.5. The board shall admit to examination for a  
4 license as a barber to practice barbering, any person who  
5 has made application to the board in proper form, paid  
6 the fee required by this chapter, and is qualified as  
7 follows:  
8 (a) Is not less than 17 years of age.  
9 (b) Has completed the 10th grade in the public schools  
10 of this state or its equivalent.  
11 (c) Is not subject to denial pursuant to Section 480.  
12 (d) Has done any of the following:  
13 (1) Completed a course in barbering from a school  
14 approved by the board.  
15 (2) Completed an apprenticeship program in  
16 barbering approved by the board as conducted under the  
17 provisions of the Shelley-Maloney Apprentice Labor  
18 Standards Act of 1939, Chapter 4 (commencing with  
19 Section 3070) of Division 3 of the Labor Code.  
20 (3) Practiced barbering as defined in this chapter  
21 outside of this state for a period of time equivalent to the  
22 study and training of a qualified person who has  
23 completed a course in barbering from a school the  
24 curriculum of which complied with requirements  
25 adopted by the board. Each three months of practice shall  
26 be deemed the equivalent of 100 hours of training for  
27 qualification under paragraph (1).



1 (4) Holds a license as a cosmetologist in this state and  
2 has completed a barber crossover course in a school  
3 approved by the board.

4 (5) Completed a cosmetology course in a school  
5 approved by the board and has completed a barber  
6 crossover course in a school approved by the board.

7 (6) Completed comparable military training as  
8 documented by submission of Verification of Military  
9 Experience and Training (V-MET) records.

10 ~~SEC. 2. Section 7334 of the Business and Professions~~  
11 ~~Code is amended to read:~~

12 ~~7334. (a) The board may license as an apprentice in~~  
13 ~~barbering, cosmetology, skin care, or nail care any person~~  
14 ~~who has made application to the board upon the proper~~  
15 ~~form, has paid the fee required by this chapter, and who~~  
16 ~~is qualified as follows:~~

17 (1) ~~Is over 16 years of age.~~

18 (2) ~~Has completed the 10th grade in the public schools~~  
19 ~~of this state or its equivalent.~~

20 (3) ~~Is not subject to denial pursuant to Section 480.~~

21 (4) ~~Has submitted evidence acceptable to the board~~  
22 ~~that any training the apprentice is required by law to~~  
23 ~~obtain shall be conducted in a licensed establishment and~~  
24 ~~under the supervision of a licensee approved by the~~  
25 ~~board.~~

26 (b) ~~The board may license as an apprentice in~~  
27 ~~electrolysis any person who has made application to the~~  
28 ~~board upon the proper form, has paid the fee required by~~  
29 ~~this chapter, and who is qualified as follows:~~

30 (1) ~~Is not less than 17 years of age.~~

31 (2) ~~Has completed the 12th grade or an accredited~~  
32 ~~senior high school course of study in schools of this state~~  
33 ~~or its equivalent.~~

34 (3) ~~Is not subject to denial pursuant to Section 480.~~

35 (4) ~~Has submitted evidence acceptable to the board~~  
36 ~~that any training the apprentice is required by law to~~  
37 ~~obtain shall be conducted in a licensed establishment and~~  
38 ~~under the supervision of a licensee approved by the~~  
39 ~~board.~~



1 ~~(c) All persons making application as an apprentice in~~  
2 ~~barbering shall also complete a minimum of 39 hours of~~  
3 ~~preapprentice training in a facility approved by the board~~  
4 ~~prior to serving the general public.~~

5 ~~(d) All persons making application as an apprentice in~~  
6 ~~cosmetology, skin care, nail care, or electrology shall also~~  
7 ~~complete minimum preapprentice training for the~~  
8 ~~length of time established by the board in a facility~~  
9 ~~approved by the board prior to serving the general~~  
10 ~~public.~~

11 ~~(e) Apprentices may only perform services on the~~  
12 ~~general public for which they have received technical~~  
13 ~~training.~~

14 ~~(f) Apprentices shall be required to obtain at least the~~  
15 ~~minimum hours of technical instruction and minimum~~  
16 ~~number of practical operations for each subject as~~  
17 ~~specified in board regulations for courses taught in~~  
18 ~~schools approved by the board, in accordance with~~  
19 ~~Sections 3074 and 3078 of the Labor Code.~~

20 ~~(g) In lieu of meeting any other training-related~~  
21 ~~requirements of this section, the board may license as an~~  
22 ~~apprentice in barbering any person who has completed~~  
23 ~~comparable military training as documented by~~  
24 ~~submission of Verification of Military Experience and~~  
25 ~~Training (V-MET) records.~~

26 ~~SEC. 3.~~

27 *SEC. 2.* Section 7582.8 of the Business and Professions  
28 Code is amended to read:

29 7582.8. Before an application for a license or  
30 registration is granted, the applicant for a license or his or  
31 her manager or the applicant for a security guard  
32 registration, shall meet all of the following:

33 (a) Be at least 18 years of age.

34 (b) Not have committed acts or crimes constituting  
35 grounds for denial of a license under Section 480.

36 (c) Comply with the requirements specified in this  
37 chapter for the particular license or registration for which  
38 an application is made.

39 (d) Comply with other qualifications as the director  
40 may fix by rule.



1 (e) In lieu of meeting any other training-related  
2 requirements of this section, an applicant may apply for  
3 licensure or registration if he or she has completed  
4 comparable military training as documented by  
5 submission of Verification of Military Experience and  
6 Training (V-MET) records.

7 ~~SEC. 4.~~

8 *SEC. 3.* Section 7583.1 of the Business and Professions  
9 Code is amended to read:

10 7583.1. (a) An applicant, or his or her manager, for a  
11 license as a private patrol operator shall have had at least  
12 one year of experience as a patrolperson, guard or  
13 watchman, or the equivalent thereof as determined by  
14 the director. An applicant shall substantiate the claimed  
15 year of qualifying experience and the exact details as to  
16 the character and nature thereof by written certifications  
17 from the employer, subject to independent verification  
18 by the chief as he or she may determine. In the event of  
19 inability of an applicant to supply the written  
20 certifications from the employer in whole or in part,  
21 applicants may offer other written certifications from  
22 other than employers substantiating employment for  
23 consideration by the chief.

24 (b) An individual who, upon the determination of the  
25 chief, has served in the armed services and possesses the  
26 proper skills may be eligible to take the private patrol  
27 operator licensing examination. In that case the chief may  
28 waive any other required training courses, as he or she  
29 determines. However, if the applicant fails the licensing  
30 examination, the chief may not thereafter waive  
31 completion of any required training courses.

32 ~~SEC. 5.~~

33 *SEC. 4.* Section 44031.5 of the Health and Safety Code  
34 is amended to read:

35 44031.5. (a) No smog check technician may perform  
36 tests or make repairs required by this chapter, for  
37 compensation, unless qualified by the department for the  
38 class and category of vehicle being tested or repaired. To  
39 qualify, smog check technicians shall pass a qualification  
40 test administered by the department, in addition to



1 meeting prerequisite minimum experience and training  
2 criteria established by the department, pursuant to  
3 Section 44045.5. Passage of the qualification test shall, and  
4 training may, also be required upon each biennial  
5 renewal of the smog check technician's license.

6 (b) The department shall prescribe training and  
7 periodic retraining courses for licensed smog check  
8 technicians pursuant to Section 44045.6.

9 (c) Whenever the department determines, through  
10 investigation, that a previously qualified smog check  
11 technician may lack the skills to reliably and accurately  
12 perform the test or repair functions within the required  
13 qualification, the department may prescribe for the  
14 technician one or more retraining courses which have  
15 been certified by the department. The smog check  
16 technician may request and be granted a hearing,  
17 pursuant to Chapter 5 (commencing with Section 11500)  
18 of Part 1 of Division 3 of Title 2 of the Government Code,  
19 on the department's determination. The request for a  
20 hearing shall be submitted within 30 days of the  
21 department's notification of its determination. A failure  
22 to complete the prescribed retraining course within the  
23 time designated by the department, or to request a  
24 hearing within 30 days of the department's notification of  
25 its determination, shall result in loss of qualification. Upon  
26 a later completion of the prescribed department certified  
27 retraining course, the department may reinstate the  
28 smog check technician's qualification.

29 (d) Smog check technicians shall have the option to do  
30 hands-on work in lieu of written work in order to  
31 successfully complete the department certified training  
32 and retraining courses or may complete comparable  
33 military training as documented by submission of  
34 Verification of Military Experience and Training  
35 (V-MET) records in lieu of meeting any other  
36 training-related requirements of this section.

37 (e) The institution administering the department  
38 certified training or retraining courses shall issue a  
39 certificate of completion to each person who successfully



1 completes the certified courses. The certificate shall be  
2 valid for one year.  
3 (f) The department may, by regulation, establish  
4 procedures relating to the issuance and use of photo  
5 identification cards for licensed technicians.

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