

Sec. 22-344-75. Animal Importer Minimum Standards of Animal Care.

An animal importer shall comply with the following standards of care when transporting a dog or cat anywhere within this state:

(a) The dog or cat shall be contained in a primary enclosure such as a compartment, transport cage, carton, or crate. Primary enclosures used to transport a dog or cat shall be constructed so that:

(1) The primary enclosure is strong enough to contain each dog or cat securely during transportation;

(2) The interior of the primary enclosure has no sharp points or edges and no protrusions that could injure the animal contained in it;

(3) The dog or cat is at all times securely contained within the enclosure and cannot put any part of its body outside the enclosure in a way that could result in injury to itself, to handlers, or to persons or animals nearby;

(4) The dog or cat can be easily and quickly removed from the enclosure in an emergency;

(5) Unless the enclosure is permanently affixed to the transport vehicle, adequate devices such as handles or handholds are provided on its exterior, and enable the enclosure to be lifted without tilting it, and ensure that anyone handling the enclosure will not come into physical contact with the animal contained inside;

(6) Unless the enclosure is permanently affixed to the transport vehicle, it is clearly marked on top and on one or more sides with the words "Live Animals," in letters at least one (1) inch (2.5 centimeters) high, and with arrows or other markings to indicate the correct upright position of the primary enclosure;

(7) Any material, treatment, paint, preservative, or other chemical used in or on the enclosure is nontoxic to the animal and not harmful to the health or well-being of the animal; and

(8) The primary enclosure has a solid, leak-proof bottom or a removable, leak-proof collection tray under a slatted or mesh floor that prevents seepage of waste products, such as excreta and body fluids, outside of the enclosure. If a slatted or mesh floor is used in the enclosure, it shall be designed and constructed so that the animal cannot put any part of its body between the slats or through the holes in the mesh. Unless a dog or cat is on raised slatted floor or raised floor made of mesh, the primary enclosure shall contain enough safe and nontoxic absorbent material to absorb excreta.

(b) Primary enclosures used to hold or transport any dog or cat shall be cleaned and disinfected before each use. The interior of vehicles used to transport dogs and cats shall be kept clean. If the dogs or cats are held or in transit for more than twenty-four (24) hours, the enclosures shall be cleaned and any soiled absorbent material replaced, or other methods, such as moving the animals to another enclosure, shall be utilized to prevent the soiling of the dogs or cats by body wastes. If it becomes necessary to remove the dog or cat from the enclosure in order to clean, or to move the dog or cat to another enclosure, this procedure shall be completed in a way that safeguards the dog or cat from injury and prevents escape.

(c) A dog or cat shall be transported in the following manner:

(1) Any dogs or cats transported in the same primary enclosure shall be of the same species and be maintained in compatible groups;

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(2) Puppies or kittens four (4) months of age or less shall not be transported in the same primary enclosure with adult dogs or cats other than their dams;

(3) Dogs or cats that are aggressive or exhibit a vicious disposition shall be transported individually in a primary enclosure;

(4) No female dog or cat in heat (estrus) shall be transported in the same primary enclosure with any male dog or cat;

(5) During vehicle transportation the temperature within the space where dogs or cats are held during transport shall not exceed eighty (80) degrees Fahrenheit or twenty-six and seven-tenths (26.7) degrees Celsius, or fall below fifty-five (55) degrees Fahrenheit or twelve and eight-tenths (12.8) degrees Celsius;

(6) Each dog and cat that is sixteen (16) weeks of age or more shall be offered food at least once every twenty-four (24) hours. Puppies and kittens less than sixteen (16) weeks of age shall be offered food at least once every twelve (12) hours. Each dog and cat shall be offered potable water at least once every four (4) hours; and

(7) The animal importer licensee, the operator of the transport vehicle, or a person accompanying the operator, shall observe each dog and cat not less than once every four (4) hours, to ensure compliance with this subsection and take such corrective action as may be necessary to comply with the provisions of this section.

(Effective November 9, 2021)