



Testimony

of

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**New York City Department of Health and Mental Hygiene**

before the

**New York City Council Committee on Consumer Affairs**

regarding

**Intro 653A: Relating to the Regulation of Horse Drawn Cabs**

**Intro 658: Repealing All Provisions Allowing for the Operation of Horse Drawn  
Cabs**

January 30, 2009

City Hall

New York, NY

Good afternoon Chairman Comrie and members of the Committee on Consumer Affairs. My name is Edgar Butts and I am Assistant Commissioner for Veterinary and Pest Control Services at the New York City Department of Health and Mental Hygiene (DOHMH). Thank you for the opportunity to testify today regarding Intros 653A and 658.

The Department's Office of Veterinary Public Health Services (VPHS) promotes and protects the health and quality of life for New York City residents and visitors by controlling animal-borne diseases and regulating animals. As part of this work, VPHS monitors the use of carriage horses and other horses used for hire in the city to ensure safe and humane operations. The Office also investigates animal nuisance complaints and conducts pre-permit animal holding facility inspections.

DOHMH has authority to license rental horses and regulate the activities of the carriage horse industry to promote the health, safety and well being of these animals. We work closely with the New York City Department of Consumer Affairs, who is responsible for licensing the carriage horse driver and the carriage itself. Currently, there are 249 licensed carriage horses, 68 licensed carriages, 21 licensed commercial stables and 284 licensed drivers.

Under Title 17 of the Administrative Code, DOHMH has issued a detailed set of rules and regulations covering when, where, and under what circumstances rental horses are allowed to operate, details relating to the size and condition of their stables, and frequency of veterinary examinations and stable inspections, among others. The Department takes its work in this area seriously and works closely with the ASPCA and other equine groups to make sure rental horses are healthy and well cared for.

To assist the Department in fulfilling this obligation, in 2007 the Commissioner convened the Rental Horse Licensing and Protection Advisory Board to develop recommendations for better protecting rental horses and improving the overall welfare of the animals. As required by law, the Board consists of one representative from the carriage horse industry, one representative of the rental horse riding industry, two members of the public (one of which is a veterinarian) and an equine veterinarian who is also employed by the ASPCA. Over the past 14 months, the Board has met nearly a dozen times to discuss current issues affecting the industry, make site visits to stables and hack lines, and develop their recommendations. I'm happy to report that on January 28, 2009 the Board formally approved a set of thirteen recommendations that will be sent to Commissioner Frieden for his consideration. We thank each of the Advisory Board members for their time and commitment to this issue.

With respect to the two bills before you today, it is the Department's belief that the carriage horse industry can be regulated in such a way as to assure the health of the horses used in the rental horse business and the safety of those who patronize them. It is our position that strengthening the current regulatory environment is preferable to an outright ban, therefore we oppose Intro 658, which would make it unlawful to offer rides to the public on vehicles drawn or pulled by a carriage horse.

In contrast, Intro 653-A would amend several of the existing regulatory requirements for horse drawn cabs. Specifically, the bill would:

- Require stables where horses used in the rental horse business are kept be inspected at least four times a year and certified by the New York State Horse Health Assurance Program;
- Require every rental horse to be examined no less than twice a year by a veterinarian;
- Require carriage horses be no younger than five years of age and no older than 20 years of age at the time of purchase;
- Increase the rates horse drawn cabs may charge;
- Establish a probationary license program and establish certain restrictions for new carriage horse drivers, and;
- Require year round access to drinking water at all publicly owned water troughs.

These provisions reflect careful thought on the part of the sponsors and demonstrate an understanding of the challenges facing the industry. In fact, several of these requirements are included among the thirteen recommendations approved by the Advisory Board. However, out of deference to the members of the Advisory Board and a belief that any discussion of updating the regulatory framework must be done in a more comprehensive and systematic way, the Department respectfully reserves comment on the details of Intro 653A until the Commissioner has had an opportunity to fully review and analyze the Board's recommendations and compare them to the provisions of the bill.

Thank you again for the opportunity to testify. I'm happy to answer any questions at this time.

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