

By Senator Steube

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1 A bill to be entitled
2 An act relating to dogs in vehicles; creating s.
3 316.2003, F.S.; requiring a person transporting a dog
4 in the open bed of a pickup truck or an open area of
5 any vehicle or trailer to keep the dog within certain
6 secured containers or securely tether the dog;
7 providing that violations are punishable as
8 noncriminal traffic infractions; providing exceptions;
9 preempting to the state the regulation of the
10 transportation of dogs in motor vehicles; declaring
11 void any existing or future ordinances or rules
12 adopted by a county, municipality, or other local
13 governmental entity; requiring the court to declare
14 invalid any ordinance or rule adopted by counties,
15 municipalities, or other local governmental entities
16 in violation of this preemption and to issue a
17 permanent injunction against them prohibiting them
18 from enforcing such ordinances or rules; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Section 316.2003, Florida Statutes, is created
24 to read:

25 316.2003 Dogs in motor vehicles.-

26 (1) A person transporting a dog on a public street or
27 highway in the open bed of a pickup truck or an open area of any
28 vehicle or trailer must keep the dog within a secured kennel,
29 cage, or other ventilated container or securely tether the dog
30 to the vehicle or trailer in such a way as to prevent the dog
31 from falling from such vehicle or trailer and to prevent injury
32 to the animal. A person who violates this section commits a

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33 noncriminal traffic infraction, punishable as a nonmoving
34 violation under chapter 318.

35 (2) This section does not apply to any of the following:

36 (a) A dog being transported by a farmer or farm employee
37 while actually engaged in farming activities using the services
38 of the dog.

39 (b) A hunting or sporting dog being used at a hunting site,
40 sporting event, or between hunting sites or sporting events.

41 (3) The state hereby preempts the regulation of the
42 transportation of dogs in motor vehicles. Any existing or future
43 ordinance or rule adopted by a county, municipality, or other
44 local governmental entity is hereby declared void. If any
45 county, municipality, or other local governmental entity adopts
46 an ordinance or rule in violation of this section, the court
47 shall declare the ordinance or rule invalid and issue a
48 permanent injunction against the local government prohibiting it
49 from enforcing such ordinance or rule.

50 Section 2. This act shall take effect July 1, 2017.