

112TH CONGRESS
1ST SESSION

S. 1281

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 SENATE OF THE UNITED STATES

JUNE 27, 2011

Mr. KIRK (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 2011”.

6 **SEC. 2. TRANSPORTATION OF HORSES.**

7 Section 80502 of title 49, United States Code, is
8 amended—

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

4 (2) by redesignating subsection (d) as sub-
5 section (e);

6 (3) by inserting after subsection (c) the fol-
7 lowing:

8 “(d) TRANSPORTATION OF HORSES.—

9 “(1) PROHIBITION.—No person may transport,
10 or cause to be transported, a horse from a place in
11 a State, the District of Columbia, or a territory or
12 possession of the United States through or to a
13 place in another State, the District of Columbia, or
14 a territory or possession of the United States in a
15 motor vehicle containing 2 or more levels stacked on
16 top of each other.

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

19 “(A) means a vehicle driven or drawn by
20 mechanical power and manufactured primarily
21 for use on public highways; and

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

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

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

3 “(1) IN GENERAL.—A rail carrier”;

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

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

8 “(2) TRANSPORTATION OF HORSES IN MULTI-
9 LEVEL TRAILER.—

10 “(A) CIVIL PENALTY.—A person that
11 knowingly violates subsection (c) is liable to the
12 United States Government for a civil penalty of
13 at least \$100 but not more than \$500 for each
14 violation. A separate violation occurs under sub-
15 section (c) for each horse that is transported, or
16 caused to be transported, in violation of sub-
17 section (c).

18 “(B) RELATIONSHIP TO OTHER LAWS.—
19 The penalty provided under subparagraph (A)
20 shall be in addition to any penalty or remedy
21 available under any other law or common law.

22 “(3) CIVIL ACTION.—On learning”.

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