

Rules of
**Department of Economic
Development**

**Division 267—Office of Tattooing, Body Piercing
and Branding**

Chapter 3—Establishments

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT**

**Division 267—Office of Tattooing, Body
Piercing and Branding
Chapter 3—Establishments**

**4 CSR 267-3.010 Tattoo, Body Piercing
and Branding Establishments**

PURPOSE: This rule specifies the requirements to operate a tattoo, body piercing and branding establishment.

(1) Each operator of a licensed establishment shall—

(A) Only employ or allow licensed practitioners to perform tattooing, body piercing and/or branding procedures on the premises of the licensed establishment;

(B) Ensure that no practitioner in his/her employ or practicing on the premises of the licensed establishment performs beyond the scope of his or her practice and expertise, nor shall an establishment operator direct or require a practitioner to perform beyond the scope of his or her practice and expertise;

(C) Maintain on file in the establishment a copy of each current practitioner's license;

(D) Ensure that each practitioner employed or practicing at the licensed establishment engages in the safe and sanitary practice of tattooing, branding and/or body piercing including but not limited to the use of universal precautions and proper hygiene;

(E) Conspicuously display for the public in the establishment, the license issued by the division for the establishment and the license of each practitioner working in the establishment. A photograph of each practitioner shall be in close proximity to the license for that individual. The photograph shall measure approximately two inches by two inches (2" × 2") and shall have been taken within the last two (2) years;

(F) Be responsible for maintaining client records for a minimum of two (2) years. If a tattoo requires more than one (1) visit to be completed, client records shall be maintained for two (2) years following the completion of the work;

(G) Maintain documentation of compliance with all applicable building, fire, and plumbing codes prescribed by the state or local government. If no zoning codes are available, establishments shall be equipped with and maintain a minimum of at least one (1) fire extinguisher, and one (1) smoke alarm, each of which shall be maintained in good working condition;

(H) Maintain all equipment used to perform tattooing, body piercing and branding procedures in a safe and sanitary condition;

(I) Provide for safe and unobstructed human passage in the public areas of the premises;

(J) Provide for the removal of biohazardous waste, garbage and refuse in a safe and sanitary manner; and

(K) Provide for the safe storage and removal of flammable materials.

(2) General Premises.

(A) Licensed establishments located in buildings that are also used as residences shall be completely separated from the living quarters by floor to ceiling walls or partition(s) and solid doors that are kept closed during business hours. A direct outside entrance to the tattoo, body piercing and/or branding establishment shall be provided.

(B) Floors in the area where tattooing, body piercing and branding procedures are performed shall be constructed of smooth, durable, washable and nonporous material and shall be maintained in clean condition and in good repair at all times. Carpeting is prohibited.

(C) Walls in the area where tattoo, body piercing and branding procedures are performed shall be constructed of washable material and shall be maintained in good condition and in good repair at all times.

(D) Proper lighting shall be available to enable the practitioner to safely perform tattooing, body piercing and branding on a patron.

(E) Water and sewage systems shall comply with all state and local requirements.

(F) A panel or other barrier of sufficient height and width to effectively separate a patron on whom a procedure is being performed from observers or waiting patrons shall be in place or readily available at the patron's request. A panel or barrier shall be in place or readily available and must be used during any tattooing, body piercing or branding of the genital area.

(G) Easily cleanable waste containers with non-absorbent, durable plastic liners shall be used for disposal of all tissue, towels, gauze pads and other similar items used on patrons. Infectious waste, including but not limited to sharps waste, shall be placed in a properly marked biohazard bag or sharps container and disposed of by an approved biohazardous waste company. All items which are single use and are not considered sharps waste that come in contact with body fluids must be placed in a biohazard container and disposed of by an approved biohazardous waste company.

(H) The premises and all facilities used in connection with the premises shall be main-

tained in a clean, sanitary and vermin-free condition at all times.

(I) All furniture in an establishment must be kept clean and well maintained.

(J) No animals, except for those providing services to persons with disabilities, are permitted in a tattoo, body piercing and/or branding establishment.

(3) Restroom, Handwashing, and Cleaning Areas.

(A) All tattoo, body piercing and/or branding establishments shall have a public toilet and handwashing facility that is separate from any living areas.

(B) All tattoo, body piercing and/or branding establishments shall have a separate sink to be used only for sterilization purposes.

(C) Floors, walls, ceilings and fixtures shall be kept clean and in good repair at all times. An easily cleanable covered waste receptacle shall be provided in the toilet room.

(D) At least one handwashing facility shall be easily accessible to the tattoo, body piercing and/or branding area, in addition to what is provided in the toilet room.

(E) Antibacterial soap in a dispenser and single-service towels for drying hands shall be provided at all handwashing facilities. Hot and cold potable water under pressure shall be available at all handwashing facilities.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*