

**58-9-305 Exemptions from licensure.**

In addition to the exemptions from licensure in Section 58-1-307, a person may engage in the following acts included within the definition of the practice of funeral service, subject to the stated circumstances and limitations, without being licensed under this chapter:

- (1) transportation of a dead human body in accordance with other applicable state and federal laws;
- (2) ambulance or other emergency transportation of a dead human body;
- (3) the sale of any of the following that is delivered to the buyer or the buyer's designee within 90 days after the day of the sale:
  - (a) funeral merchandise;
  - (b) headstones; or
  - (c) other memorial merchandise;
- (4) the performance of funeral, graveside, or memorial services by:
  - (a) a member of the clergy;
  - (b) a member of the decedent's family; or
  - (c) any other recognized individual;
- (5) assisting a Utah licensed funeral service director regarding disasters or special emergencies by individuals licensed in other states as funeral service directors or embalmers;
- (6) activities of an unlicensed individual employed by a funeral service establishment involving arrangement for a funeral service or the sale of funeral merchandise if the binding contract is reviewed, approved, and signed in behalf of the funeral service establishment by a licensed funeral service director; and
- (7) nonprofessional tasks or activities which:
  - (a) do not require independent professional judgment; and
  - (b) are required of persons employed by a funeral service establishment under the supervision of a funeral service director.

Amended by Chapter 144, 2007 General Session