

**\* § 431. Transportation.**

1. Vehicle requirements.

(a) Vehicles and operators employed by or otherwise serving as an agent of any animal shelter to transport animals shall adhere to all applicable federal, state, and local laws.

(b) Any animal transported by an animal shelter or its agent shall not be placed unconfined or tethered in the back of an open pick-up or flatbed truck.

(c) Any animal shelter or its agent transporting any animal shall safely and securely confine such animal in an enclosure such as a crate, carrier, or cage within the vehicle. Foster care providers serving as an agent of any animal shelter for purposes of this section may be authorized to provide secure alternatives to enclosures for transport of large dogs.

(d) Any transport vehicle transporting dogs or cats for any animal shelter shall have adequate space, comfortable environmental conditions, and good air quality. The animal compartment of the transport vehicle shall provide fresh air, free of vehicle exhaust fumes.

(e) Each transport vehicle, including cargo spaces, shall be heated and cooled as necessary to provide for normal thermoregulation of the animals being transported.

(f) Each transport vehicle shall have a thermometer placed in the animal compartment. The ambient temperature in the cargo space shall be maintained between sixty and eighty-five degrees fahrenheit, unless the health of the animal necessitates an ambient temperature that exceeds or is less than such parameters. The operator of such vehicle shall monitor cargo area temperatures at least every four hours to ensure such temperatures are maintained.

2. General responsibilities of animal shelters of origin prior to transport. (a) It is the responsibility of the animal shelter of origin to reasonably ensure that its destination animal shelters have the ability to meet the requirements of subdivision four of this section prior to transporting any animal. A written contract or memorandum of understanding between the animal shelter of origin, any intermediate animal shelter, the destination animal shelter and any transporting agent not directly employed by such shelters, shall be executed for each animal transfer of one or more animals. Such document shall include the responsibilities of each party and shall be revised or updated as necessary to ensure that information is current.

(b) A contact person shall be designated for each animal shelter and any intermediate transfer points.

(c) Each transporting organization identified in any agreement established pursuant to subparagraph (i) of paragraph (d) of this subdivision shall adhere to all public health laws and local laws for source location, intermediate transfer points, and final destination.

(d) (i) For dogs or cats imported into the state, the animal shelter of origin shall ensure that each dog or cat to be transported aged three months of age or older has been vaccinated against rabies not more than twelve months prior to the date of transport when using a one-year vaccine, or not more than thirty-six months prior to the date of transport when using a three-year vaccine, as evidenced by a valid certificate of immunization signed by a duly licensed veterinarian. Such vaccine shall be approved by the United States department of agriculture. The immunization requirement shall not apply if a veterinarian certifies in writing that because of old age or other reason, the life of the dog would be endangered by the administration of the rabies vaccine.

(ii) At a minimum, the animal shelter of origin shall administer the following core vaccinations to each dog or cat to be transported that is four weeks of age or older:

(1) For dogs, a modified live product for Distemper virus, Adenovirus, and Parvovirus as well as an intranasal or oral avirulent culture Bordetella bronchiseptica vaccination prior to departing from the animal shelter of origin.

(2) For cats, a modified live product for Feline Viral Rhinotracheitis, Feline Calici Virus, and Feline Panleukopenia.

(iii) The animal shelter of origin shall treat each animal for internal and external parasites as appropriate for the age, species, and medical condition.

(iv) (1) The animal shelter of origin shall examine each dog and cat for medical or behavioral concerns at most twenty-four hours prior to initiation of transport. All medical and behavioral observations shall be recorded and communicated to any intermediate animal shelter, the destination animal shelter and any transporting agent not directly employed by such shelters.

(2) A health record shall accompany each animal to be transported.

(3) A health certificate is required for each animal to be transported into the state in accordance with part sixty-five of the commissioner's rules and regulations. Such

certificate shall accompany each animal during transport and be completed and signed by a duly licensed veterinarian.

(v) Each animal shall be individually identified with a collar, tag, tattoo, microchip or combination of such identifiers. All animals shall have, at a minimum, one form of visual identification.

### 3. General responsibilities during transport.

(a) Each animal transported shall be provided with absorbent bedding.

(b) No animal shall be sedated or tranquilized unless recommended by a duly licensed veterinarian and veterinary guidance is provided for such animal's care during transport.

(c) The maximum transport time to an intermediate animal shelter or a destination animal shelter for dogs and cats shall include not more than fourteen hours confined to the transport vehicle, including load time. Transports exceeding fourteen hours must include an overnight stop at an intermediary location, where the dogs and cats being transported shall be allowed the opportunity to exercise and eliminate outside of the transport vehicle.

(d) The transporting animal shelter or its agent shall observe each animal being transported as often as circumstances allow, but not less than once every four hours. During such observations, animals should be watered and fed consistent with paragraphs (g) and (h) of this subdivision, and the transport area cleaned as appropriate.

(e) Each dog shall be provided with the opportunity to exercise and eliminate at least once every twelve hours while confined to the transport vehicle, including load time. Each dog being transported that is less than twelve weeks of age shall be removed from their enclosure and allowed to exercise and eliminate at least every two hours.

(f) No dog or cat shall be left unattended in any transport vehicle for more than one hour, regardless of whether heating, ventilation and air conditioning (HVAC) is provided in such vehicle.

(g) The transporting animal shelter or its agent shall provide each animal being transported with wholesome and palatable food except when there are instructions from a duly licensed veterinarian to withhold food for medical reasons. Such food shall be free from contamination, of nutritional value sufficient to maintain each animal in good health and be provided at least every twelve hours for adult animals; at

least every eight hours for animals less than six months of age; and at least every six hours for animals less than four months of age.

(h) If water cannot be provided at all times, the transporting animal shelter or its agent shall provide clean, fresh water to each animal being transported at least every four hours during observation stops required pursuant to paragraph (b) of subdivision four of this section.

Such water shall be supplied in a sanitary manner sufficient for its needs, except where there are instructions from a duly licensed veterinarian to withhold water for medical reasons.

(i) Animal enclosure requirements. (i) Animal enclosures in transport vehicles shall be suitable to allow the animal to stand, sit erect, turn around while standing, and to lie in a natural position. If more than one animal occupies any enclosure during transport, such enclosure shall provide adequate space for each to lie down comfortably at the same time without lying on top of each other.

(ii) Unfamiliar animals shall not be contained together in the same enclosure.

(iii) Crates, carriers or cages shall not be stacked in the transport vehicle in a manner that increases animal stress or discomfort, compromises ventilation, allows waste material to pass between cages, interferes with care and observation, or hinders emergency removal.

(iv) All animal enclosures and compartments shall be free of sharp edges or other hazardous materials.

(v) The floor of any enclosure shall prevent injury, discomfort, and leakage of fluids into other enclosures.

(vi) The animal shelter or its agent shall ensure that each animal transported is safely and securely confined within each enclosure as prescribed by this section and that enclosure doors are secured to prevent accidental opening.

(vii) The animal shelter or its agent shall secure each primary enclosure to prevent movement within the transport vehicle.

(viii) Each dog or cat less than eight weeks of age shall be transported in an enclosure with their mother, with adequate space to allow the mother to lie down on her side with legs extended to facilitate nursing unless such dog or cat is orphaned, a duly licensed veterinarian directs otherwise, the transport period does not exceed one hour, or transport with the mother is deemed to pose a significant safety risk. In the event such dog or cat is not transported with its mother, the animal shelter or its agent shall

ensure an adequate environment and temperature for the offspring. The transporting animal shelter or its agent shall transport animals with known or suspected infectious diseases that could be spread during transport in separate compartments from healthy animals.

(ix) The transporting animal shelter or its agent shall clean animal enclosures and replace litter as often as necessary to prevent soiling any animal being transported. If any animal must be removed from an enclosure to facilitate cleaning, the transporting animal shelter or its agent shall employ safeguards to ensure animal safety and prevent escape.

(j) Transport vehicle operators. (i) Transport vehicle operators and individuals who assist in the transport of animals shall have training in animal health, animal care, and safety issues to recognize and respond to animal needs during transport.

(ii) Transport vehicle operators shall avoid unnecessary sudden acceleration, deceleration, excessive lateral movement, noise and vibration.

(iii) Transport vehicle operators and individuals who assist in the transport of animals shall observe dogs and cats for any medical or behavioral concerns during each stop and shall respond appropriately to any concerns identified.

(iv) Transport vehicle operators and individuals who assist in the transport of animals shall clean and disinfect each enclosure after use in transporting an animal and before transporting different animals in the same enclosure.

4. General requirements of destination animal shelters. Each destination animal shelter shall provide the following:

(a) Adequately trained personnel ready to receive and medically evaluate each animal received from any transporting animal shelter or its agent upon arrival;

(b) A physical examination of each animal received from any transporting animal shelter with corresponding documentation performed by trained personnel pursuant to section four hundred twenty-three of this article within four hours of arrival;

(c) Veterinary care in accordance with section four hundred twenty-nine of this article for each animal received from any transporting animal shelter requiring such care and additional reasonable care.

(d) Adequate housing for arriving animals prepared in advance of arrival, including:

(i) Housing in a quarantine area if needed, based on assessment of health status, animal source, and risk of infectious, contagious, parasitic or communicable disease; and

(ii) Isolation areas for animals with known or suspected contagious diseases, as required under sections four hundred twenty-four and four hundred twenty-five of this article.

5. No animal shelter or its agents shall transport any dog or cat less than one year of age whose point of origin is any breeder licensed by the United States department of agriculture pursuant to the provisions of U.S.P.L. 89-544 as of August twenty-fourth, nineteen sixty-six, or any subsequent corresponding sections of the federal Animal Welfare Act, as from time to time amended.

\* NB Effective December 15, 2025