

## **II. RULES GOVERNING THE TRANSPORTATION OF ANIMALS**

### **1. STATUTORY AUTHORITY**

These rules are promulgated pursuant to 13 V.S.A., Chapter 8, Section 387.

### **2. TRANSPORTING ANIMALS BY RAILROAD**

- a) A railroad company transporting animals shall not permit the animals to be confined in cars more than 28 consecutive hours, including the time they have been confined on connecting roads, without unloading them for rest, water, and feeding for at least five consecutive hours, unless prevented from so unloading by storm or other accidental causes.
- b) Animals unloaded shall be fed, watered, and sheltered by the owner or person feeding, watering, or sheltering responsibilities, the railroad company transporting the animals shall provide feed and water at the owner's expense. In this case, the railroad company shall have a lien upon the animals for food, care and custody furnished.
- c) In the event the owner or person having custody defaults on their feeding, watering, or sheltering responsibilities, the railroad company transporting the animals shall provide feed and water at the owner's expense. In this case, the railroad company shall have a lien upon the animals for food, care and custody furnished.
- d) Failure to comply with the provisions of this rule is a violation of 13 V.S.A. section 352 (a) (4).

### **3. TRANSPORTING ANIMALS BY TRUCK**

- a) No person shall confine or permit to be confined any animals being transported by truck under his or her orders or control for more than 18 consecutive hours without their removal from the truck for a rest period of not less than four hours.
- b) The animals shall be provided with feed and water during the rest period except when reasonable space, food and water are provided in the vehicle.
- c) Consistent with section 6 of these rules, reasonable space and protection from the weather shall be provided to animals in trucks employed commercially in the long distance transportation of animals.
- d) Any person who violates a provision of this rule is in violation of 13 V.S.A. section 352 (a) (4).

#### **4. VEHICLES USED TO TRANSPORT HORSES**

Every vehicle utilized for the transportation of more than seven horses on the highway shall meet the following requirements:

- a) There shall be at least two doors for loading and unloading, which shall not be on the same side;
- b) Loading ramps shall be provided if the vertical distance from the floor of the truck to the ground is greater than 15 inches;
- c) The interior compartment construction shall be of smooth material with no hazardous, sharp protrusions;
- d) There shall be sufficient openings to ensure adequacy of ventilation;
- e) Partitions shall be placed in compartments having no stalls;
- f) Doorways shall be of sufficient height to allow safe loading and unloading; and
- g) Compartment height shall be sufficient to allow clearance of the poll and withers of each horse loaded.
- h) Vehicles under this rule shall have no more than one tier in compartments carrying horses.

Failure to comply with the provisions of this rule is a violation of 13 V.S.A. section 352 (a) (3).

#### **5. SEPARATION OF SPECIES**

- a) There shall be separation of species when animals are transported by either rail or truck.
- b) Failure to provide such separation is a violation of 13 V.S.A sections 352 (a) (3) and (4).

#### **6. CONDITIONS OF TRANSPORTATION**

- a) Railroad cars and trucks employed commercially for transporting animals shall be sufficiently covered or boarded on the sides and ends to afford proper protection to animals in cases of storms or severe cold weather.
- b) All railroad cars and commercial trucks transporting animals shall be properly ventilated.

- c) A greater number of animals shall not be loaded into any railroad car or commercial truck than can stand comfortably within the car or truck.
- d) No person shall transport any animal in a railroad car or commercial truck, or by any other mode of transportation, in a cruel or inhumane manner.

#### **7. FEEDING ANIMALS IN TRANSPORT**

- e) All animals being fed during resting periods required by this rule shall be fed the type and amount of feed as is normal for that species of animal.
- b) When emergency conditions arise, such as severe weather changes, or in the case of transportation delays, the animals shall receive amounts of feed and water sufficient to sustain the animals until they arrive at the next feeding station or destination.

#### **8. WATERING ANIMALS IN TRANSPORT**

- a. All animals shall be furnished an ample supply of potable water during required resting periods.
- b. Water treated with chemicals for industrial or boiler use, or taken from streams or ponds containing sewage, mud or other objectionable matter shall not be used. In cold weather, the water shall remain free from ice.

#### **9. CONDITIONS OF FEEDING PENS**

Stock pens and other enclosures used for feeding, watering, and resting animals in transit shall have:

- c. Sufficient space for all of the animals to lie down at the same time;
- d. Properly designed facilities for feeding and watering the animals;
- e. Reasonably well drained, clean, and safe floors of concrete, gravel, hardpacked earth, or other suitable material; and
- f. Suitable protection from severe weather conditions.

#### **10. PREFERENCE OF ANIMALS AS FREIGHT**

- a. Any private or common carrier operating within this state shall yield to vehicles containing cattle, sheep, swine, equine or other animals to allow continuous passage in preference to other freight.

- b. All vehicles and common carries loaded with animals at any station shall take precedence over all other freight.

## **11. TRANSPORTING CATTLE WITHOUT TITLE DOCUMENTS**

- a. No person, except the owner of cattle being transported or a person acting under written authority of the owner, shall transport cattle on any public highway unless the person has in his or her possession a bill of sale or a memorandum signed by the owner of the cattle. Any such memorandum shall also contain: the owner's address; the number, breed, and ear tag number of the cattle; and the name of the place to which the cattle are to be transported.
- b. Any person transporting such cattle shall, on demand, exhibit a bill of sale or memorandum to any state investigator, sheriff, deputy sheriff, constable, police officer, or state police officer.
- c. Any person violating the provisions of this rule is in violation of 13 V.S.A section 385, and is subject to the penalties pertaining thereto.

## **12. CONFINEMENT OF ANIMALS IN VEHICLES**

- a. No person shall leave an animal unattended in a standing or parked motor vehicle in a manner that would endanger the health or safety of the animal. Factors to consider include air temperature; direct sunlight; evidence of animal distress such as shivering, rapid breathing; presence or absence of food, water, ventilation; and length of time the animal has been left in the vehicle.
- b. Any humane officer or member of a fire and rescue service may use reasonable force to remove any such animal from a motor vehicle. The officer so removing the animal shall deliver the animal to a humane society, veterinarian or town or municipal pound. If the owner of the animal cannot be found, the officer shall place a written notice in the vehicle, bearing the name of the officer and the department and address where the animal may be claimed. The owner shall be liable for reasonable expenses, and a lien may be placed on the animal for these expenses.
- c. An officer may not be held liable for criminal or civil liability for any damage resulting from actions taken pursuant to this rule.
- d. Failure to comply with subsection (a) of this rule is a violation of 13 V.S.A. section 352 (a) (3).