

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 134
Judiciary

(Delegate Kelly, *et al.*)

Judicial Proceedings

Vehicle Laws - Transporting Pets in Trucks or Trailers

This bill prohibits a person from transporting a pet in or on a truck or trailer while traveling on a highway unless the truck or trailer is enclosed as specified in the bill, or the pet is safely contained in a cage or other device that prevents the pet from falling, jumping, or otherwise exiting the truck or trailer. A pet is defined as a domesticated animal but does not include livestock. A person who transports a pet in violation of the bill's provisions is guilty of a misdemeanor and subject to a maximum fine of \$500. However, as a violation of the bill is not considered a moving violation, points could not be assessed against a violator's driver's license.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's penalty provision. No effect on expenditures as the bill's requirements could be enforced with existing resources.

Local Effect: None. The bill's requirements could be enforced with existing resources.

Small Business Effect: None.

Analysis

Current Law: The Maryland Vehicle Law does not regulate the transportation of pets in trucks or trailers.

Background: According to the pet advocacy organization, *BarkBuckleUp*, 25 states have laws that require a pet to be restrained in a car, trailer, or truck. Those states are Arkansas, California, Colorado, Hawaii, Idaho, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Wisconsin, and Washington. The site advocates the restraint of pets in moving vehicles because, in the event of an accident, an unrestrained pet could become a flying projectile. Even if a pet survives a vehicle accident, it can impede or attack rescue workers or be hit by a vehicle and subsequently be injured or killed. Unrestrained pets may also cause driver distraction, thereby contributing to a vehicle accident.

State Revenues: General fund revenues could increase minimally under the bill's monetary penalty provision for those cases heard in the District Court.

Additional Information

Prior Introductions: The bill is similar to HB 132 of 1997, which received an unfavorable report from the House Commerce and Government Matters Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, *BarkBuckleup.com*, Department of Legislative Services

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Analysis by: Karen D. Morgan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510