

Virginia Board of Funeral Directors and Embalmers

Guidance on Surface Transportation & Removal Services

Virginia Code § 54.1-2819 requires the registration of persons or private businesses that engage in the business of surface transportation or removal of dead human bodies in the Commonwealth. That section lists restrictions on what an individual or private business may do as a registered surface transportation and removal service, including restrictions from arranging or conducting funerals, providing for the care or preparation of dead human bodies, including embalming, or selling or providing funeral-related goods or services without obtaining a funeral service establishment license. The section additionally states that licensed funeral service establishments do not need to obtain a separate registration to provide these services, although those establishments will be subject to the Board's regulations regarding transportation and removal services.

Based on the restrictions contained in statute, the Board provides the following guidance:

- Where a registered surface transport and removal service that is not otherwise licensed as a funeral service establishment contracts to provide transportation and removal services with a local governmental entity, the surface transport and removal service may take the dead human body to a location or facility designated by the governmental entity, by a court order, or by the decedent's next of kin or designated representative, but not to a location or facility chosen by the surface transport and removal service. Furthermore, the statute does not allow surface transport and removal services to store dead human bodies or arrange for storage of dead human bodies at appropriate and/or licensed locations or facilities not otherwise designated by the governmental entity, court order, decedent's next of kin, or designated representative.
- Where an individual or private business independently contracts with a funeral establishment to provide surface transportation and removal services, the individual or business is required to be registered with the Board as a surface transportation and removal service.

References:

[Va. Code § 54.1-2819](#)
[18VAC65-20-400](#)