



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

7/28/2025 10:17:56 AM

Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Barbers And Cosmetologists TITLE-SERIES: 3-14
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 3-14 Waxing Specialist

PRIMARY CONTACT

NAME: Danielle J Cordle
ADDRESS: 1201 Dunbar Avenue
Dunbar, WV 25064
EMAIL: danielle.j.cordle@wv.gov
PHONE NUMBER: 304-558-2924

CITE STATUTORY AUTHORITY: W. Va. Code § 30-27-8b; W. Va. Code § 30-27-6

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

Pursuant to W. Va. Code § 30-27-8b; W. Va. Code § 30-27-6, the board is required to establish the minimum requirements for a waxing specialist.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/18/2025

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/25/2025

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

This rule establishes the minimum requirements for a waxing specialist. § 3-14-2.3.2 (Is of good moral character) was removed, the West Virginia State Law Exam was removed as a requirement, and all other changes were technical changes.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

Pursuant to W. Va. Code § 30-27-8b; W. Va. Code § 30-27-6, the board is required to establish the minimum requirements for a waxing specialist.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

The Board does not anticipate any sort of economic impact on revenues of state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

The Board does not anticipate any sort of economic impact on special revenue accounts.

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

The Board does not anticipate any sort of economic impact on the state or its residents.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Danielle J Cordle -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

3CSR14

TITLE 3
LEGISLATIVE RULE
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 14
WAXING SPECIALIST

§ 3-14-1. General.

- 1.1. Scope. -- This legislative rule establishes the minimum requirements for a waxing specialist.
- 1.2. Authority. -- W. Va. Code § 30-27-8b; W. Va. Code § 30-27-6;
- 1.3. Filing Date. ~~May 12, 2017.~~
- 1.4. Effective Date ~~May 12, 2017~~
- 1.5. Sunset Date. – This rule shall terminate and no further force or effect on ~~May 12, 2027~~ August 1, 2036.

§ 3-14-2. Definitions.

2.1. “Waxing Specialist” is a certified individual who engages in the practicing of waxing and tweezing of hair on another person’s body.

§ 3-14-3. Qualifications for Waxing Specialist.

- 3.1. Is at least eighteen years of age;
- ~~3.2. Is of good moral character;~~
- ~~3.3.~~ 3.2. Is in high school or has a high school diploma, a GED, or has passed the “ability to benefit test” approved by the United State Department of Education;
- ~~3.4.~~ 3.3. Has paid the applicable fee;
- ~~3.5.~~ 3.4. Has a certificate of health from a licensed physician;
- ~~3.6.~~ 3.5. Is a citizen of the United States or is eligible for employment in the United States;
- ~~3.7.~~ 3.6. Has completed a 100 hour class that consists of: professional requirements, safety and health, skin structure, disorders and diseases, removal of superfluous hair and 25 hours on the clinic floor, supervised, for a total of 125 hours;
- ~~3.8.~~ 3.7. Has passed the appropriate examinations (National Written, and Practical, ~~and WV State Law~~);
- ~~3.9.~~ 3.8. Has submitted an application verifying the requirements within this section; and
- ~~3.10.~~ 3.9. Possesses a United States or state government issued photograph identification card and shall exhibit to the board or its authorized representative.

§ 3-14-4. Authorized Services by Waxing Specialist.

4.1. Waxing specialists shall only perform services within the definition of waxing specialist in this rule.

4.2. It is unlawful for any person to wax or tweeze or offer to wax or tweeze without a license or certification from the Board.

§ 3-14-5. Display of Certificate.

5.1. Every waxing specialist shall display his or her certificate or certificate renewal at the station the individual is currently working and shall exhibit the certificate to the board or its authorized representative.

§ 3-14-6. Renewal.

6.1. Certifications are valid for one (1) year and must be renewed annually on or before January 1st of each year.

§ 3-14-7. Duties of ~~Shop~~ Salon/Shop Owners.

7.1. Shop or salon owners and/or managers are responsible for ensuring that waxing specialists follow all provisions under the jurisdiction of the board.

§ 3-14-8. Revocation of ~~Permit~~ Certificate.

8.1. The certification of a waxing specialist may be revoked or suspended by the Board for any reason specified herein or otherwise set forth in W. Va. Code § 30-27-1 et seq.

§ 3-14-9. Administrative Due Process.

~~6.1.~~ 9.1. Those persons adversely affected by the enforcement of this rule have the right to request a hearing in a manner pursuant to the provisions of W. Va. Code § 30-27-1 et seq.