



Rep. Robert Rita

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1 AMENDMENT TO HOUSE BILL 3339

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3339 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Horse  
5 Drawn Carriage Regulation and Safety Act.

6 Section 5. Definitions. In this Act:

7 "Carriage" means a device by which a person is transported  
8 or in which a person rides, for hire, and that is designed to  
9 be pulled or drawn by a horse in the horse-drawn carriage trade  
10 which includes a wagon, cart, vehicle, or similar  
11 transportation device.

12 "Custodian" means a person who has the immediate  
13 possession, bailment, custody, use, or control of a horse,  
14 which includes a driver.

15 "Driver" means a person licensed to drive, steer,  
16 transport, or operate a carriage or horse used in the

1 horse-drawn carriage trade.

2 "Horse" means a large solid-hoofed herbivorous  
3 domesticated mammal or similar animal that belongs to the Equus  
4 caballus family and weighs at least 1,100 pounds, and that is  
5 used for the purpose of driving, pulling, or hauling a  
6 carriage, or for the purposes of a performance, not including  
7 any animal owned by the State or the United States government  
8 that is used solely for law enforcement purposes.

9 "Horse-drawn carriage trade" means a person or business  
10 that operates an enterprise, for hire, or as a contractual  
11 service, for the purpose of conveying persons or goods through  
12 the use of a horse to pull or haul a wagon, cart, carriage,  
13 vehicle, or similar device along the public streets in the  
14 State not including the use of a horse in a parade or in a  
15 funeral for which a permit is issued.

16 "Identification card" means a document created, supplied,  
17 and certified by the Department of Agriculture signed and dated  
18 by a licensed veterinarian which shall include:

19 (1) the date of the last physical examination of the  
20 horse;

21 (2) a description of the horse, including sex, age,  
22 height, color, markings, and any other information that may  
23 facilitate identification of the horse;

24 (3) the stamina and physical condition of the horse;

25 (4) any condition that might restrict or affect the use  
26 or movement of the horse;

1 (5) a photograph of the horse;

2 (6) an identification number;

3 (7) the name, address, and telephone number of the  
4 establishment where the horse is stabled; and

5 (8) the name, address, and telephone number of the  
6 owner of the horse.

7 "License" means a valid permit or other document issued by  
8 the Department of Agriculture to a person or business for the  
9 purpose of operating a horse-drawn carriage trade enterprise.

10 "Licensed veterinarian" means a veterinarian licensed  
11 under the Veterinary Medicine and Surgery Practice Act of 2004  
12 in which he or she engages in the practice of veterinary  
13 medicine.

14 "Operator" means the proprietor or the agent of a  
15 proprietor of a horse-drawn carriage trade enterprise or a  
16 stable.

17 "Owner" means a person who is vested with the ownership,  
18 control, or title of a horse-drawn carriage trade, horse, or  
19 stable.

20 "Peace officer" has the meaning ascribed to it in Section  
21 2-13 of the Criminal Code of 2012.

22 "Stable" means a barn, establishment, or similar  
23 appropriate facility where a horse is permanently or  
24 temporarily boarded, housed, or maintained.

25 Section 10. Regulation of horse-drawn carriage trade.

1 (a) It is unlawful to operate a horse-drawn carriage trade  
2 in this State without a license and an identification card  
3 issued by the Department of Agriculture.

4 (b) Upon application on a form created by the Department of  
5 Agriculture and the payment of a fee not to exceed \$100, a  
6 person may be issued a license to operate a horse-drawn  
7 carriage trade in this State.

8 (c) Upon application on a form approved by the Department  
9 of Agriculture and the payment of a fee not to exceed \$30, an  
10 owner, operator, or custodian may be issued an identification  
11 card for each horse used in the operation of a horse-drawn  
12 carriage trade in this State.

13 (d) A person may not drive or otherwise operate a carriage  
14 engaged in the horse-drawn carriage trade unless he or she:

15 (1) is at least 18 years of age;

16 (2) has received at least 35 hours of training in the  
17 operation of a horse-drawn carriage as provided and  
18 certified in writing by the owner or operator of a  
19 horse-drawn carriage trade, 15 hours of which shall include  
20 an apprenticeship under the supervision of a licensed  
21 horse-drawn carriage driver;

22 (3) presents a statement from a licensed physician that  
23 certifies that he or she is in good physical condition and  
24 is free of visual impairment not corrected by eyeglasses or  
25 contact lenses, epilepsy, vertigo, or other medical  
26 disabilities which may substantially impair his or her

1 ability to operate a horse-drawn carriage or to control a  
2 horse; and

3 (4) has completed a written examination approved by the  
4 Department of Agriculture which includes, but is not  
5 limited to:

6 (A) knowledge of the traffic laws and regulations,  
7 including passage of the written portion of the  
8 driver's license test;

9 (B) proper equine grooming, care, equipment,  
10 nutrition, and first aid; and

11 (C) operation of a horse-drawn carriage.

12 (e) A person may not drive or operate a horse-drawn  
13 carriage on any public street in this State:

14 (1) between the hours of 5:00 a.m. and 10:00 a.m., on  
15 Monday through Friday, excluding legal holidays;

16 (2) between the hours of 4:00 p.m. and 6:30 p.m., on  
17 Monday through Friday, excluding legal holidays;

18 (3) between the hours of 1:30 a.m. and 5:00 a.m. on any  
19 day; and

20 (4) on any day or at any time that the Department of  
21 State Police makes a specific determination that the  
22 horse-drawn carriage trade would be inconsistent with  
23 other special events or public safety requirements.

24 (f) The driver of a horse-drawn carriage shall:

25 (1) possess and display at all times his or her license  
26 to operate a horse-drawn carriage in the front and

1 passenger compartments of the carriage;

2 (2) possess a valid identification card issued by the  
3 Department of Agriculture;

4 (3) obey and observe all traffic laws;

5 (4) not smoke, eat, drink, or wear headphones while the  
6 carriage is in motion;

7 (5) not drive the carriage at a speed that exceeds a  
8 walk, except as necessary to cross a traffic intersection  
9 or to refrain from impeding traffic;

10 (6) leave the horse-drawn carriage unattended at any  
11 time;

12 (7) not drive the carriage at any time when a passenger  
13 is standing in the carriage or not seated securely inside  
14 of the carriage;

15 (8) maintain both hands on the reins and be seated at  
16 all times the carriage is in motion; and

17 (9) provide humane care and treatment of the horse  
18 under his or her direct supervision and control at all  
19 times.

20 Section 15. Examination of horses.

21 (a) The owner, operator, or custodian of each horse engaged  
22 in the horse-drawn carriage trade shall have the horse examined  
23 by a licensed veterinarian at intervals of not more than 12  
24 months.

25 (b) The examinations shall include, but not be limited to,

1 the following:

2 (1) the general physical condition of the horse;

3 (2) an inspection of the eyes, teeth, legs, hooves,  
4 shoes, and cardiovascular system of the horse;

5 (3) the stamina and physical ability of the horse to  
6 engage in the horse-drawn carriage trade;

7 (4) an inspection for a recurrence of prior injuries;  
8 and

9 (5) an inspection for disease or other deficiencies.

10 (c) The examination shall include a certification from the  
11 licensed veterinarian that the horse is physically fit to  
12 engage in the horse-drawn carriage trade and is free of any  
13 disease or internal parasites. The certification shall be  
14 entered by the Department of Agriculture on the identification  
15 card.

16 Section 20. Identification card.

17 (a) The owner, operator, or custodian of a horse engaged in  
18 the horse-drawn carriage trade shall have available for  
19 immediate inspection by the Department of Agriculture or his or  
20 her designee, a police officer, or an animal control officer at  
21 all times when a horse is on any public street in this State,  
22 an identification card issued by the Department of Agriculture  
23 as defined in Section 5.

24 (b) In an instance when the owner rents, hires, or places  
25 the horse in the care or custody of another person, he or she

1 shall provide that person with the identification card required  
2 by subsection (a).

3 (c) The Department of Agriculture shall certify the  
4 identification card following an examination of the horse by a  
5 licensed veterinarian.

6 Section 25. Care and use of horses in horse-drawn carriage  
7 trade.

8 (a) An owner, operator, or custodian of a horse engaged in  
9 the horse-drawn carriage trade shall:

10 (1) not use, work, drive, ride, or require labor from a  
11 horse for more than 8 hours in any 24 hour-period;

12 (2) provide for adequate rest periods for a horse  
13 during the 8 hours of use;

14 (3) provide the horse with food and drinking water from  
15 a clean container of sufficient size and in good condition  
16 during regular intervals during the 8 hours of use;

17 (4) drape the body of the horse from forelegs to hind  
18 legs with a warm covering during times of cold or inclement  
19 weather;

20 (5) park the horse in an area of shade whenever  
21 practicable during rest periods;

22 (6) not overdrive or overload a horse as evidenced by  
23 physical stress, strain, or exhaustion of the horse; and

24 (7) not beat or prod a horse to maintain a fast gait in  
25 any way that will cause pain or injury to the horse.



1 (b) An owner, operator, or custodian of a horse engaged in  
2 the horse-drawn carriage trade may not use a horse to draw a  
3 carriage unless the:

4 (1) horse is in good health in accordance with  
5 standards established by the Department of Agriculture, by  
6 rule;

7 (2) horse weighs at least 1,100 pounds; and

8 (3) hooves of the horse are properly shod and trimmed  
9 utilizing rubber compound shoes on the front 2 hooves and  
10 either rubber or open steel borium cork tip shoes on the 2  
11 rear hooves.

12 Section 30. Horse-drawn carriages; requirements.

13 (a) An owner, operator, or custodian of a horse engaged in  
14 the horse-drawn carriage trade shall:

15 (1) provide that the carriage used is in good operating  
16 condition, the axles are well-greased, and that all  
17 operating mechanisms are in good working order;

18 (2) provide that the carriage is equipped with  
19 hydraulic brakes in good working condition and set in a  
20 locked position when the carriage is not in motion;

21 (3) provide that the saddle, harness, shoes, bridle,  
22 and any other equipment for the horse fits properly, is in  
23 good working condition, and will not cause injury or pain  
24 to the horse;

25 (4) not use curb bits, twisted wire, twisted wire

1 snaffles, spurs, bucking straps, flank straps, or similar  
2 devices;

3 (5) inspect daily all horses and equipment at the time  
4 of departure from and return to the stable; and

5 (6) provide that all horses are equipped with a diaper  
6 that is constructed of a sturdy material and is properly  
7 fitted to the horse to ensure comfort.

8 (b) A carriage engaged in the horse-drawn carriage trade  
9 may not be driven or operated on a public street in this State  
10 unless the owner or operator of the carriage has obtained a  
11 valid registration and metal license plate issued by the  
12 Department of Agriculture under a procedure and fees  
13 established by rule.

14 (c) A carriage used in the horse-drawn carriage trade  
15 shall:

16 (1) have conspicuously displayed on the rear of the  
17 carriage at all times a valid license plate provided for in  
18 subsection (b);

19 (2) be equipped with a slow-moving vehicle emblem to be  
20 attached to the rear of the carriage;

21 (3) be maintained in a safe and sanitary condition;

22 (4) not drive or transport more than 6 passengers at  
23 one time, excluding the driver or operator of the carriage;

24 (5) not drive or transport any person if a person other  
25 than a licensed-driver or an apprenticed-driver is seated  
26 in the driver's seat of the carriage; and

1           (6) not have any legend, slogan, logo, or other  
2 exterior sign on the carriage, other than its legal license  
3 plates and the name and telephone number of the horse-drawn  
4 carriage in letters not to exceed 3 inches in height.

5           (d) The Department of Agriculture may, by rule, establish  
6 additional inspection requirements for a carriage and other  
7 equipment used in the horse-drawn carriage trade.

8           Section 35. Horse-drawn carriages; weather conditions.

9           (a) An owner, operator, or custodian of a horse engaged in  
10 the horse-drawn carriage trade may not drive, use, or work a  
11 horse on a public street in this State during:

12           (1) periods when the heat index exceeds 89 degrees  
13 Fahrenheit, as determined and announced by the National  
14 Weather Service;

15           (2) periods when the wind chill is below 25 degrees  
16 Fahrenheit, as determined and announced by the National  
17 Weather Service;

18           (3) periods when it is snowing; or

19           (4) other periods determined by the Department of State  
20 Police, in consultation with the Department of  
21 Agriculture, as being dangerous or unsuitable for travel  
22 for horse-drawn carriages.

23           (b) A horse in use at the time described in subsection (a)  
24 shall be immediately returned by its owner, operator, or  
25 custodian by the most direct route to a stable.

1 Section 40. Horse stabling.

2 (a) The owner, operator, or custodian of a horse engaged in  
3 the horse-drawn carriage trade shall house, quarter, or  
4 maintain a horse in a lighted, clean, dry, and properly  
5 ventilated stable in which the horse shall be able to turn  
6 around easily in a stall.

7 (b) The owner, operator, or custodian of a horse engaged in  
8 the horse-drawn carriage trade shall clean the stall in which a  
9 horse is housed, quartered, or maintained daily and shall  
10 provide sufficient bedding of straw, shavings, or other  
11 suitable hygienic material that shall be changed as often as  
12 necessary to maintain it in a clean and dry condition.

13 (c) The owner, operator, or custodian of a horse engaged in  
14 the horse-drawn carriage trade shall provide the stall in which  
15 the horse is housed, quartered, or maintained with clean, fresh  
16 water and with an adequate and substantial daily supply of hay  
17 and grain that is free from contamination and mold to meet the  
18 normal daily feeding requirements for the condition, size, and  
19 work schedule of the horse.

20 (d) The owner, operator, or custodian of a horse engaged in  
21 the horse-drawn carriage trade shall provide each stall with a  
22 clean block of salt at all times and blankets for the horse  
23 during cold weather periods as necessary.

24 (e) The full name, current business address, and business  
25 and home telephone numbers of the owner, operator, or custodian

1 of a horse engaged in the horse-drawn carriage trade and the  
2 owner or operator of the stable shall be legibly stenciled and  
3 conspicuously displayed, in at least 2-inch lettering, on the  
4 exterior of the stable entrance for emergency purposes.

5 Section 45. Sick or injured horses.

6 (a) The owner, operator, or custodian of a horse engaged in  
7 the horse-drawn carriage trade that is in pain, sick, diseased,  
8 lame, or injured shall take action to obtain immediate  
9 veterinary treatment, care, and attention for the horse.

10 (b) An injured, sick, diseased, or lame horse may not be  
11 sold or otherwise disposed of except in a humane manner.

12 (c) A person may not drive, use, or work an injured, sick,  
13 diseased, or lame horse in the horse-drawn carriage trade.

14 Section 50. Recordkeeping.

15 (a) The owner or operator of a horse-drawn carriage trade  
16 shall maintain or require his or her driver to maintain a daily  
17 record of travel for each carriage used, which shall include:

18 (1) the name of the driver;

19 (2) the driver's license number;

20 (3) the horse-drawn carriage trade license number;

21 (4) the identification card number of the horse that  
22 hauls or pulls the carriage;

23 (5) the date;

24 (6) the hours of operation;

1           (7) the specific location, time, and number of  
2 passengers for each ride in the carriage;

3           (8) the rest, water, and feeding times for the horse;  
4 and

5           (9) a description of any and all traffic accidents.

6           (b) The owner or operator of a horse-drawn carriage trade  
7 shall maintain a complete log of all records at his or her  
8 place of business.

9           Section 55. Penalties.

10           (a) A person who violates this Act is guilty of a petty  
11 offense and shall be fined up to \$300 for the first offense and  
12 up to \$500 for each subsequent offense.

13           (b) Any owner, operator, or custodian of a horse engaged in  
14 the horse-drawn carriage trade who causes serious intentional  
15 injury to the horse by neglect or inhumane treatment is guilty  
16 of a petty offense and shall be fined up to \$2,500.

17           Section 60. Rulemaking. The Department of Agriculture, in  
18 consultation with the Department of Transportation, Department  
19 of State Police, and any other relevant State agency shall  
20 adopt rules necessary to implement the licensing and other  
21 provisions of this Act."