

## **Schedule “A”**

### **Jurisdictional Review Transport of Animals in Motor Vehicles**

#### **Saskatoon, Saskatchewan**

*Bylaw No. 7860, The Animal Control Bylaw, 1999*

- 11.1 (1) No person shall transport a cat or dog in a motor vehicle unless the animal is:
- (a) inside a motor vehicle, fully enclosed trailer or truck bed cap; or
  - (b) confined or properly restrained in a manner that will prevent the animal from:
    - (i) falling from the motor vehicle;
    - (ii) being injured during transport; or
    - (iii) causing hazard to the safe operation of other motor vehicles.
- (2) No person shall tether a cat or dog to a motor vehicle that is in operation unless the animal is confined or secured as described in Clause 1 (b).
- (3) Subsections (1) and (2) do not apply to a person operating a motor vehicle that is designed for use as a mobility aid for persons with a disability and that is being used for that purpose.

Enforcement for this section of the bylaw falls under the authority of the Saskatoon Police Services.

#### **Calgary, Alberta**

*Responsible Pet Ownership Bylaw (Bylaw No. 23M2006) - Municipal*

##### **(20) SECURING ANIMALS IN VEHICLES**

- (1) No person shall allow an Animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.
- (2) Notwithstanding subsection 20(1), a person may allow an Animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pickup truck or flat bed truck if the Animal is:
- (a) in a fully enclosed trailer;
  - (b) in a topper enclosing the bed area of a truck;
  - (c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
  - (d) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
- (3) For the purpose of this Section, “roadway” means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or Parking of vehicles.
- (4) The Owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle Owner satisfies the Court that the vehicle was:
- (a) not being driven or was not Parked by the Owner; and

(b) that the person driving or Parking the vehicle at the time of the offence did so without the vehicle Owner's express or implied consent.

## **British Columbia**

### *BC Motor Vehicle Act – Provincial*

#### Transporting Animals

(72) A person commits an offence if the person transports a living animal on the running board, fender, hood or other exterior part of a motor vehicle unless a suitable cage, carrier, or guard rail is provided and is attached adequately to protect that animal from falling or being thrown from the vehicle.

### *Prevention of Cruelty to Animals Act, RSBC 1996 – Provincial*

#### (372) Transportation of Animals

9.3 (1) A person responsible for an animal must not transport the animal by vehicle unless the animal is:

- (a) inside the passenger compartment; or
- (b) confined or secured in a manner that will prevent the animal from
  - (i) falling from the vehicle;
  - (ii) being injured during transport; or
  - (iii) causing a hazard to the safe operation of other vehicles.

(2) A person responsible for an animal must not attach the animal to a vehicle that is in operation unless the animal is confined or secured as described in subsection (1) (b).

(3) Subsections (1) and (2) do not apply to a person operating a vehicle that is designed for use as a mobility aid for persons with a disability and that is being used for that purpose.

## **St. John's, Newfoundland & Labrador**

### *Bylaw 1514, Animal Control Regulation - Municipal*

2(5) No Owner shall cause an Animal to be confined in an enclosed space, including a motor vehicle, without adequate ventilation.

2(6) No Owner shall transport an Animal in a motor vehicle outside the passenger compartment unless the Animal is, in the opinion of the Officer, adequately confined or secured in a body harness or other manner of fastening which is adequate to prevent the Animal from falling from the motor vehicle or otherwise injuring itself.

### *Animal Health & Protection Act – Provincial*

#### Transport of animal in vehicle

21. A person shall not transport, or permit to be transported, an animal in a motor vehicle outside the passenger compartment unless the animal is confined or secured in a body harness, or by means of another fastening, in a manner which is adequate to prevent the animal from falling off the vehicle or otherwise injuring itself or causing a hazard to other vehicles.

#### Duty of owner

31. The owner of a companion animal or livestock shall not permit the animal or livestock to cause a hazard to people, livestock operations, other animals, goods, property or the safe operation of motor vehicles.

#### **Yellowknife, Northwest Territories**

##### *Dog Bylaw No. 4755*

34. No Person shall allow a Dog to be outside of the passenger cab of a motor vehicle on a highway as defined in the *Motor Vehicles Act* R.S.N.W.T. 1988, c.M-16, as amended, regardless of whether the motor vehicle is moving or parked.

35. Notwithstanding section 33, a person may allow a Dog to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck or a flat-bed truck if the Dog is:

- a) In a fully enclosed trailer;
- b) In a canopy enclosing the bed area of a truck;
- c) Contained in a ventilated kennel designed for the transportation of dogs, which is securely fastened to the bed of the truck; or
- d) Securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.

#### **Criminal Code of Canada – Animal Cruelty**

##### *Causing Unnecessary Suffering*

**445.1** (1) Every one commits an offence who:

(a) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird

##### *Causing damage or injury*

**446.** (1) Every one commits an offence who:

(a) by willful neglect causes damage or injury to animals or birds while they are being driven or conveyed; or

(b) being the owner or the person having the custody or control of a domestic animal or a bird or an animal or a bird wild by nature that is in captivity, abandons it in distress or willfully neglects or fails to provide suitable and adequate food, water, shelter and care for it.

##### *Failure to exercise reasonable care as evidence*

(3) For the purposes of proceedings under paragraph (1)(a), evidence that a person failed to exercise reasonable care or supervision of an animal or a bird thereby causing it damage or injury is, in the absence of any evidence to the contrary, proof that the damage or injury was caused by wilful neglect.