

Introduced: 1/22/74
Referred: Health, Education
and Social Services and
State Affairs

1 IN THE SENATE

BY THOMAS BY REQUEST

2 SENATE BILL NO. 274

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to horses and other equine animals;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 03.45.030 is amended to read:

10 Sec. 03.45.030. CONDITIONS OF IMPORTATION OF CERTAIN ANIMALS. No
11 person may bring into the state any horse or other equine animal,
12 cattle, or swine for work, feeding, breeding, dairying, or for any
13 other purpose unless the animal has been examined and found free from
14 glanders, farcy, tuberculosis, equine influenza or any other respiratory
15 disease, equine infectious anemia, actinomycosis, rinderpest, foot and
16 mouth disease, contagious abortion, contagious keratitis, scabies,
17 maladie du coit, swine plague and hog cholera. Swine in addition shall
18 have been given the serum treatment for hog cholera within two weeks
19 before shipping, unless a permit has been obtained from the proper
20 authorities of the state, territory or foreign country from which the
21 animal is shipped, or from an inspector of the Department of Agriculture
22 of the United States assigned to the division of dairy and livestock in
23 the state, territory or foreign country from which the animal is
24 shipped. No steamship or transportation company or other common carrier
25 may bring any animal into the state without first having had it examined,
26 or treated, and found free from the diseases described in this section
27 and having obtained the permit provided for in this section.

28 * Sec. 2. AS 03 is amended by adding a new chapter to read:

29 CHAPTER 47. HORSES AND OTHER EQUINE ANIMALS.

1 Sec. 03.47.010. HEALTH CERTIFICATE REQUIRED. (a) No horse or
2 other equine animal may be led, driven, herded, or otherwise brought
3 into, or transported over, a street, road or highway in the state, nor
4 may a permit be issued under sec. 20 of this chapter, unless the animal's
5 owner, custodian or attendant possesses a health certificate for each
6 animal committed to his care or charge. The certificate shall accompany
7 the animal or be in the possession of the animal's owner, custodian or
8 attendant when a horse or other equine animal is being transported over
9 a street, road or highway in the state. The certificate shall be pre-
10 sented when requested by proper authority of the state, including but
11 not limited to authorized inspectors or representatives of the Department
12 of Public Safety or the Department of Natural Resources.

13 (b) An inspector may examine a horse or other equine animal for
14 identification or for physical condition and may order that (1) each
15 animal be unloaded from any vehicle or other conveyance transporting it
16 and (2) the animal be walked about during the inspection.

17 (c) For the purpose of this section, "health certificate" means
18 a legible certificate executed on an official form of the state or
19 province of origin by a licensed veterinarian certifying that the horse
20 or other equine animal is free from evidence of infection and communi-
21 cable diseases listed in AS 03.45.030 applicable to horses or other
22 equine animals, and recording any required tests, vaccinations or
23 immunizations relating to these infections and communicable diseases
24 that are applicable to horses or other equine animals.

25 Sec. 03.47.020. TRANSPORTATION OF HORSES, OTHER EQUINE ANIMALS;
26 PERMIT REQUIRED. (a) No horse or other equine animal may be trans-
27 ported over a street, road or highway in the state without a permit
28 issued for that purpose by the Department of Public Safety 10 days before
29 the animal will be transported.

1 (b) Application for a permit to transport horses or other equine
2 animals shall be made by the owner, custodian, attendant or shipping
3 agent at least 10 days before the movement of the animals. The applica-
4 tion shall be accompanied by a health certificate for each animal pre-
5 scribed by sec. 10 of this chapter. A permit shall be issued or denied
6 by the Department of Public Safety at least 48 hours before the animal
7 is to be moved. Applications shall be made, and permits issued, on forms
8 prescribed by the Department of Public Safety on recommendation of the
9 state veterinarian in the Department of Natural Resources. Health cer-
10 tificates shall be returned with the permits issued, or with the notice
11 denying the permit.

12 (c) The owner, custodian, attendant or shipping agent shall retain
13 possession of the permit while transporting the horse or other equine
14 animal over the streets, roads or highways of the state. Each owner,
15 custodian, attendant or shipping agent also shall have in his possession
16 evidence of ownership of each animal committed to his care or charge.
17 The permit and evidence of ownership shall be presented when requested
18 by proper authority of the state, including but not limited to autho-
19 rized inspectors or representatives of the Department of Public Safety
20 or the Department of Natural Resources.

21 (d) The Department of Public Safety by regulation may require that
22 when application is made for a transportation permit under this section,
23 the owner, custodian, attendant or shipping agent present, and retain in
24 his possession while transporting the animals, proof of insurance cover-
25 age for the transportation vehicle or other conveyance and for the value
26 of the animals transported.

27 Sec. 03.47.030. HORSE TRANSPORTATION VEHICLES. (a) No horse or
28 other equine animal may be transported in a vehicle or other conveyance
29 over the streets, roads or highways of this state that is unsuitable

1 for that purpose. Trucks, vans, trailers or other vehicles or convey-
2 ances used for the transportation of horses or other equine animals
3 shall be constructed for the safe, comfortable transportation of these
4 animals, and shall be equipped as prescribed in this section, or by
5 regulation. The equipment required by statute or by regulation shall at
6 all times be maintained in operating condition.

7 (b) A vehicle or conveyance used for the transportation of horses
8 or other equine animals is subject to inspection as to its suitability
9 for that purpose when application is made for a transportation permit or
10 when the permit is issued under sec. 20 of this chapter, or when the
11 horses or other equine animals are examined under sec. 10(b) of this
12 chapter.

13 (c) That portion of a vehicle or other conveyance used for the
14 transportation of horses or other equine animals that actually contains
15 the animals shall be constructed with hardwood flooring at least two
16 inches thick. A bedding of suitable material sufficiently thick to
17 absorb urine shall cover the floor.

18 (d) Vans, trailers or other vehicles or conveyances used for the
19 transportation of horses or other equine animals that are not self-
20 propelled shall be

21 (1) equipped with a braking system, stop lights and turn
22 signals separate from the tractor or other pulling vehicle; and

23 (2) connected to the tractor or other pulling vehicle by a
24 properly installed, securely fastened safety trailer hitch.

25 (e) Vehicles or other conveyances transporting horses or other
26 equine animals over the streets, roads or highways of this state shall
27 at all times be operated with headlights and tail lights on.

28 Sec. 03.47.040. PROHIBITIONS. It shall be unlawful

29 (1) to transport horses or other equine animals over the

1 streets, roads or highways of this state in violation of secs. 10 - 30
2 of this chapter;

3 (2) to make a false statement or to falsify any certificate
4 or other record in order to obtain a permit to transport horses or other
5 equine animals under sec. 20 of this chapter;

6 (3) to neglect to feed, water and rest horses or other equine
7 animals being transported over the streets, roads or highways of this
8 state at least three times a day in a motionless vehicle or other con-
9 conveyance; a horse or other equine animal need not be removed from a
10 vehicle during a period of rest to comply with this requirement;

11 (4) to transport horses or other equine animals over the
12 streets, roads or highways of this state without sufficient feed and
13 clean water carried in the same or an accompanying vehicle or other
14 conveyance; the quantity and type of feed shall be commensurate with the
15 length of the trip and sufficient for layovers; or

16 (5) to transport horses or other equine animals over the
17 streets, roads or highways of this state

18 (A) in vehicles unsuitable for that purpose;

19 (B) during hours of darkness;

20 (C) at excessive speeds in relation to road conditions;

21 (D) more than 300 miles a day over gravel or unpaved
22 streets, roads or highways; or

23 (E) more than 10 miles in an open truck, van, trailer
24 or other open vehicle or conveyance, and then only between April 15
25 and September 15 of any year.

26 Sec. 03.47.050. PENALTIES. For each violation of secs. 10 - 40
27 of this chapter, the owner, custodian, attendant, shipping agent or
28 other person responsible for the violation is guilty of a misdemeanor
29 and, upon conviction, is punishable by a fine of not more than \$500, or

1 by imprisonment for not more than six months, or by both. In addition,
2 the owner, custodian, attendant, shipping agent, or other party convicted
3 of a violation of secs. 10 - 40 of this chapter is subject to punishment
4 under AS 11.40.480 - 11.40.500.

5 Sec. 03.47.060. REGULATIONS. The Departments of Public Safety
6 and Natural Resources may promulgate regulations separately, or jointly,
7 under the Administrative Procedure Act (AS 44.62) to carry out their
8 respective duties under this chapter.

9 Sec. 03.47.070. DEFINITIONS. In this chapter "other equine animals"
10 includes an ass, donkey, burro, mule or zebra.

11 * Sec. 3. This Act takes effect on July 1, 1974.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29