

Suntanning Establishment Regulations

Under the authority of Chapter 111, section 31, of the Massachusetts General Laws, the Board of Health has voted to adopt the following regulations, to be effective on date of publication (February 1982).

Definitions

Suntanning Establishment – means any place at which exposure to ultraviolet radiation is available for hire for aesthetic or therapeutic purpose, excepting hospitals, physicians' offices, and medical clinics.

Tanning Booth – means any enclosed or semi-enclosed structure (whether vertical or horizontal) or equipment containing a lamp or lamps which produce ultraviolet radiation in the wavelength interval of 180 to 400 nanometers.

Operator – means any person who (a) alone or jointly or severally with others owns a suntanning establishment; or (b) has care, charge, or control of a suntanning establishment as agent or manager for the owner or as an independent contractor.

“Type A” Ultraviolet Lamps – means lamps which emit radiation in the wavelength interval of 320 nm to 400 nm and do not emit more than 2% radiation in the range of 260 nm to 320 nm.

1. Only “Type A” ultraviolet lamps may be used in suntanning establishments.
2. The maximum temperature inside a tanning booth shall at no time exceed 100 degrees Fahrenheit.
3. Booths shall be designed to have enough strength and rigidity to resist the stress of use and to withstand the impact of a falling person.
4. Physical aids or markers shall be present to locate and position the user in the booth.
5. Lamps shall be surrounded by physical barriers to prevent a person from being cut, shocked, burned, or otherwise injured by falling into or bumping Suntanning Regulations against the lamps. At no time shall the temperature of said barriers exceed 120 degrees Fahrenheit.
6. Doors to tanning booths shall open outwardly and be easily opened from the inside. Doors shall be capable of being opened from the outside in case of emergency.
7. All booths shall be wired in conformance with the Massachusetts Electrical Code and other applicable standards. A ground fault protector shall be incorporated into the circuit for each booth.
8. Exposure time shall be controlled by the operator of the establishment. The maximum allowable exposure time to an energized lamp shall not exceed twenty-seven (27) minutes in any one day. Timers shall have an accuracy of + 10% of any selected timer interval and shall shut off automatically.
9. A switch shall be incorporated into each tanning booth so that users may turn off the lamps at any time during the exposure interval.
10. The operator of the suntanning establishment shall, for the use of all patrons, provide protective eyewear which protects eyes from ultra violet radiation and allows adequate vision.
11. The operator shall provide, for the use of all patrons, disposable heavy paper mats on which to stand for protection against “Athletes’ Foot” or other fungi. These mats shall be replaced after each use of the tanning booth.
12. All suntanning booths and protective eyewear shall be thoroughly cleaned and sanitized by the operator after each use.
13. Separate toilet facilities shall be provided for each sex.
14. Separate changing rooms shall be provided for each sex if booths are not designed with integral changing areas.
15. The operator shall provide at least one (1) standard Red Cross 24 unit first aid kit or its equivalent, and at least one standard cot (may be folding) and a blanket on the premises.
16. The operator shall have a copy of the Physicians Desk Reference on hand at all times of operation for reference on medications which cause photosensitivity. This reference book shall be kept at the appointment desk.
17. The following sign in large print shall be posted in a conspicuous place:

“DANGER – ULTRAVIOLET RADIATION”
Follow Instructions

“As with natural sunlight, overexposure can cause eye injury and sunburn; repeated exposure may cause premature aging of the skin and skin cancer. Medications or cosmetics applied to the skin may increase your sensitivity to ultraviolet light. Consult your physician before using lamps if you are taking any medication, are pregnant, or believe yourself especially sensitive to sunlight.”

18. No person under 18 years of age shall be allowed to use a tanning booth without consent of his parent or guardian.
19. The following signs shall be posted inside or on the doors of the tanning booths:

WARNING
Protective eyewear must be worn during use of tanning booth

WARNING
Do not remove protective eyewear while lamps are energized

Applications of Patrons

20. Before a patron is allowed to use the tanning facilities, he must first fill out and sign an application form supplied by the operator, which includes as a minimum the following questions (if the answer to E, F, G, or H is affirmative, patron may not use tanning facilities without physician's written orders): applications must be kept on file for a period of at least one year;

- A. Name
- B. Address
- C. Telephone Number
- D. Age (if under age 18 consent of parent or guardian is required)
- E. Are you taking any medication which would cause photosensitivity?
(see Physicians Desk Reference at appointment desk for list of medications)
- F. Do you have, or have you had during the past three months, any skin eruption or communicable skin disease?
- G. Are you in any way allergic to the sun?
- H. Are you pregnant?
- I. Signature of applicant and date of signature

Inspections

21. Every licensee shall permit the Board of Health or its agents acting in an official capacity to inspect his place of business and his work at any reasonable time.

Permit

22. No person shall operate a suntanning establishment without a permit from the Board of Health. Application shall be made on a form supplied by the Board of Health. A permit shall be for the calendar year and expire on December 31st; the annual permit fee shall be \$50.00. A permit is not transferable. The permit shall be displayed in a conspicuous place on the premises. A permit may be suspended or revoked by the Board of Health for such cause as it deems sufficient.

Penalty

23. Any person who shall violate any provision of this regulation for which penalty is not

otherwise provided in any of the Massachusetts General Laws shall, upon conviction, be fined not less than ten (10) nor more than five hundred (500) dollars. Each day of violation is a separate violation.

Severability

24. If any paragraph, sentence, clause, phrase or word of this regulation shall be declared invalid for any reason whatsoever, the decision shall not affect any other portion of this regulation which shall remain in full force and effect.