

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 8.
ENVIRONMENTAL AND ANIMAL CONTROL
AND PROTECTION.

CHAPTER 20.
HORSE-DRAWN CARRIAGES.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 20. HORSE-DRAWN CARRIAGES.

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CHAPTER 20. HORSE-DRAWN CARRIAGES.

§ 8-2001. DEFINITIONS.

For the purposes of this chapter, the term:

(1) "Animal control officer" means any employee or legally authorized agent of the District of Columbia ("District") Animal Care and Control Agency as provided in § 8-1802.

(2) "Carriage" means a device by which a person is transported or in which a person rides, for hire, and that is designed to be pulled or drawn by a horse in the horse-drawn carriage trade. The term "carriage" includes a wagon, cart, vehicle, or similar transportation device.

(3) "Custodian" means a person who has the immediate possession, bailment, custody, use, or control of a horse. For the purposes of this chapter, the term "custodian" includes a driver.

(4) "Drive" means the process of operating, transporting, driving, pulling, or hauling a horse-drawn carriage.

(5) "Driver" means a person licensed to drive, steer, transport, or operate a carriage or horse used in the horse-drawn carriage trade.

(6) "Driver's license" means a valid document issued by the Mayor to operate a motor vehicle.

(7) "Horse" means a large solid-hoofed herbivorous domesticated mammal or similar animal that belongs to the *Equus caballus* family and weighs at least 1,100 pounds, and that is used for the purpose of driving, pulling, or hauling a carriage, or for the purposes of a performance. For the purposes of this chapter, the term "horse" shall not include any animal owned by the District government or the United States government that is used solely for law enforcement purposes, or any animal in the custody of the National Zoological Park.

(8) "Horse-drawn carriage trade" means a person or business that operates an enterprise, for hire, or as a contractual service, for the purpose of conveying persons or goods through the use of a horse to pull or haul a wagon, cart, carriage, vehicle, or similar device along the streets and byways in the District. The term "horse-drawn carriage trade" shall not include the use of a horse in a parade or in a funeral for which a permit is issued.

(9) "Identification card" means a document devised, supplied, and certified by the Mayor of the District, and signed and dated by a licensed veterinarian which shall include:

(A) The date of the last physical examination of the horse;

(B) A description of the horse, including sex, age, height, color, markings, and any other information that may facilitate identification of the horse;

(C) The stamina and physical condition of the horse;

(D) Any condition that might restrict or affect the use or movement of the horse;

(E) A photograph of the horse;

(F) An identification number;

(G) The name, address, and telephone number of the establishment where the horse is stabled;
and

(H) The name, address, and telephone number of the owner of the horse.

(10) "License" means a valid permit or other document issued by the Mayor to a person or business for the purpose of operating a horse-drawn carriage trade enterprise.

(11) "Licensed veterinarian" means a person who is licensed to practice veterinary medicine.

(12) "Operator" means the proprietor or the agent of a proprietor of a horse-drawn carriage trade enterprise or a stable.

(13) "Owner" means a person who is vested with the ownership, control, or title of a horse-drawn carriage trade, horse, or stable.

(14) "Person" means an individual, firm, partnership, association, or group or combination acting in

concert, whether as a principal, employer, employee, agent, servant, trustee, fiduciary, receiver, or any other type of legal or personal representative.

(15) "Police officer" means a sworn member of the Metropolitan Police Department.

(16) "Stable" means a barn, establishment, or similar appropriate facility where a horse is permanently or temporarily boarded, housed, or maintained.

(Mar. 7, 1991, D.C. Law 8-224, § 2, 38 DCR 207; Dec. 5, 2008, D.C. Law 17-281, § 106, 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1031.

Effect of Amendments

D.C. Law 17-281, in par. (1), substituted "Animal Care and Control Agency" for "Animal Control Agency".

Legislative History of Laws

Law 8-224, the "Regulation of the Horse-Drawn Carriage Trade Act of 1990," was introduced in Council and assigned Bill No. 8-204, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on December 4, 1990, and December 18, 1990, respectively. Signed by the Mayor on December 27, 1990, it was assigned Act No. 8-307 and transmitted to both Houses of Congress for its review.

For Law 17-281, see notes following § 8-1801.

§ 8-2002. HORSE-DRAWN CARRIAGE TRADE REGULATION.

- (a) It shall be unlawful to operate a horse-drawn carriage trade in the District without a license and an identification card issued by the Mayor.
- (b) Upon application on a form devised by the Mayor and the payment of a fee not to exceed \$100, a person may be issued a license to operate a horse-drawn carriage trade in the District.
- (c) Upon application on a form devised by the Mayor and the payment of a fee not to exceed \$30, an owner, operator, or custodian may be issued an identification card for each horse used in the operation of a horse-drawn carriage trade in the District.
- (d) No person shall drive or otherwise operate a carriage engaged in the horse-drawn carriage trade unless he or she:
- (1) Is 18 years of age;
 - (2) Has received at least 35 hours of training in the operation of a horse-drawn carriage as provided and certified in writing by the owner or operator of a horse-drawn carriage trade, 15 hours of which shall include an apprenticeship under the supervision of a licensed horse-drawn carriage driver;
 - (3) Presents a statement from a licensed physician that certifies that he or she is in good physical condition and is free of visual impairment not corrected by eyeglasses or contact lenses, epilepsy, vertigo, or other medical disabilities which may substantially impair his or her ability to operate a horse-drawn carriage or to control a horse; and
 - (4) Has completed a written examination devised by the Mayor which shall include, but shall not be limited to:
 - (A) Knowledge of the traffic laws and regulations, including passage of the written portion of the driver's license test;
 - (B) Proper equine grooming, care, equipment, nutrition, and first aid; and
 - (C) Operation of a horse-drawn carriage.
- (e) No person shall drive or operate a horse-drawn carriage on any public street or byway in the District:
- (1) Between the hours of 5:00 a.m. and 10:00 a.m., on Monday through Friday, excluding legal holidays;
 - (2) Between the hours of 4:00 p.m. and 6:30 p.m., on Monday through Friday, excluding legal holidays, provided however, that this restriction shall not apply to the area bounded by 15th Street, N.W., on the West, Jefferson Drive, N.W., on the South, 1st Street, N.W., on the East, and Madison Drive, N.W., on the North;
 - (3) Between the hours of 1:30 a.m. and 5:00 a.m. on any day; and
 - (4) On any day or at any time that the Chief of the Metropolitan Police Department makes a specific determination that the horse-drawn carriage trade would be inconsistent with other special events or

public safety requirements.

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

- (1) Possess and display at all times his or her license to operate a horse-drawn carriage in the front and passenger compartments of the carriage;
- (2) Possess a valid identification card issued by the Mayor;
- (3) Obey and observe all traffic laws;
- (4) Not smoke, eat, drink, or wear headphones while the carriage is in motion;
- (5) Not drive the carriage at a speed that exceeds a walk, except as necessary to cross a traffic intersection or to refrain from impeding traffic;
- (6) Leave the horse-drawn carriage unattended at any time;
- (7) Not drive the carriage at any time when a passenger is standing in the carriage or not seated securely inside of the carriage;
- (8) Maintain both hands on the reins and be seated at all times the carriage is in motion; and
- (9) Provide humane care and treatment of the horse under his or her direct supervision and control at all times.

(g) Any license issued pursuant to this section shall be issued as an Inspected Sales and Services endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

(Mar. 7, 1991, D.C. Law 8-224, § 3, 38 DCR 207; Apr. 20, 1999, D.C. Law 12-261, § 2003(j), 46 DCR 3142; Oct. 28, 2003, D.C. Law 15-38, § 3(o), 50 DCR 6913; Sept. 26, 2012, D.C. Law 19-169, § 19, 59 DCR 5567.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1032.

Effect of Amendments

D.C. Law 15-38, in subsec. (g), substituted "an Inspected Sales and Services endorsement to a basic business license under the basic" for "a Class A Inspected Sales and Services endorsement to a master business license under the master".

D.C. Law 19-169, in subsec. (d)(3), substituted "visual impairment" for "defective vision".

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 3(ooo) of Streamlining Regulation Emergency Act of 2003 (D.C. Act 15-145, August 11, 2003, 50 DCR 6896).

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

Law 12-261, the "Second Omnibus Regulatory Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-845, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 1, 1998, and December 15, 1998, respectively. Signed by the Mayor on December 31, 1998, it was assigned Act No. 12-615 and transmitted to both Houses of Congress for its review. D.C. Law 12-261 became effective on April 20, 1999.

For Law 15-38, see notes following § 8-111.03.

For history of Law 19-169, see notes under § 8-1774.10.

§ 8-2003. EXAMINATION OF HORSES.

- (a) The owner, operator, or custodian of each horse engaged in the horse-drawn carriage trade shall have the horse examined by a licensed veterinarian at intervals of not more than 12 months.
- (b) The examinations shall include, but not be limited to, the following:
 - (1) The general physical condition of the horse;
 - (2) An inspection of the eyes, teeth, legs, hooves, shoes, and cardiovascular system of the horse;
 - (3) The stamina and physical ability of the horse to engage in the horse-drawn carriage trade;
 - (4) An inspection for a recurrence of prior injuries; and
 - (5) An inspection for disease or other deficiencies.

(c) The examination shall include a certification from the licensed veterinarian that the horse is physically fit to engage in the horse-drawn carriage trade and is free of any disease or internal parasites. The certification shall be entered on the identification card provided for in § 8-2005.

(Mar. 7, 1991, D.C. Law 8-224, § 4, 38 DCR 207; Feb. 5, 1994, D.C. Law 10-68, § 16(a), 40 DCR 6311.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1033.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

D.C. Law 10-68, the "Technical Amendments Act of 1993," was introduced in Council and assigned Bill No. 10-166, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 29, 1993, and July 13, 1993, respectively. Signed by the Mayor on August 23, 1993, it was assigned Act No. 10-107 and transmitted to both Houses of Congress for its review. D.C. Law 10-68 became effective on February 5, 1994.

Editor's Notes

The reference to "§ 8-2005" in (c) should probably be to "§ 8-2004."

§ 8-2004. IDENTIFICATION CARD.

(a) The owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade shall have available for immediate inspection by the Mayor or his or her designee, a police officer, or an animal control officer at all times when a horse is on any street or public byway in the District, an identification card as defined in § 8-2001(9).

(b) In an instance where the owner rents, hires, or places the horse in the care or custody of another person, he or she shall provide that person with the identification card required by subsection (a) of this section.

(c) The Mayor shall certify the identification card following an examination of the horse by a licensed veterinarian.

(Mar. 7, 1991, D.C. Law 8-224, § 5, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1034.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2005. CARE AND USE OF HORSES IN HORSE-DRAWN CARRIAGE TRADE.

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

- (1) Not use, work, drive, ride, or require labor from a horse for more than 8 hours in any 24-hour period;
- (2) Provide for adequate rest periods for a horse during the 8 hours of use;
- (3) Provide the horse with food and drinking water from a clean container of sufficient size and in good condition during the regular intervals during the 8 hours of use;
- (4) Drape the body of the horse from forelegs to hind legs with a warm covering during times of cold or inclement weather;
- (5) Park the horse in an area of shade whenever practicable during rest periods;
- (6) Not overdrive or overload a horse as evidenced by physical stress, strain, or exhaustion of the horse; and
- (7) Not beat or prod a horse to maintain a fast gait in any way that will cause pain or injury to the horse.

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

- (1) The horse is in good health in accordance with standards established by the Mayor by rule;

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

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

(Mar. 7, 1991, D.C. Law 8-224, § 6, 38 DCR 207; Feb. 5, 1994, D.C. Law 10-68, § 16(b), 40 DCR 6311.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1035.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

For legislative history of D.C. Law 10-68, see Historical and Statutory Notes following § 8-2003.

§ 8-2006. CARRIAGE AND EQUIPMENT.

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

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

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

(3) Provide that the saddle, harness, shoes, bridle, and any other equipment for the horse fits properly, is in good working condition, and shall not cause injury or pain to the horse;

(4) Not use curb bits, twisted wire, twisted wire snaffles, spurs, bucking straps, flank straps, or similar devices;

(5) Inspect daily, all horses and all equipment at the time of departure from and return to the stable; and

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

(b) No carriage engaged in the horse-drawn carriage trade shall be driven or operated on a public street or byway of the District unless the owner or operator of the carriage has obtained a valid registration and metal license plate issued by the Mayor pursuant to a procedure and fees established by the Mayor by rule.

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

(1) Have conspicuously displayed on the rear of the carriage at all times a valid license plate provided for in subsection (b) of this section;

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

(3) Be maintained in a safe and sanitary condition;

(4) Not drive or transport more than 6 passengers at 1 time, excluding the driver or operator of the carriage;

(5) Not drive or transport any person when a person other than a licensed-driver or an apprenticed-driver is seated in the driver's seat of the carriage; and

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

(d) The Mayor may, by rule, establish additional inspection requirements for a carriage and other equipment used in the horse-drawn carriage trade.

(Mar. 7, 1991, D.C. Law 8-224, § 7, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1036.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2007. WEATHER CONDITIONS.

(a) An owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade shall not drive, use, or work a horse on a public street or byway in the District:

(1) During periods when the temperature exceeds 89 degrees Fahrenheit, as determined and announced by the National Weather Service;

(2) During periods when the temperature is below 25 degrees Fahrenheit, as determined and announced by the National Weather Service;

(3) During periods when it is snowing; or

(4) During other periods determined by the Mayor by rule as being dangerous or unsuitable.

(b) A horse in use at the time described in subsection (a) (1), (2), or (3) of this section, shall be immediately returned by its owner, operator, or custodian by the most direct route to a stable.

(Mar. 7, 1991, D.C. Law 8-224, § 8, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1037.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2008. STABLES.

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

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

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

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

(e) The full name, current business address, and business and home telephone numbers of the owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade, and the owner or operator of the stable, shall be legibly stenciled and conspicuously displayed, in at least 2-inch lettering, on the exterior of the stable entrance for emergency purposes.

(Mar. 7, 1991, D.C. Law 8-224, § 9, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1038.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2009. LOADING.

All horses shall be loaded or unloaded for transport in horse loading zones as designated by the Mayor.

(Mar. 7, 1991, D.C. Law 8-224, § 10, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1039.

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2010. SICK OR INJURED HORSES.

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

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

(c) No person shall drive, use, or work an injured, sick, diseased, or lame horse in the horse-drawn carriage trade.

(Mar. 7, 1991, D.C. Law 8-224, § 11, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1040.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2011. MAINTENANCE OF RECORDS.

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

- (1) The name of the driver;
- (2) The driver's license number;
- (3) The horse-drawn carriage trade license number;
- (4) The identification card number of the horse that hauls or pulls the carriage;
- (5) The date;
- (6) The hours of operation;
- (7) The specific location, time, and number of passengers for each ride in the carriage;
- (8) The rest, water, and feeding times for the horse; and
- (9) A description of any and all traffic accidents.

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

(Mar. 7, 1991, D.C. Law 8-224, § 12, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1041.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

§ 8-2012. PENALTIES.

(a) A person who violates any provision of this chapter shall be fined up to \$300 for the 1st offense and up to \$500 for each subsequent offense.

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

(c) A violation of this chapter shall be a civil infraction for purposes of Chapter 18 of Title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the provisions of this chapter, or the rules issued under authority of this chapter, pursuant to Chapter 18 of Title 2. Adjudication of any infraction shall be pursuant to Chapter 18 of Title 2.

(Mar. 7, 1991, D.C. Law 8-224, § 13, 38 DCR 207; Feb. 5, 1994, D.C. Law 10-68, § 16(c), 40 DCR 6311.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1042.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.

For legislative history of D.C. Law 10-68, see Historical and Statutory Notes following § 8-2003.

§ 8-2013. RULES.

(a) Within 120 days of March 7, 1991, the Mayor shall, pursuant to subchapter I of Chapter 5 of Title 2, issue rules to implement the provisions of this chapter.

(b) The proposed rules shall establish travel routes for and boundaries of the operation of the horse-drawn carriage trade.

(c) The proposed rules shall establish an appropriate level of liability insurance coverage for the owner or operator of a horse-drawn carriage trade.

(d) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day period, the proposed rules shall be deemed approved.

(Mar. 7, 1991, D.C. Law 8-224, § 14, 38 DCR 207.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1043.

Legislative History of Laws

For legislative history of D.C. Law 8-224, see Historical and Statutory Notes following § 8-2001.