ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS

NEW APPLICATION PACKET CHECKLIST
TYPE (D) TRANSPORT

Documentation Checklist:

- ❑ Applicant's Confirmation of Potential Inspection Date/Location.
- ❑ Application for Transport Establishment License.
- ❑ Application fee $50 and Inspection fee $250 **[$300 total**] received.
- ❑ Certificate of Liability Insurance. (Must show the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services as a Certificate Holder and meet the minimum-required coverage limits.)
- ❑ Owner(s) and any/all registered driver(s) are at least 18 years of age.
  [X-REF(S): A.C.A. §17-29-315 (a)(1), Effective 07-01-18]
- ❑ Owner(s)/driver(s) possess a valid Arkansas driver's license and Color copy of driver's license provided.
  [X-REF(S): A.C.A. §17-29-315 (a)(2), Effective 07-01-18]
- ❑ Individual driver(s) must be registered with the Board.
  [X-REF(S): A.C.A. §17-29-315 (a) (3), Effective 07-01-18]
- ❑ Submission of initial Occupational Safety and Health Administration (OSHA) blood-borne pathogen training for an initial registration for each driver.
  [X-REF(S): A.C.A. §17-29-315 (a) (5), Effective 07-01-18]
- ❑ Each driver completes and submits DRIVING RECORD ABSTRACT RELEASE.
- ❑ General Manager is at least 21 years of age and has provided three (3) letters of reference, one of which is from a manager of a funeral establishment licensed by the Board.
  [X-REF(S): 17 CAR § 30-215 (d)(1) through (5.)]
- ❑ Vehicles are of adequate size and interior space.
  [X-REF(S): A.C.A. §17-29-315 (a)(4)]
- ❑ Vision from the outside of each transport vehicle into the area designed for transporting the dead must be restricted by tinting, curtains, shades, or other suitable means.

[X-REF(S): 17 CAR § 30-215 (h)(2) (C)]

- ❑ Other (Describe): _____
- ❑ Other (Describe): _____
- ❑ Other (Describe): _____

ADDITIONAL COMMENT(S):

_____

Owner

ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS

TRANSPORT LICENSE – TYPE "D" COMPLETION INSTRUCTIONS

Pre-Application Instructions:

- To minimize delays in the processing of this application, you are encouraged to read, understand, and follow the requirements under the **Arkansas Code Annotated** and **17 CAR PT 30**:
  - A.C.A. § 17-29-315 Transporting Human Remains – Operating a Transport Service [Effective July 28, 2021]
  - 17 CAR PT 30 (17 CAR § 30-215 for the provisions governing the Type D Transport License for which you are applying.) The current Rule **17 CAR PT 30** is available online. 17 CAR PT 30

Items required to be submitted at the time of application:

1. Completed, signed, and notarized ***Transport Service Firm License Application*** form.
2. $300.00 Fee ($50.00 Application Fee + $250.00 Inspection Fee).
3. Three (3) **Letters of Reference**. One (1) must be from the manager of a funeral establishment.
4. The transport service manager must be at least twenty-one (21) years of age and hold a valid Arkansas Driver's License. A photocopy of the manager's valid Driver's License must accompany the application.
5. All personnel that will be driving for the transport service must hold a valid Arkansas Driver's License. Color photocopies of all valid Driver's Licenses must accompany the application.
   a. All drivers must submit proof of bloodborne pathogen training per A.C.A. §17-29-315 (a)(5)
   b. Each must complete the DRIVING RECORD ABSTRACT RELEASE
6. Cover Letter that indicates the potential inspection date.
7. Certificate of General Liability Insurance. (The **State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services** should be listed as a Certificate Holder. The certificate must indicate in the description area that coverage is for the "transportation of the human dead" and the **minimum-required** *general liability and commercial auto liability coverage* amount is **$500,000.00**. An updated certificate must be provided to the Funeral Services Division/Embalmers & Funeral Directors once annually.)

Additional Instructions:

- All applications and supporting documentation shall be received *at least* **twenty (20) business days** prior to the next board meeting. This will allow the inspector to have enough time to complete the inspection and prepare the inspection report prior to the board meeting.
- Once a Board Meeting agenda is established in advance of the meeting date, it will not be amended/modified within one (1) week prior to the meeting date.
- The transport service **owner and manager** are required to appear before the Board during the Board Meeting in which the application is being considered/reviewed for approval.
- Once the Board has approved the application, the remaining fees of **$35.00** are **due at the board meeting which approved.**

Other:

- The inspector will meet the applicant(s) at our offices at the Arkansas Insurance Department in Little Rock, AR.

If you have any questions regarding the application process, please contact our offices at **(501) 682-0574**.

Return Completed Application To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS

TRANSPORT SERVICE FIRM LICENSE APPLICATION – TYPE D

FEES DUE:

- **Application Fee:** **$ 50.00** ◀ **Due at time of application**
- Original License Fee: $ 35.00
- **Inspection Fee:** **$250.00** ◀ **Due at time of application**
- **TOTAL FEE DUE:** **$335.00**

[For Office Use Only]
Board ID No.: _____
Date Issued: _____

IMPORTANT: $300.00 is due at the time application is submitted. The remaining $35.00 is due once the application has been approved.

I hereby make application to the **Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services** for a license to operate a human remains transport service. I submit the following information.

Name: _____
(Transport Service Name as it will appear on the License)

Mailing Address:

_____
P.O. Box/Street City State ZIP Code

Physical Address:

_____
Street City State ZIP Code

Physical Address County _____

Phone: (____)_____ **Fax:** (____)_____ **Mobile:** (___)_____

Owner(s): _____ **Age(s):** _____
(List the Corporation, LLC, Sole-Proprietor, etc., if applicable)

E-Mail Address: _____

Website Address: _____

Drivers:_____

_____

_____

QUESTIONNAIRE:

The requirements for a transport service firm licensure are detailed under **17 CAR § 30-215. Funeral Establishment Type D — Transport Service Firm.**

- Do all drivers comply with the requirements of the above-referenced Rule? ❑ YES ❑ NO
- Have all drivers received bloodborne pathogen training? ❑ YES ❑ NO
- Is all driver documentation included (color DL, bloodborne training and driver release) ❑ YES ❑ NO
- Is the general manager at least twenty-one (21) years of age? ❑ YES ❑ NO

- Do all vehicles comply with the requirements of the above-referenced Rule? ❑ YES ❑ NO
- Does the insurance coverage* comply with the following requirements? ❑ YES ❑ NO
  - **Minimum-required GENERAL LIABILITY AND COMMERICAL AUTO LIABILITY COVERAGE of $500,000.00.**
  - Policy specifically indicates that the coverage is for **the transport of the human dead**.
- Have you attached Proof of Insurance* to this application form? ❑ YES ❑ NO
- Are there three (3) letters of reference attached per the requirements of the above-referenced Rule? ❑ YES ❑ NO

****IMPORTANT****

***Proof of required insurance must be provided to the Board *prior to* the issuance of an original or a renewed license.**

It is understood that a license will not be granted until the Establishment has been inspected and approved.

I agree to equip, operate and maintain the same in all respects, as a Funeral Establishment, as required by law and rules of the **Arkansas State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services** and the **Arkansas State Department of Health**.

_____ _____ _____
Applicant Signature Applicant Title Date

State of _____

County of _____

Subscribed to and sworn before me this _____ day of _____, 20_____.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Return Completed Application To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

STATE OF ARKANSAS
Department of Finance and Administration

DRIVING RECORD ABSTRACT RELEASE

Each agency must keep the release on file and the release is valid for five (5) years.

Arkansas Insurance Department | Funeral Services Division
Agency Name

Last Name **First Name** **Middle Name**

Date of Birth **Driver's License Number**

You are hereby authorized to obtain my Traffic Violation Record from the Office of Driver Services as permitted by A.C.A. § 27-50-906 and A.C.A. § 27-50-908. This record **shall** include material normally excluded by A.C.A. § 27-50-802.

I understand that this authorization to obtain my Traffic Violation Report will remain in effect for five (5) years unless a formal withdrawal is filed by me.

*Signature of individual appearing below **shall** constitute consent for the release of such records to the agency named on this form.*

Driver Signature **Date**

17 CAR § 30-215. Funeral Establishment Type D — Transport Service Firm

(a) A transport service firm is an agent of a Type A establishment and, as such, is prohibited from making arrangements with the public.

(b) No transport service firm headquartered or having an office in the State of Arkansas shall operate in this state without a valid license issued by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services.

(c) Application for licensure as a transport service firm shall be made on forms provided by the board. (d) A license for the operation of a transport service may be issued by the board if the board finds that:

(1) The firm is owned, managed, and supervised by a person approved by the board;

(2) The owner or manager of a transport service firm has provided the board with three (3) letters of reference, one (1) of which must be submitted by the manager of a funeral establishment licensed by the board;

(3) The owner or manager of a transport service firm is at least twenty-one (21) years of age;

(4) The application was completed on forms provided by the board and accompanied by the required fees; and

(5) The application was received by the board at least twenty (20) business days before the board's next regularly scheduled meeting.

(e) The name of the owner or manager of a transport service firm shall be reported to the board, upon renewal.

(f)(1) Should the owner or manager of a transport service firm leave the employment of the firm for any reason, the transport service firm shall notify the board of his or her leaving within ten (10) business days and the name of the new manager within thirty (30) business days.

(2) Any new manager shall meet all board requirements for that position.

(g) Any person employed by a transport service firm as a driver must:

(1) Be at least eighteen (18) years of age;

(2) Hold a valid driver's license issued by the State of Arkansas; and

(3) Have an acceptable driving record.

(h)(1) Vehicles used by the transport service firm must be suitable for the purpose for which they are being used by the firm in the transport of the human dead.

(2) At a minimum:

(A) Vehicles must be of adequate size and interior space;

(B) Vehicles used may at no time transport more than the number of bodies they are designed to accommodate;

(C) Vision from the outside of each transport vehicle into the area designed for transporting the dead must be restricted by:

(i) Tinting;

(ii) Curtains;

(iii) Shades; or

(iv) Other suitable means;

(D) A passenger vehicle such as a sedan may not be used except for transporting infants;

(E) A pickup truck with camper shell cover may only be used in extreme conditions caused by decomposition and odor or by extreme weather conditions or terrain; and

(F) All vehicles must be kept clean and sanitary, and maintained in good and serviceable condition.

(i)(1) All transport service firms shall carry liability insurance coverage of not less than five hundred thousand dollars ($500,000) and commercial automobile liability insurance coverage of not less than five hundred thousand dollars ($500,000).

(2) The policy shall specifically indicate that the coverage is for the transport of the human dead.

(3) Proof of general liability insurance and commercial automobile insurance shall be provided to the board prior to issuance of an original or renewal Type D establishment license.

(j)(1) When a transport service firm is sold or changes ownership, the firm shall notify the board, in writing, at least thirty (30) days prior to the sale or change of ownership.

(2) In cases where the name of the firm will not change, the license in effect shall be honored for the new owner until that license expires.

(3) If the new owner desires to change the name of the transport service firm prior to license expiration, then the owner shall apply for a license for the firm to be issued in the new name.

(k) When a transport service firm is closed, the board shall be immediately notified of the closing in writing, and the license in force at the time of closure shall be returned to the board office within seven (7) days.

(l) If a transport service firm license is revoked, that license shall be returned to the board office within seven (7) days of receipt of the board order revoking the license.

(m)(1) If all requirements are met, the board shall grant each application for the licensure of a transport service firm at the meeting at which the license application was discussed.

(2) No applicant may operate a transport service firm until notification from the board that a license has been issued.

(n)(1) Transport service firm licenses and renewal licenses shall be issued under this section upon application, receipt of proof of required insurance, and after approval of the board.

(2) All transport licenses must be renewed timely.

(o) An application fee shall accompany each application for licensure.

(p) Renewal of all transport service firm licenses must be made timely and must be accompanied by the renewal fee.

(q) Licenses not renewed timely shall be considered delinquent and may be grounds for disciplinary action by the board.

(r)(1) The owner or manager of a transport service firm may hire such employees so that services are competently provided.

(2) The manager is responsible for the supervision and performance of his or her employees and agents in the course of providing the services of a transport service.

(3) Disciplinary action may be brought against the firm and its owner and manager because of the acts or omissions of the firm's employees and agents which violate any applicable law or the rules of the board.

(s) A transport service firm may only act at the request of, and as the agent of, a licensed funeral establishment or its representative.

(t)(1) A transport service firm is prohibited from providing shelter, care, or custody of the human dead except as provided by law and in this part.

(2) This does not prohibit a licensed funeral director or embalmer from acting as an agent and at the request of a licensed funeral establishment or its representative from providing those services.

(u) Holders of funeral establishment licenses issued by the board are exempt from any requirement to hold a separate transport service firm license.

(v) The dignity of the deceased person shall be respected at all times by the transport service firm and its personnel.

(w) Acceptance of a license issued by the board gives a board and its representatives the right to inspect the office of the transport service firm, its vehicles, and the records of the firm at any time.

(x)(1) License holders shall also hold valid licenses issued by any other applicable regulatory agencies.

(2) Failure to hold such other licenses or permits, when necessary, shall be considered a violation of this part.

(y) When acting as an agent of a funeral establishment, or in the course of their normal business, ambulance companies and licensed common carriers, such as airlines, freight companies, and railroads, may transport the bodies of the human dead in and through this state without a transport service firm license issued by the board.

A.C.A. § 17-29-315

Current through all laws of the 2018 Fiscal Session and 2018 Second Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

- Arkansas Code Annotated
- Title 17 Professions, Occupations, and Businesses
- Subtitle 2. Nonmedical Professions
- Chapter 29 Embalmers, Funeral Directors, and Funeral Establishments
- Subchapter 3-- Embalmers and Funeral Directors Law -- Licensing

Notice

Second of 2. This section has more than one version with varying effective dates.

Second of 2 versions of this section

17-29-315. Transporting human remains -- Operating a transport service -- Qualifications. [Effective July 1, 2018.]

(a) A person who desires to transport human remains or operate a transport service to transport human remains in this state shall:
(1) Be at least eighteen (18) years of age;
(2) Possess a valid Arkansas driver's license appropriate for the operation of the motor vehicle as determined by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services;
(3) Make written application to the board for each transport service firm to register as a driver on forms provided by the board and attaching the fee as prescribed in § 17-29-208 [repealed] for the transport service;
(4) Own an appropriate and acceptable motor vehicle as determined by the board to transport human remains;
(5) Each driver shall be required to submit initial Occupational Safety and Health Administration blood-borne pathogen training for an initial registration; and
(6) Provide the information required by the board.
(b) Application for a transport service license shall be made on forms furnished by the board.
(c) The board shall grant the application if the board finds that the applicant:
(1) Has an acceptable driving record; and
(2) Meets the qualifications under this section.
(d) Within a reasonable amount of time after the effective date of this subchapter, an individual who is currently transporting human remains in this state shall be licensed as determined by rules of the board.

History

Acts 2015, No. 1095, § 38; 2017, No. 788, § 25.