§ 461. Permit required. 1. No person shall be a body piercing specialist or tattooist and no person, firm, corporation, partnership, or other association shall operate a body piercing studio or tattoo studio without first obtaining a permit from the department.

2. All body piercing or tattooing shall be performed in accordance with the rules and regulations promulgated by the commissioner pursuant to the public health law.

3. The department shall issue a permit if the body piercing specialist and body piercing studio or tattooist and tattoo studio are in compliance with this article, the penal law and the state sanitary code and are not otherwise disqualified under this article.