

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.

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## 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

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## 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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Horse Transportation  
5 Safety Act of 2009”.

1 **SEC. 2. TRANSPORTATION OF HORSES.**

2 (a) IN GENERAL.—Chapter 805 of title 49, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 **“§ 80505. Transportation of horses**

6 “(a) PROHIBITION.—No person may transport, or  
7 cause to be transported, a horse from a place in a State,  
8 the District of Columbia, or a territory or possession of  
9 the United States through or to a place in another State,  
10 the District of Columbia, or a territory or possession of  
11 the United States in a motor vehicle containing two or  
12 more levels stacked on top of one another.

13 “(b) CIVIL PENALTY.—A person that knowingly vio-  
14 lates this section is liable to the United States Government  
15 for a civil penalty of at least \$100 but not more than \$500  
16 for each violation. A separate violation occurs under this  
17 section for each horse that is transported, or caused to  
18 be transported, in violation of this section. On learning  
19 of a violation, the Attorney General shall bring a civil ac-  
20 tion to collect the penalty in the district court of the  
21 United States for the judicial district in which the viola-  
22 tion occurred or the defendant resides or does business.

23 “(c) MOTOR VEHICLE DEFINED.—In this section,  
24 the term ‘motor vehicle’ means a vehicle driven or drawn  
25 by mechanical power and manufactured primarily for use

1 on public highways, but does not include a vehicle operated  
2 exclusively on a rail or rails.

3 “(d) RELATIONSHIP TO OTHER LAWS.—The penalty  
4 provided under this section shall be in addition to a pen-  
5 alty or remedy available under any other law or common  
6 law.”.

7 (b) CONFORMING AMENDMENT.—The analysis for  
8 such chapter is amended by adding at the end the fol-  
9 lowing:

“80505. Transportation of horses.”.

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