

Eyewear Regs Vary by State!

By Brenda Fishbaugh

Did you know that in Kentucky, salon operators can *not* offer their tanners shared goggles – those used by multiple people and sanitized by staff after each use. Kentucky regulations require each tanner to have their own eyewear *or* the salon to provide disposable, one-time-use protection; it is not required to be provided for free. New Hampshire also does not allow a pair of goggles to be worn by multiple consumers in a tanning salon. Eyewear cannot be altered in any manner that changes it from the manufacturer’s intended use, such as removing any straps that are included in the product packaging. The salon must sell eyewear to the tanner or provide disposable eye protection. Iowa is my favorite: eyewear cannot be reused, it can’t be altered, your staff must ask to see a tanner’s eyewear before they enter a tanning room, *and* the salon must provide disposable eyewear in the tanning rooms at all times with a sign posted stating that disposable eyewear is available and must be worn (whew!). I consider Iowa’s law to be excellent! It ensures that the tanner shows their own eyewear, but still has access to clean eyewear in the tanning room.

Some states go the opposite route. As of 2014, Pennsylvania requires eyewear to be provided free of charge and sanitized before each use. Tanners may also use their own FDA-compliant eyewear. New York requires the salon to provide eyewear at no charge if the tanner does not have their own. Eyewear must be sanitized between uses, unless disposables are provided. Texas recently deregulated salons – this means they don’t have to be licensed, but the law still applies. I doubled-checked with their Radiation offices, and a salon still must provide sanitized eye protection for free and it must be provided in the tanning rooms.

Two states recently changed their laws. New Jersey no longer requires eye protection to be provided for free, according to Tim Smith at the Department of Health. The new regulation reads that

the operator must ensure the consumer has protective eyewear and make a reasonable effort to ensure that consumers use protective eyewear when tanning. This means that NJ salons can sell or provide shared goggles. Ohio also removed the “eyewear provided for free” clause in their latest regulation update. The new regulation reads, “Eyewear owned by an individual may be cleaned and disinfected before each use either by the individual prior to arriving to the facility or by the facility before the individual’s session. To meet the requirement that eyewear shall be disinfected prior to use, a facility may offer disposable eyewear for one-time use.”

Massachusetts is one of the newest states to revise their regulations. Massachusetts went the way that most states regulate eye protection: it’s mandatory. Salons must provide it, but it doesn’t have to be for free; they can choose to disinfect goggles, or they can require the tanner to buy their own eye protection. The salons can choose to sell disposables or give them free with each tan.

If your state is not mentioned above, then you are one of the lucky salon owners who gets to choose whether you sell goggles and disposable eye protection or provide shared goggles and disposables.

Disagree with any of the above info? Please email Brenda@WinkEase.com, and I’ll research it and report back here. ■

Not sure about your state’s laws relating to tanning and eyewear? Email Brenda@WinkEase.com and I’ll send you the latest version.



About the Author:

Tanning industry veteran Brenda Fishbaugh is president of Eye Pro, Inc., makers of disposable eyewear. She travels extensively training salons on the effects of UV light on vision.



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