

HOUSE No. 209

The Commonwealth of Massachusetts

PRESENTED BY:

Robert F. Fennell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to encourage well qualified practitioners in the field of personal training.

PETITION OF:

NAME:

Robert F. Fennell

DISTRICT/ADDRESS:

10th Essex

HOUSE No. 209

By Mr. Fennell of Lynn, a petition (accompanied by bill, House, No. 209) of Robert F. Fennell relative to practitioners in the field of personal training. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1005 OF 2011-2012.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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An Act to encourage well qualified practitioners in the field of personal training.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 23A of chapter 112 of the General Laws is hereby amended by
2 inserting the following:

3 Section 23A. The following words as used in sections twenty-three A to twenty-three P,
4 inclusive, unless the context otherwise requires, shall have the following meanings:

5 “Fitness facility” means a health club, health spa, fitness center, wellness center, or
6 private personal training studio. A fitness facility shall include entities that operate either for-
7 profit or not-for-profit.

8 “Group exercise instructor” means an individual who instructs more than one person at
9 one time, with or without equipment, in exercises designed to improve cardiovascular
10 conditioning, muscular strength, flexibility and weight loss in classes that include, but are not
11 limited to, martial arts, Pilates, yoga, kickboxing, boot camp, spinning and any other group class
12 that is taught at a fitness facility.

13 “Personal trainer” means a person who develops a personal exercise plan or program for
14 an individual; and demonstrates, with or without equipment, exercises designed to improve
15 cardiovascular condition muscular strength, flexibility and/or weight loss.

16 SECTION 2. Said chapter 112 is hereby amended by inserting after section 23F the
17 following section:

18 Section 23F ½. It shall be required in order for a person to hold himself or herself out as a
19 personal trainer, to (a) be certified as a personal trainer or its equivalent by national independent
20 organization whose certification procedures for personal trainers have been approved by the
21 National Commission for Certifying Agencies (NCCA); or

22 (b) possess a credential or certification in either the field of personal training, exercise
23 science, or similarly related field, from an educational institution accredited by an accrediting
24 body recognized by either the Council for Higher Education Accreditation or by the United
25 States Department of Education.

26 Exemptions. The certification requirements set forth in section 23F 1/2 shall not apply to
27 the following:

28 (i) Group exercise instructors;

29 Effective Date.

30 (a) The requirements of this act shall take effect three (3) years following enactment.

31 (b) For individuals who have practiced as personal trainers directly through or on behalf
32 of fitness facilities for a period of three consecutive years; the requirements of this act shall take
33 effect five (5) years following enactment.