



## **COLORADO HORSE COUNCIL, INC**

*Protecting the Colorado Horse Industry Through Legislation and Education*

### **Why Colorado Horse Owners Need Brand Certificates**

By Andrea Raschke, Vice President, Colorado Horse Council

I am a Manager on the Jefferson County Horse Council Emergency Evacuation Team (JCHC-EET). We have cared for nearly a thousand horses during a dozen events starting with the Hi Meadow Fire in June of 2000. The first document we ask any owner or agent to provide before we release a horse is, "Do you have your Colorado Brand Inspection Certificate or Permanent Travel Card as proof of ownership?" Often the answer we get is, "But my horse doesn't have a brand on it, why would I need a Brand Certificate?"

Colorado law requires that an employee of the State Board of Stock Inspection certify that a shipper or seller is the legal owner before issuing a brand certificate as legal proof of ownership for cattle, horses, mules, and donkeys. An inspection is required every time there is a change in ownership (be it a sale, adoption, or gift and even if no money is exchanged), every time an animal is to be transported over 75 miles within Colorado, and every time an animal leaves the state. An owner may obtain a one-time Permanent Travel Card to avoid having to have an inspection every time an animal is transported over 75 miles or leaves the state. In addition, any time livestock is to be transported on a public road, proof of ownership must be available to local law authorities or a brand inspector. A Colorado Brand Inspection Certificate or Permanent Travel Card is this proof. It's similar to your vehicle's Colorado Registration/Ownership Tax Receipt that you keep in your glove box. When you are pulled over, the officer wants current and legal proof that the vehicle is yours. The vehicle's Bill of Sale from the dealership or your AAA Membership Card will not satisfy this requirement. Similarly, the officer is going to want to see proper legal proof of ownership when you are transporting livestock.

I am also the owner of a small horse boarding facility. The very first section of my boarding contract states: The OWNER hereby warrants to the STABLE that he/she is the sole owner of the horse and has full authority to enter into this agreement. In a subsequent section, I acknowledge that I have received this authority from the OWNER in the form of a Brand Certificate or Permanent Travel Card. In order for my contract to be enforceable, I need legal validation that I am taking direction from the actual owner of the horse. If necessary, I also want to have the ability to perfect an agistor's lien which allows me to use the horse as security for payment of any debt owed to me from the horse's owner. There is no benefit to me to have a piece of paper signed by somebody who cannot legally be proven to own the horse.

I am also the owner of a horse. Heaven forbid that he has to be evacuated due to some unforeseen circumstance. I want to have proof that he is mine so I am able to easily get him back. If somebody is transporting him, I want to make sure that it is being done with my authorization. I also don't want somebody to try to sell him, move him, or enter into some kind of contract with him against my desires. My Colorado Brand Certificate is my proof that I have legal control over my horse.

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