



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**WAGGONER CARR
ATTORNEY GENERAL**

March 29, 1965

Mr. Eldon Jeffreys
Executive Secretary
State Board of Barber Examiners
Austin, Texas

Opinion No. C-408

Re: Whether the Texas Barber Law can be interpreted to make it legal for a mobile barber shop mounted on a truck, to operate on the streets of a city, going from door to door to render barber services.

Dear Mr. Jeffreys:

You have requested an opinion from this office upon the following question:

"Could the Texas Barber Law be interpreted to make it legal for a mobile barber shop mounted on a truck, to operate on the streets of a city going from door to door to give barber services?"

Article 729, Vernon's Penal Code, provides that:

"Every person owning, operating or managing a barber shop or beauty parlor shall register his full name and the location of said shop or parlor in a book to be kept in the office of State Board of Health for that purpose, and every owner, operator or manager of a barber shop or beauty parlor that is first opened for business hereafter shall within five days after the opening of such shop or parlor register in like manner. In event of a change in the manager or location of any such shop or parlor, the manager of same shall call at or communicate by mail with said board within five days after such change takes place and inform said board thereof." (Emphasis added).

Section 4 of Article 734a, Vernon's Penal Code, provides in part that:

Mr. Eldon Jeffreys, page 2 (C- 408)

"Barber shop, as defined herein, shall mean any place where barbering is practiced in this State. . . ." (Emphasis added).

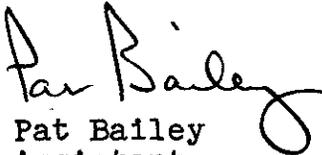
A study of Article 734a, the Texas Barber Law, fails to disclose any specific prohibition against operating mobile barber shops. In fact, Section 4 of Article 734a sets forth that a barber shop shall mean any place where barbering is practiced. This would seem to include mobile shops as well as ones located at a fixed and permanent site.

S U M M A R Y

The provisions of Article 734a, Vernon's Penal Code, the Texas Barber Law, would not prohibit the operation of mobile barber shops.

Very truly yours,

WAGGONER CARR
Attorney General

By: 
Pat Bailey
Assistant

PB:mkh

APPROVED:
OPINION COMMITTEE

W. V. Geppert, Chairman
Howard Fender
Harry Gee
John Reeves
Harold Kennedy

APPROVED FOR THE ATTORNEY GENERAL
BY: Stanton Stone