

NORTHEAST TAN LLC

**Statement of Tim Nolan, on behalf of Northeast Tan LLC,
A Palm Beach Tan Franchisee, providing comments
Before the Committee on Public Health
Senate Bill 54
March 7, 2012**

Sen. Gerratana, Rep. Ritter and members of the committee:

Northeast Tan LLC is a franchisee of Palm Beach Tan Inc., and operates five tanning salons in Fairfield and New Haven Counties. We appreciate the opportunity to offer comments in regard to Senate Bill 54, *An Act Concerning the Use of Indoor Tanning Devices by Persons Under Eighteen Years of Age*.

As drafted, the bill would prohibit minors from using indoor sun tanning facilities in the State of Connecticut. We believe this legislation is inappropriate and far over reaching and cannot be justified by any public health consideration.

The UV light spectrums produced by an indoor tanning bed are the same light spectrums produced by the sun. Like many things in our environment, these UV light spectrums pose the age old dilemma, we can't live with them and we can't live without them. It goes without saying that over-exposure should be avoided whether the exposure is at a pool, a beach, on a boat, a tennis court, a golf course, or in an indoor tanning bed. However, limiting the access of individuals under 18 to the use of indoor tanning beds will be counter-productive because it eliminates an effective means of educating young people and assisting them in learning how to avoid over-exposure or sun burning. In our tanning salons there are tight controls on tanning exposures for all of our members and in particular for tanners under the age of 18. If the State prohibits them from using indoor tanning facilities these teenagers will tan outdoors in an uncontrolled environment with no concept of the dosage of UV exposure they are absorbing. It seems logical that the public health would be better served by allowing teenagers to learn to tan responsibly.

In our salons, every member has a unique data base which is brought up using a finger scanner. This is done to prevent a person from tanning more than recommended exposures. An individual can only tan on their account. Each new member is Skin Typed using the Fitzpatrick Classification Scale and signs a Consent & Waiver form that explains the guidelines to responsible tanning. Our

tanning consultants are trained to refuse a member request for tanning in excess of the guidelines. The members' usage is then tracked back to their account using the finger scan.

In the case of individuals under the age of 18 years old, both the parent and minor must sign the consent and waiver form before the account can be set up. The forms and signatures are all captured at the counter electronically, and matched to the finger scan. Any person under the age of 16 must be accompanied by the parent or guardian during each tanning session. We receive very few requests for tanning of 15 year olds and when we do the majority relate to physician recommendations to manage skin conditions.

Our goal is to promote responsible practices with respect to tanning. We believe that a ban on the use of indoor facilities by minors will simply result in more uncontrolled and unsupervised outdoor tanning which is not in the best interest of Public Health.

Thank you for consideration of this statement.

NOTE: A sample of the electronic Parent/Legal Guardian Consent Form and picture of the finger scanning device are attached.



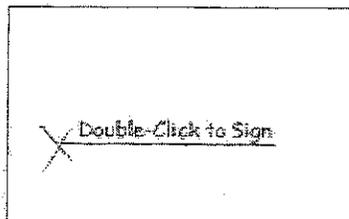
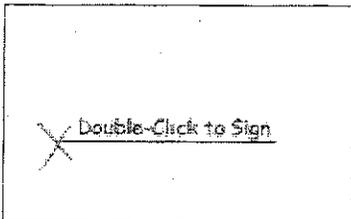
Customer Less than 18 years of Age:

For Customers Less than 18 years of age: My signature below acknowledges and signifies that I have read, understood, and will follow all notices and warnings contained in this document, as well as those notices posted in the entry area and tanning room(s). In addition, I agree to use protective eyewear at all times while using the tanning device. I understand and agree that by signing this document electronically I am agreeing to the provisions of this document to the same extent as if I signed this document manually on paper. I agree that I have presented a valid photo State/Federal identification as required by state law.

I agree that I have reviewed the Fitzpatrick Classification Scale and that my skin type is «**SkinType**».

By providing my e-mail address, I am giving Palm Beach Tan permission to send me information and special offers on its products and services, and those of its partners. I understand that Palm Beach Tan promises not to rent, sell or share personal information about me, INCLUDING FINGERPRINTING IDENTITY, with other people or nonaffiliated companies. I also understand that I can learn more about Palm Beach Tan's privacy policy at www.palmbeachtan.com – "Privacy".

Parent/Legal Guardian: My signature below acknowledges and signifies that I consent for the above minor to use the tanning devices at this tanning facility and any other tanning facility owned or franchised by Palm Beach Tan, Inc. (which consent may be revoked by me at any time by a notice in writing to this tanning facility), have read and understood all notices and warning contained in this document, as well as those notices posted in the entry area and tanning room(s). In addition, I agree that the above minor will use protective eyewear at all times while using the tanning device and will read and follow all of the aforementioned notices and warnings. I represent to Palm Beach Tan, that I am the minor's parent or legal guardian and that the minor's date of birth is as set forth above. I have reviewed the Fitzpatrick Classification Scale and agree that the above minor's skin type is «**SkinType**». I give my consent to the minor receiving information and special offers on its products and services and those of its partners as described above. I understand and agree that by signing this document electronically I am agreeing to the provisions of this document to the same extent as if I signed this document manually on paper.



Member Signature

Parent/Legal Guardian Signature

All parties signing this form and agreement are being furnished, concurrently with such signing, a hard copy hereof. This signed form and agreement will be stored electronically by Palm Beach Tan in unalterable format, and any party may obtain additional copies hereof at any time at this Palm Beach Tan store.
