

# VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

## CHAPTER 555

*An Act to amend and reenact § 54.1-2819 of the Code of Virginia, relating to exemption of emergency medical services agencies from registration as surface transportation and removal services.*

[H 1145]

Approved April 4, 2006

**Be it enacted by the General Assembly of Virginia:**

**1. That § 54.1-2819 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-2819. Registration of surface transportation and removal services.

Any person, ~~or private business or funeral service establishment~~, except a common carrier engaged in interstate commerce, the Commonwealth and its agencies, ~~or an emergency medical services agency holding a permit issued by the Commissioner of Health pursuant to § 32.1-111.6~~, shall apply for and receive a registration as a transportation and removal service in order to be authorized to engage in the business of surface transportation or removal of dead human bodies in this Commonwealth.

Surface transportation and removal services shall not arrange or conduct funerals, provide for the care or preparation, including embalming, of dead human bodies, or sell or provide funeral-related goods and services without the issuance of a funeral service establishment license.

The Board of Funeral Directors and Embalmers shall promulgate regulations for such registration including proper procedures in the handling of all dead human bodies being transported, application process for registration, and establishment of registration fees. These regulations shall not require the use of a casket for transportation. ~~Any~~ No licensed funeral service establishment shall *be required to* receive such registration as ~~part of~~ *in addition to* its funeral service establishment license ~~without the necessity of additional application or fee~~. However, such establishment shall be subject to the regulations pertaining to transportation and removal services.

All registrations as a surface transportation and removal service shall be renewed annually and no person, private business or funeral service establishment shall engage in the business as a surface transportation and removal service without holding a valid registration.

Any surface transportation or removal service which is not registered or persons who knowingly engage in transportation or removal services without registration shall be subject to the disciplinary actions provided in this chapter.

This section shall not be construed to prohibit private individuals from transporting or removing the remains of deceased family members and relatives either by preference or in observation of religious beliefs and customs.