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2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 SENATE BILL 1225

By: Paddack

5  
6 AS INTRODUCED

7 An Act relating to tanning; specifying requirements  
8 of tanning facilities; requiring certain statement to  
9 be signed; requiring certain protection; prohibiting  
10 certain persons from using specified devices;  
11 providing for proof of age; proving certain  
12 exemption; defining terms; providing for  
13 codification; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1-1431 of Title 63, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. A tanning facility shall:

19 1. Have an operator present during operating hours who is  
20 sufficiently knowledgeable in the correct operation of tanning  
21 devices used at the facility so that he or she is able to inform and  
22 assist each customer in the proper use of the tanning beds;

23 2. Before each use of a tanning device, provide each customer  
24 with properly sanitized protective eyewear that protects the eye  
from ultraviolet radiation and allows adequate vision to maintain

1 balance and not allow a person to use a tanning device if that  
2 person does not use the protective eyewear;

3 3. Show each customer how to use suitable physical aids, such  
4 as handrails and markings on the floor, to maintain proper exposure  
5 distance as recommended by the manufacturer;

6 4. Use a timer on a tanning device that has an accuracy of plus  
7 or minus ten percent (10%) of any selected timer interval. The  
8 timer shall also be remotely located so that customers cannot set  
9 their own time;

10 5. Limit each customer using a tanning device to the maximum  
11 exposure time as recommended by the manufacturer;

12 6. Control the interior temperature of a tanning facility so  
13 that it does not exceed one hundred (100) degrees Fahrenheit;

14 B. Every person who uses a tanning facility shall sign a  
15 written statement acknowledging that he or she has read and  
16 understood the warning before using the device and that he or she  
17 agrees to use the protective eyewear that the tanning facility  
18 provides.

19 C. Whenever using a tanning device, a person shall use the  
20 protective eyewear that the tanning facility provides.

21 D. Persons under eighteen (18) years of age shall be prohibited  
22 from using a tanning device. Proof of age shall be satisfied with a  
23 driver license or other government issued identification containing  
24 the date of birth and a photograph of the individual.

1 E. The provisions of this section shall not be construed to  
2 preclude a physician or other authorized health care provider from  
3 prescribing the use of a phototherapy device to a patient of any  
4 age.

5 F. For purposes of this section:

6 1. "Phototherapy device" means equipment that emits ultraviolet  
7 radiation that is used in the treatment of disease or other medical  
8 use;

9 2. "Tanning device" means equipment that emits electromagnetic  
10 radiation with wavelengths in the air that is used for tanning of  
11 human skin and includes any accompanying items incidental to  
12 operation of the tanning device; and

13 3. "Tanning facility" means any facility, whether independent  
14 or part of a salon, health spa or any other facility, which provides  
15 access to tanning devices but shall not include private residences  
16 if access to tanning devices is provided without charge.

17 SECTION 2. This act shall become effective November 1, 2012.

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