

2014 -- S 2312 SUBSTITUTE A

LC004410/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY

Introduced By: Senators Ruggerio, Sosnowski, Miller, Archambault, and Goldin

Date Introduced: February 12, 2014

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby  
2 amended by adding thereto the following section:

3 **4-1-3.2. Animal confinement in motor vehicles prohibited.** – (a) No owner or person  
4 shall confine any animal in a motor vehicle that is done in a manner that places the animal in a  
5 life threatening or extreme health threatening situation by exposing it to a prolonged period of  
6 extreme heat or cold without proper ventilation or other protection from such heat or cold. In  
7 order to protect the health and safety of an animal, an animal control officer, law enforcement  
8 officer, or fire fighter who has probable cause to believe that this section is being violated shall  
9 have the authority to enter such motor vehicle by any reasonable means necessary under the  
10 circumstances after making a reasonable effort to locate the owner or other responsible person.

11 (b) A law enforcement or animal control officer may take all steps that are reasonably  
12 necessary to remove an animal from a motor vehicle if the animal's health, safety, or well-being  
13 appears to be in immediate danger from heat, cold, or lack of adequate ventilation and the  
14 conditions could reasonably be expected to cause extreme suffering or death.

15 (c) Nothing in this section shall prevent a law enforcement officer or animal control  
16 officer from removing an animal from a motor vehicle if the animal's safety appears to be in  
17 immediate danger from heat, cold, lack of adequate ventilation, lack of food or water or other  
18 circumstances that could reasonably be expected to cause suffering, disability, or death to the  
19 animal. A law enforcement officer or animal control officer may enter the motor vehicle for the

1 sole purpose of rescue or release of the animal and may not search the vehicle unless otherwise  
2 permitted by law.

3 (d) A law enforcement or animal control officer who removes an animal in accordance  
4 with this section shall, in a secure and conspicuous location on or within the motor vehicle, leave  
5 written notice bearing the officer's or agent's name and office and the address of the location  
6 where the animal may be retrieved. The owner may retrieve the animal only after payment of all  
7 charges that have accrued for the maintenance, care, medical treatment, and impoundment of the  
8 animal.

9 (e) A law enforcement or animal control officer who removes an animal from a motor  
10 vehicle pursuant to this section is immune from criminal or civil liability that might otherwise  
11 result from the removal.

12 (f) Any person who knowingly violates this section shall be punished by imprisonment  
13 for a term not exceeding one year or by a fine of no more than one thousand dollars (\$1,000), or  
14 both.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would specifically make it a misdemeanor to confine any animal in a motor  
2 vehicle if it is done in a manner that places the animal in a life or extreme health threatening  
3 situation.

4           This act would take effect upon passage.

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