

1 H.53

2 Introduced by Representatives Ancel of Calais, Head of S. Burlington,

3 Andrews of Rutland City, Klein of East Montpelier, Lenex of

4 Shelburne, Minter of Waterbury, Till of Jericho, Wizowaty of

5 Burlington and Zenie of Colchester

6 Referred to Committee on

7 Date:

8 Subject: Health; tanning facilities; minors

9 Statement of purpose: This bill proposes to prohibit use of tanning facilities by  
10 minors.

11 An act relating to protecting minors' health by prohibiting them from using  
12 tanning facilities

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. LEGISLATIVE FINDINGS

15 The general assembly finds:

16 (1) Many physicians and scientists now warn that the risks associated  
17 with tanning are greater when tanning with artificial ultraviolet light. These  
18 risks include sunburn, premature aging, skin cancer, retinal damage, formation  
19 of cataracts, suppression of the immune system, and damage to the vascular  
20 system.

1           (2) Certain medications, cosmetics, and foods are “photosensitizing,”  
2           which means that in some people they react unfavorably with ultraviolet light  
3           to produce skin rashes or burns. Sunlamps and other artificial sources of  
4           ultraviolet light are known to intensify these effects.

5           (3) There is a particular cause for concern about Vermont’s younger  
6           residents. Studies show that women who go to tanning salons more than once  
7           a month or get sunburns when they are teenagers are 55 percent more likely to  
8           develop skin cancer later in life.

9           Sec. 2. 18 V.S.A. § 1512 is added to read:

10          § 1512. TANNING FACILITIES; MINORS; PENALTY

11          (a) As used in this section:

12           (1) “Operator” means a person designated by the tanning facility owner  
13           or tanning equipment lessee to operate, or to assist and instruct in the operation  
14           and use of, the tanning facility or tanning equipment.

15           (2) “Tanning equipment” means any device that emits electromagnetic  
16           radiation with wavelengths in the air between 200 and 400 nanometers used for  
17           tanning of the skin, including a sunlamp, tanning booth, or tanning bed.

18           (3) “Tanning facility” means any location, place, area, structure, or  
19           business that provides persons access to any tanning equipment, including  
20           tanning salons, health clubs, apartments, and condominiums, regardless of  
21           whether a fee is charged for access to the tanning equipment.

1        (b) This section shall apply to any tanning facility in Vermont; provided,  
2        however, that it shall not apply to any physician duly licensed to practice  
3        medicine who uses, in the practice of medicine, medical diagnostic and  
4        therapeutic equipment that emits ultraviolet radiation or to any person who  
5        owns tanning equipment exclusively for personal, noncommercial use.

6        (c) It shall be unlawful for a tanning facility or operator to allow any person  
7        who has not yet reached the age of 18 to use any tanning equipment.

8        (d) Any tanning facility found to be in violation of this section shall be  
9        subject to a civil penalty of up to \$500.00 for the first violation, not less than  
10       \$750.00 and not more than \$1,000.00 for the second violation, and not less  
11       than \$1,000.00 and not more than \$1,500.00 for the third violation and each  
12       violation thereafter.

13       (e) The commissioner shall adopt such rules as are necessary to carry out  
14       the provisions of this section.