

# Union Calendar No. 385

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 305

[Report No. 111-645]

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

SEPTEMBER 28, 2010

Additional sponsors: Mr. MOORE of Kansas, Mr. JONES, Mr. MORAN of Virginia, Mr. RAHALL, Mr. SERRANO, Mr. GONZALEZ, Mr. REICHERT, Mr. HINCHEY, Mr. FOSTER, Ms. HIRONO, Ms. BORDALLO, Mr. OLVER, Mr. GUTIERREZ, Ms. JACKSON LEE of Texas, Mrs. MALONEY, Mr. GEORGE MILLER of California, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. KAPTUR, Ms. LEE of California, Mr. LIPINSKI, Mrs. CAPPS, Ms. WOOLSEY, Ms. BERKLEY, Mr. PAYNE, Mr. BERMAN, Mr. MCGOVERN, Mr. STARK, Mr. BLUMENAUER, Mr. LOBIONDO, Mr. SESTAK, Ms. MCCOLLUM, Mr. FRANK of Massachusetts, Mr. KUCINICH, Mr. WEXLER, Ms. ESHOO, Mr. GOODLATTE, Mr. ROTHMAN of New Jersey, Mrs. LOWEY, Mr. HALL of New York, Mr. LANCE, Mr. GRIJALVA, Mr. WELCH, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. TONKO, Mr. LYNCH, Mr. TAYLOR, Ms. TITUS, Mr. MICHAUD, Mr. FILNER, Mr. HEINRICH, Mr. BROWN of South Carolina, Ms. DELAURO, Mr. ACKERMAN, Mr. POLIS of Colorado, Ms. PINGREE of Maine, Mr. KISSELL, Mr. CONNOLLY of Virginia, Mr. HOLT, Mr. MCMAHON, Mr. DEUTCH, Mr. KILDEE, Mr. WU, Ms. MATSUI, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. CASTLE, Mr. ELLISON, Mr. SMITH of New Jersey, Mr. BARTLETT, Mr. INGLIS, Mr. COFFMAN of Colorado, Mr. BILBRAY, Mr. GALLEGLY, Mr. GERLACH, Mr. EHLERS, Mr. PLATTS, and Ms. GIFFORDS

SEPTEMBER 28, 2010

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Horse Transportation  
3 Safety Act of 2009”.

4 **SEC. 2. TRANSPORTATION OF HORSES.**

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

8 **“§ 80505. Transportation of horses**

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

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

1       “(c) MOTOR VEHICLE DEFINED.—In this section,  
2 the term ‘motor vehicle’ means a vehicle driven or drawn  
3 by mechanical power and manufactured primarily for use  
4 on public highways, but does not include a vehicle operated  
5 exclusively on a rail or rails.

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

10       (b) CONFORMING AMENDMENT.—The analysis for  
11 such chapter is amended by adding at the end the fol-  
12 lowing:

“80505. Transportation of horses.”.



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