



Fence Law Continued

may be liable for grass, gardens, and crops from his/her trespassing horses, specifies the minimum standards for the construction of a lawful fence, explains the issues pertaining to partition fences between agricultural or grazing lands and other related issues. The next article, **§35-47-101 through 103, CRS** explains the prohibition of permitting horses to run at large. Colorado has no law that is specific to confinement of stallions. CHC has an excellent pamphlet available to assist stallion owners with safe and effective confinement.

Horse Racing §12-60-101 to 12-60-901 CRS:

This statute provides a thorough statutory foundation for regulation of pari-mutuel horse racing and establishment in the Department of Revenue a five-member Racing Commission and a Division of Racing Events. The racing statutes focus on protecting the welfare of race horses, ensuring the integrity of pari-mutuel wagering, and regulating and promoting the pari-mutuel industry. For more detailed information, visit: www.colorado.gov/revenue Click on Divisions and then Racing.

Transportation of Horses, Towing weight and size limits, § 42-2-404, 42-4-510(11) CRS:

Horse enthusiasts may be transporting horses in truck and trailer combinations that could require a commercial drivers license (CDL). If your horse and trailer is part of your business and has a gross vehicle weight rating

(GVWR) of 26,001 pounds or more you may be required to have a CDL. The size of the rig must also be considered. Maximum width of a vehicle or load may not exceed 102". Height may not exceed 13' and maximum length is 57'4". Contact the CO Department of Revenue Motor Vehicles Division for more information about CDLs. Contact the CO State Patrol for information about clearing ports of entry (weigh stations if your rig is 26,000 GVWR).



Why Join the CHC?

- The Colorado Horse Contact newsletter keeps you current on the state of the horse industry in Colorado and across the nation.
- Professional lobbyists promote your equine interests at the State Capitol.
- Legislative and regulatory updates help you make informed decisions.
- Listing in the CHC Membership Directory puts your business in the public eye.
- Horse industry business discounts improve your bottom line.
- Target your marketing efforts with access to membership mailing lists.
- Discount on "Equine Liability" signs.
- Equestrian trails activities.
- Voting rights in the Colorado Horse Council.
- \$1 million Equine Excess Personal Liability Insurance.*
- Other horse-related insurance products available to members through www.Equisure.Inc.
- Rocky Mountain Horse Expo tickets.
- CHC Recognition Program.
- Website listing on www.ColoradoHorseCouncil.com.
- Directory listing as a Membership Boarding Stable Manager.
- Colorado Horse Council Member Referral Program (for non-profit members).

(*according to the type of membership chosen)



Laws Affecting Colorado Horses and Their Owners



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All the laws listed in this brochure can be found on the web in their entirety at Colorado State Web Portal under Colorado Revised Statutes link www.lexisnexis.com/hottopics/colorado.

To view Colorado Horse Council's Legislative and Regulatory Committee current reports and pending legislation that may affect the horse industry, or to express your opinion, members are invited to visit www.ColoradoHorseCouncil.com and click on Members, then log in for access.

Additional information about State Laws is available on the web at:

www.ColoradoHorseCouncil.com
www.Colorado.gov which includes:

- Colorado Department of Agriculture
- Division of Brand Inspection
- Colorado Department of Revenue
- Division of Motor Vehicles
- Colorado State Patrol

National Laws can be accessed on the web at www.Thomas.loc.gov or contact the American Horse Council at www.HorseCouncil.org.

Colorado Horse Laws

Important: This compilation is intended to provide a basic listing of some of the laws in the State of Colorado that affect horses and horse ownership. This selection reflects those laws many horse owners are likely to be affected by in the course of ownership. It is presented as a brief summary and is not intended to be considered exhaustive or to offer legal advice or counsel. Legal questions should be discussed with a qualified attorney.

Agistor's Lien Act §§ 38-20-201 through 210, CRS: Under the Act, an "agistor", including a person who boards horses, may perfect, record and foreclose a lien on the horse(s) to collect the money owed for board. The Act outlines the procedures and addresses horses that are abandoned at the boarding facility. As a note, if you are looking for court cases interpreting agistor's lien law, they will be found as annotations to § 38-20-102, CRS. (the location of the agistor's lien law before the 1996 revisions.) For more information, visit www.lexisnexis.com/hottopics/colorado/ search on **38-20-201**.

Animal Chiropractors § 12-33-127 CRS: This statute provides the structure to licensed animal chiropractors to treat horses and dogs under the referral and in some cases supervision of a licensed veterinarian. The statute lays out terms for registration, qualifications, continuing education, collaboration with veterinarian, discipline, title restriction, and rules. The statute gives registered and licensed Equine Chiropractors an exemption to **12-64-104 CRS** which prohibits the treatment of animals without a veterinarian license. For more information, visit www.lexisnexis.com/hottopics/colorado/ search on **12-33-127 CRS**.

Brand Laws, Livestock Inspection § 35-53-105, 35-53-112 CRS: An inspection to verify ownership is required before (1) any change of ownership of a horse, (2) a horse is transported over 75 miles

within the state of Colorado, or (3) a horse is transported from Colorado to another state (regardless of the distance). There are additional regulations governing transport of horses. Before selling or giving away a horse, or transporting one, contact the Brand Inspection Division (303.294.0895) for assistance. For more information, go to www.colorado.gov/ag and click on Brands Division.

Confidentiality of Livestock Information § 35-57-9-101 to 35-57-9-104 CRS: This statute provides guidance to the Dept. of Agriculture and State Veterinarian to keep safe and to ensure livestock data collected for traceability of livestock for disease outbreaks is confidential. Traceability addresses the fact that livestock are moving routinely, which means potential exposure to disease. State animal health officials need to know where animals are and where they've been for a rapid and efficient response that limits the impact and reduces economic strain. For more detailed information, visit: www.colorado.gov/cs/Satellite/ag_Animals/CBON/1251619897710.

Colorado Horse Development Authority § 35-57.8-101 to 35-57.8-111 CRS: The statute creates and assigns the duties of the Colorado Horse Development Authority. It is responsible for the collection, distribution, and program accountability for the Horse Promotion Assessment. The programs funded by the Colorado Horse Development Authority are designed to stimulate, through research, education, advertising, and other methods, Colorado's multi-billion dollar horse industry. The mission of the Colorado Horse Development Authority is to promote and sustain the growth and development of the horse industry. For more information visit www.CHDA.org.

Cruelty to Animals / Animal Protection §18-9-201 to 18-9-209 CRS: This statute defines and lists penalties for offenses involving cruelty to animals including but not limited to aggravated cruelty to animals, cruelty to a service animal, animal fighting, abandon-

ment, forfeiture, and more. For more detailed information, visit: www.lexisnexis.com/hottopics/colorado/ select Title 18 then Article 9.

Animal Protection § 35-42-101 to 35-42-115 CRS: The statute creates and assigns the duties of the Bureau of Animal Protection. The Bureau of Animal Protection (BAP) serves as a support mechanism to local law enforcement agencies in conducting animal cruelty and neglect investigations. For more information, visit: http://www.colorado.gov/cs/Satellite/ag_Animals/CBON/1251619863540.

Equine Limited Liability, § 13-21-119, CRS: This statutory section affords any person involved in an equine activity with limitations of liability to participants. It also applies to llama activities. Among its provisions, it specifies the warning signs and notices in contracts that must be used. Fully compliant signs are available from CHC. If you are involved in an agricultural recreational activity that involves other livestock or is more diverse in some other manner, refer to **§ 13-21-121, CRS:** This statute pertains to Agricultural Recreation Activities Limited Liability affords additional limitations on liability. For more information, visit www.coloradohorsecouncil.com.

Fence Law, §35-46-101 through 115, CRS: The Fence Law explains the concept of Colorado as a "fence out" state, describes when a horse owner

