

115TH CONGRESS
1ST SESSION

H. R. 4040

To amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2017

Mr. COHEN (for himself, Mr. JONES, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DESAULNIER, Mr. DEUTCH, Ms. ESTY of Connecticut, Mr. GRIJALVA, Mr. HARRIS, Mr. HASTINGS, Mr. KEATING, Mr. KILMER, Mr. KING of New York, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MCSALLY, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. POLIS, Ms. SHEA-PORTER, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Ms. TITUS, Ms. TSONGAS, Ms. VELÁZQUEZ, and Mr. WELCH) 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 2 or more levels stacked on top of one another, and for other purposes.

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 2017”.

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

5 Section 80502 of title 49, United States Code, is
6 amended—

7 (1) in subsection (c), by striking “This section
8 does not” and inserting “Subsections (a) and (b)
9 shall not”;

10 (2) by redesignating subsection (d) as sub-
11 section (e);

12 (3) by inserting after subsection (c) the fol-
13 lowing:

14 “(d) TRANSPORTATION OF HORSES.—

15 “(1) PROHIBITION.—No person may transport,
16 or cause to be transported, a horse from a place in
17 a State, the District of Columbia, or a territory or
18 possession of the United States through or to a
19 place in another State, the District of Columbia, or
20 a territory or possession of the United States in a
21 motor vehicle containing 2 or more levels stacked on
22 top of each other.

23 “(2) MOTOR VEHICLE DEFINED.—In this sub-
24 section, the term ‘motor vehicle’—

1 “(A) means a vehicle driven or drawn by
 2 mechanical power and manufactured primarily
 3 for use on public highways; and

4 “(B) does not include a vehicle operated
 5 exclusively on a rail or rails.”; and

6 (4) in subsection (e), as redesignated—

7 (A) by striking “A rail carrier” and insert-
 8 ing the following:

9 “(1) IN GENERAL.—A rail carrier”;

10 (B) by striking “this section” and insert-
 11 ing “subsection (a) or (b)”; and

12 (C) by striking “On learning” and insert-
 13 ing the following:

14 “(2) TRANSPORTATION OF HORSES IN MULTI-
 15 LEVEL TRAILER.—

16 “(A) CIVIL PENALTY.—A person that
 17 knowingly violates subsection (d) is liable to the
 18 United States Government for a civil penalty of
 19 at least \$100, but not more than \$500, for each
 20 violation. A separate violation of subsection (d)
 21 occurs for each horse that is transported, or
 22 caused to be transported, in violation of sub-
 23 section (d).

24 “(B) RELATIONSHIP TO OTHER LAWS.—

25 The penalty imposed under subparagraph (A)

1 shall be in addition to any penalty or remedy
2 available under any other law or common law.
3 “(3) CIVIL ACTION.—On learning”.

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