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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

331 MAINE STATE BOARD OF FUNERAL SERVICE

Chapter 12: TRANSPORTATION OF HUMAN REMAINS

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SUMMARY: This chapter contains rules regarding the transportation of dead human bodies and human remains.

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1. Generally

Licensees may transport dead human bodies or human remains only in vehicles owned by or leased to the funeral establishment or a practitioner of funeral service.

2. Definitions

For this chapter, the following terms are defined as:

A. Multipurpose Funeral Vehicle: “Multipurpose Funeral Vehicle” means a vehicle, other than a hearse, used for transporting dead human bodies or human remains.

B. Hearse: “Hearse” means a vehicle specially constructed and used for conveying dead human bodies or human remains.

C. Hinge Point: “Hinge Point” means the point on a seat assembly where the vertical seat back attaches to and pivots above the horizontal seat base.

D. Platform: “Platform” means a removable or permanent rigid surface including but not limited to a casket floor, a loading deck, or wood or other material that is used to facilitate the loading and unloading of transportation equipment.

E. Raised Platform: “Raised Platform” means a platform at a height above the hinge point.

F. Transportation Equipment: “Transportation Equipment” means a stretcher, cot, rack, cot mate, tray, platform, casket, alternative container, or like mechanisms that are made of metal or other rigid materials and are used for transporting dead human bodies or human remains.

3. Dignity in the transportation of dead human bodies or human remains

Licensees transporting dead human bodies or human remains must promote respect for and preserve the dignity of dead human bodies or human remains by:

A. Enclosing and concealing dead human bodies or human remains from public view;

- B. Providing ample enclosed area to accommodate transportation equipment; and
- C. Loading, transporting, and unloading dead human bodies or human remains without excessive tilting or movement of the transportation equipment.

4. Safety of drivers and passengers in multipurpose funeral vehicles

Multipurpose funeral vehicles used to transport dead human bodies or human remains must meet the following requirements:

A. If a platform is used, the following apply:

1. The platform must be securely attached to the floor of the vehicle when the vehicle is in transit; and
2. The platform must be on a plane level to the vehicle floor and below the hinge point to the driver and front passenger seats.

B. If a raised platform is used, the following apply:

1. The raised platform must be securely attached to the vehicle when the vehicle is in transit;
2. The raised platform must be located behind the passenger seat only; and
3. The passenger seat must remain empty.

C. Multipurpose funeral vehicles owned or leased by funeral establishments or funeral practitioners must comply with Sections 4(A) and 4(B) as soon as practicable but no later than five years from the effective date of this chapter.

D. To reduce the risk of driver or passenger injury, a licensee shall make a good faith effort to secure any transportation equipment and cargo stored in the back of the vehicle with tiedowns such as padded lines, rope, strapping, synthetic webbing or cordage, or other attachment or fastening devices. Funeral establishments shall be responsible for providing tiedowns for this purpose.

5. Transportation of Human Remains by Common Carrier

Dead human bodies that are embalmed must be enclosed in a casket or alternative container designed for this purpose when transported by common carrier.

Dead human bodies that are not embalmed or in a decomposition state must be enclosed

in a galvanized metal, sealed case (Ziegler or equivalent) or casket designed to prevent leakage of fluids and offensive odors when transported by common carrier.

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STATUTORY AUTHORITY: 32 M.R.S. §§1451 and 1501

EFFECTIVE DATE: