

### How do these illegal tattoo artists operate?

The illegal tattoo artists, often called “scratchers” or “kitchen wizards”, perform their trade in a variety of ways. They often will do them out of their residence, and can also travel to the recipient’s location and hold “tattoo parties” at either of these locations. All of these scenarios are illegal according to the State of Maine Tattoo Rules.

### What are the charges relating to tattooing a minor and illegal tattooing?

Maine law states that the tattooing of a person under 18 years of age is illegal.

The act of unlicensed tattooing is a separate criminal offense under law. Some police departments have elected to charge illegal tattoo artists with additional crimes that carry greater penalties.

Any person who violates the law is subject to a fine of between \$50 and \$500, or imprisonment of up to six months. The offense is classified as a Class E offense as specified in Title 17-A Maine Criminal Code.

**Tattoo Definition:** To insert pigment under the skin of a human being by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin.

If you have further questions, or would like to file a complaint of illegal tattoo activity, please contact the Health Inspection Program or your District Health Inspector.

The Tattoo Rules and Statute may be found on line at [www.maine.gov/healthinspection](http://www.maine.gov/healthinspection) and <http://www.mainelegislature.org/legis/statutes/32/title32ch63sec0.html>

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An Office of the  
Department of Health and Human Services

Mary C. Mayhew, Commissioner

## Maine CDC Health Inspection Program Division of Environmental Health Illegal Tattooing in Maine



**Basic Information and  
Frequently Asked Questions**

## Basic Information

Illegal tattooing is a problem that is on the rise in Maine. People, especially children, have little knowledge of the increased risk they are taking having an illegal tattoo placed on their body.

### Why are we seeing an increase in illegal tattooing?

- **Popularity.** Tattoos have become very popular in the past few years, even among minors.
- **Equipment availability.** In the past, the equipment required to tattoo was controlled by the manufacturers. One had to be a licensed artist to order it and it was expensive. The increase in popularity has led to lower prices and new vendors who are less discriminating about who they sell to. In addition, the internet has provided easy access to used equipment.
- **Economy.** People look at tattooing as a way to make money.
- **Lack of Education.** The public is not aware about illegal tattooing. It is often difficult to charge an illegal tattoo artist without cooperation from a witness or victim.

## Frequently Asked Questions

### Are tattoo artists required to be licensed in the State of Maine? Who licenses them? Why?

Yes, the Maine CDC's Health Inspection Program of the Department of Health and Human Services licenses tattoo artists. The reason tattoo artists are licensed by our Program is to ensure that they: have the proper safety training (for example, they are required to have blood borne pathogen training); have the proper facilities and equipment (artists are required to work out of an approved studio); dispose of their sharps medical waste correctly; and adhere to other aspects of the regulations (for example, not tattooing minors).

Licensed tattoo artists are inspected regularly and subject to enforcement actions if not compliant.



←tattoo inks

sharps container→

### How would I know if a tattoo artist is licensed?

You should ask to see their license and verify the expiration date. It is important to note that a tattoo artist is only licensed to perform tattoos in an approved studio. If they are tattooing in an apartment or at a party, they are likely not licensed to operate there. There are a few artists licensed to tattoo out of a residence, but this is the exception. Most towns and cities do not allow this activity due to zoning and code restrictions and artists operating from their home need to have a studio separate from their living quarters. If you have any questions about an artist's license status, or the authenticity of a license, please contact the Health Inspection Program.

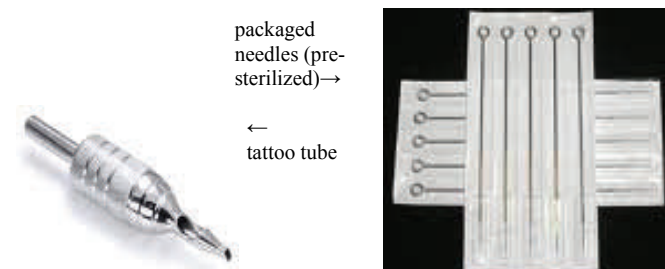
### What are the risks of using an unlicensed tattoo artist?

Many people are unaware of the danger they are getting into when using an unlicensed tattooist. There is an increased chance of disease transmission such as HIV, Hepatitis B & C, and skin infections. Diseases are easily transferrable in an uncontrolled environment by untrained artists.



### How does this affect me?

It is important to note that many of the people utilizing unlicensed tattoo artists are minors since licensed tattoo artists will not tattoo them. Illegal tattoo artists know they are breaking the law and have few qualms about illegal tattooing. Recently in Maine, kids as young as twelve have been tattooed illegally. The use of needles and exposure to blood borne diseases is present. Licensed artists are trained to practice in a clean and hygienic way. Unlicensed artists ignore the safety precautions built into our rules and therefore the risk of disease transmission is a real concern.



packaged  
needles (pre-sterilized)→

←  
tattoo tube