

111th CONGRESS
1st Session
H. R. 305

To amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

IN THE HOUSE OF REPRESENTATIVES

January 8, 2009

Mr. KIRK (for himself, Mr. COHEN, and Mr. WHITFIELD) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Horse Transportation Safety Act of 2009'.

SEC. 2. TRANSPORTATION OF HORSES.

(a) In General- Chapter 805 of title 49, United States Code, is amended by adding at the end the following:

`Sec. 80505. Transportation of horses

`(a) Prohibition- No person may transport, or cause to be transported, a horse from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession of the United States in a motor vehicle containing two or more levels stacked on top of one another.

`(b) Civil Penalty- A person that knowingly violates this section is liable to the United States Government for a civil penalty of at least \$100 but not more than \$500 for each violation. A separate violation occurs under this section for each horse that is transported, or caused to be transported, in violation of this section. On learning of a violation, the Attorney General shall bring a civil action to collect

the penalty in the district court of the United States for the judicial district in which the violation occurred or the defendant resides or does business.

`(c) Motor Vehicle Defined- In this section, the term `motor vehicle' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated exclusively on a rail or rails.

`(d) Relationship to Other Laws- The penalty provided under this section shall be in addition to a penalty or remedy available under any other law or common law.'

(b) Conforming Amendment- The analysis for such chapter is amended by adding at the end the following:

`80505. Transportation of horses.'