

1 [REGULATIONS FOR HORSE-DRAWN VEHICLE COMPANIES]  
2 AMENDING THE SAN FRANCISCO POLICE CODE BY AMENDING ARTICLE 7.1 BY  
3 AMENDING SECTIONS 500.3 TO CHANGE THE EXCEPTIONS TO THE PERMITTING  
4 REQUIREMENTS OF THIS ARTICLE; BY AMENDING SECTION 501 TO CHANGE THE  
5 DEFINITION OF QUALIFIED VETERINARIAN AND ADD DEFINITIONS FOR MECHANICAL  
6 EVALUATOR, QUALIFIED TRAINER AND SPECIAL EVENT; BY AMENDING SECTION 502  
7 TO SET FORTH SOME OF THE CRITERIA THE CHIEF OF POLICE WILL CONSIDER IN  
8 APPROVING A "STAND"; BY AMENDING SECTION 502.5 TO REFER TO THE PROPER  
9 CODE SECTION SETTING FORTH LICENSE AND PERMIT FEES; BY AMENDING  
10 SECTION 505 TO ALLOW ANIMAL CONTROL OFFICERS TO REVIEW PERMITS,  
11 LICENSES AND OTHER INFORMATION, TO MAKE AN EXCEPTION FOR MINIMUM  
12 NUMBER OF DAYS OF OPERATION DUE TO WEATHER CONDITIONS, TO CHANGE THE  
13 ADVANCE NOTICE REQUIREMENTS FOR SPECIAL EVENTS, AND TO CHANGE THE  
14 LOCATIONS IN WHICH HORSE-DRAWN VEHICLES MAY LOAD AND UNLOAD  
15 PASSENGERS; BY AMENDING SECTION 506 TO ALLOW ADVERTISING ON HORSE-  
16 DRAWN VEHICLES; AND BY AMENDING SECTION 507 TO PROVIDE FOR ANIMAL CARE  
17 AND CONTROL TO RECEIVE ANIMAL FITNESS REPORTS, INSPECT HORSE-DRAWN  
18 VEHICLE ANIMALS AND TO APPROVE THE EQUIPMENT USED ON THE ANIMALS, AND  
19 TO CHANGE THE STANDARD ON THE USE OF WHIPS.

20 Note: Additions are underlined; deletions are in ((double parentheses)).

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. Article 7.1 of the San Francisco Municipal (Police) Code is hereby  
23 amended by amending Section 500.3, to read as follows:

24 **SECTION 500.3. PERMITS; EXCEPTIONS.** The permit requirements of this Article  
25 shall not apply to the use of horse-drawn vehicles for an activity that requires an event permit

1 from the San Francisco Police Department, such as a parade or itinerant show. ((a special  
2 event, provided that during the special event rides are not made available to the public.)) The  
3 ((“special event”)) horse –drawn vehicle used for such an event must meet the insurance  
4 requirements as described in this Article. If the event occurs on Port property a permit to use  
5 said property will also be required.

6 Section 2. Article 7.1 of the San Francisco Police Code is hereby amended by  
7 amending Sections 501, to read as follows:

8 **SECTION 501. DEFINITIONS.**

9 1. **Horse-Drawn Vehicle.** Includes any wagon, coach, omnibus or any vehicle  
10 powered in whole or in part by a horse, mule, or other animal.

11 2. **For Hire or Business.** Horse-drawn vehicle service or consideration.

12 3. **Employee.** Person who works for or renders services to a horse-drawn vehicle  
13 for hire.

14 4. **Driver or Operator.** Person who drives or operates a horse-drawn vehicle.

15 5. **Horse.** A horse with a weight that exceeds 1,100 pounds.

16 6((5)). **Qualified Veterinarian.** A licensed veterinarian who is an expert in the care  
17 of horses and is agreed upon by both the operator and the Department of Animal Care and  
18 Control.

19 7((6)). **Stand.** The portion of a curb lane, or any private or public property location,  
20 used for loading, unloading or waiting for passengers of horse-drawn vehicles. A "stand"  
21 must be approved by the Chief of Police and other affected City and County of San Francisco  
22 department or agency.

23 8((7)). **Applicant.** If a sole proprietorship, any person. If a partnership, each  
24 partner. If a corporation, each director, corporate officer, and stockholder owning ten percent  
25 (10%) or more of the corporation's stock.

1           9. **Mechanical Evaluator.** A mechanical evaluator is a person who has expertise,  
2 through training and/or on-the-job experience in the evaluation of the structural safety of  
3 horse-drawn vehicles.

4           10. **Qualified Trainer.** A qualified trainer is a person who has expertise through  
5 training and/or on-the-job experience in horse-drawn vehicle driving and the care of horse-  
6 drawn vehicle animals.

7           11. **Special Event.** A special event is an occasion when a person requests the  
8 services of a horse-drawn vehicle for a prearranged period of time for a prearranged route  
9 that is not on the regular route of the horse-drawn vehicle.

10           Section 3. Article 7.1 of the San Francisco Municipal (Police) Code is hereby amended  
11 by amending Section 502, to read as follows:

12           **SECTION 502. HORSE DRAWN VEHICLE BUSINESS PERMIT.** (a) Prior to applying  
13 for a horse-drawn vehicle business permit, the applicant shall obtain:

14           (1) A San Francisco horse-drawn vehicle business address;

15           (2) Evidence of a valid permit, license, or contract for use of a stand by the horse-  
16 drawn vehicle business at a location acceptable to the Chief of Police. The Chief of Police  
17 shall consider, among other things, public safety, public health, animal welfare and traffic  
18 issues in determining whether a requested location is acceptable;

19           (3) A mechanical inspection report for each vehicle. (Payment of the cost of  
20 inspection is the responsibility of the applicant.) The inspection report shall include the  
21 following:

22           (i) The mechanical evaluator's name, employer, business address and phone  
23 number,

24           (ii) The mechanical evaluator's relevant training, experience, and professional  
25 license numbers (if any), and

1 (iii) Date of inspection and inspection results, including the evaluator's conclusions  
2 regarding vehicle condition, safety concerns, and maximum safe speed, weight and seating  
3 capacity((;)).

4 (4) A medical inspection report for each animal, made by a qualified veterinarian.  
5 (Payment of the cost of inspection is the responsibility of the applicant.) The medical  
6 inspector's report shall contain the following:

7 (i) The medical evaluator's name, employer, business address and phone number,

8 (ii) The medical evaluator's relevant training, experience, and professional license  
9 numbers; and

10 (iii) Date of inspection and inspection results, including vaccination information, the  
11 animal's general medical condition, identification of any specific health issues, and the  
12 evaluator's opinion as to whether the animal is fit to power a fully loaded vehicle in City  
13 traffic((;)).

14 (5) A training report, authored by the animal training or owner, containing the name  
15 of the animal's training, the place and date of training, the content of the training, and  
16 certification that the animal is trained to safely power a fully loaded vehicle of the type to be  
17 used in City traffic. (Training costs are the responsibility of the applicant.)

18 (b) The application for the horse-drawn vehicle business permit shall be made in  
19 writing and filed with the Chief of Police. The applicant shall provide;

20 (1) Applicant's name(s), address(es), and telephone numbers;

21 (2) The physical location of the stand;

22 (3) A description of each vehicle to be operated, including photographs and other  
23 identifying information to distinguish each horse-drawn vehicle from any other;

24 (4) The mechanical inspection report for each vehicle;

25

1 (5) Identification of each animal used to power the vehicle(s) from any other animal  
2 that the applicant intends to use;

3 (6) The medical evaluation report for each animal;

4 (7) The training report for each animal;

5 (8) A detailed description of the route to be followed by the horse-drawn vehicles.

6 Section 4. Article 7.1 of the San Francisco Municipal (Police) Code is hereby amended  
7 by amending Section 502.5, to read as follows:

8 **SECTION 502.5. DRIVER PERMIT.** It shall be unlawful for any person to act as a  
9 driver of any horse-drawn vehicle for hire licensed pursuant to this Article unless that person  
10 holds a driver's permit from the Chief of Police issued pursuant to this Section.

11 (1) Application for a permit to drive a horse-drawn vehicle shall be made to the  
12 Chief of Police on a form provided by the Police Department. The applicant shall pay to the  
13 City and County of San Francisco a public passenger vehicle (non-motorized) driver  
14 application and license fee as prescribed in Section 2.26((1)) and 2.27((1)) of ~~((this))~~ the San  
15 Francisco Administrative Code. The application shall include, but is not limited to, the  
16 following information:

17 (a) Applicant's name, address, phone number, height, weight, eye color, date of  
18 birth, and Social Security Number;

19 (b) Applicant's California driver's license number, license class and driving  
20 restrictions. The applicant shall provide a current copy of his or her driving record from the  
21 Department of Motor Vehicles;

22 (c) All criminal offenses for which the applicant has been convicted, including the  
23 date and disposition of the criminal matter;

24 (d) Three photographs of applicant's face, frontal view, approximately two inches by  
25 two inches in size, taken within one month of the application;

1 (e) A complete set of applicant's fingerprints taken by the San Francisco Police  
2 Department;

3 (f) A document certifying that the applicant has been trained in equine care and  
4 horse driving from a qualified trainer. The document shall contain, but not be limited to, the  
5 training received, dates and locations of training, trainer identification, trainer's employer and  
6 trainer's address, phone number, professional licenses (if any), training and experience;

7 (g) Such other information as the Chief of Police may deem necessary.

8 Section 5. Article 7.1 of the San Francisco Municipal (Police) Code is hereby amended  
9 by amending Section 505, to read as follows:

10 **SECTION 505. RULES OF OPERATION.**

11 1. No horse-drawn vehicle for hire shall operate in the City and County of San  
12 Francisco unless the owner(s) and operator(s), as applicable, have valid horse-drawn vehicle  
13 business and driver's permits, current tax licenses and stand contracts, licenses or permits.  
14 The horse-drawn vehicle business vehicles and animals shall meet all requirements of this  
15 Article.

16 2. No horse-drawn vehicle for hire shall operate in the City and County of San  
17 Francisco unless the operator has within the vehicle the operator's valid California driver's  
18 license and a copy of the permits for the horse-drawn vehicle business and((,)) driver ((and  
19 stand)).

20 3. The operator shall, on the demand of any peace officer, animal control officer, or  
21 ((his or her)) their agents, present copies of all required licenses and permits.

22 4. The horse-drawn vehicle business permit holder, or his or her agent or employee,  
23 shall supply information regarding the condition of the business' vehicles and/or animals  
24 within one business day when requested by a peace officer, animal control officer, or ((his or  
25 her)) their agents.

1           5. All drivers, agents and employees of a horse-drawn vehicle business shall comply  
2 with all traffic and other laws adopted by the State of California and/or the City and County of  
3 San Francisco and all horse-drawn vehicle regulations enacted by the Chief of Police.

4           6. No person may sit in the driver's compartment area or position except the permitted  
5 driver, and a trainee.

6           7. No horse-drawn vehicle driver, agent or employee shall have any firearm or illegal  
7 weapon in any part of the horse-drawn vehicle or in his or her possession while working.

8           8. No horse-drawn vehicle driver, agent or employee shall possess or control any  
9 alcoholic beverage or illegal drug while near or responsible for the horse-drawn vehicle, stand  
10 or animal.

11           9. No driver shall operate any horse-drawn vehicle, or handle any horse-drawn vehicle  
12 animal, after consumption of prescription or non-prescription drugs or medication, if the effect  
13 of that drug or medication limits or hinders, in any way, the driver's ability to operate the  
14 horse-drawn vehicle or to care for the animal.

15           10. No owner, driver, agent or employee of a horse drawn business shall fail or refuse  
16 to comply with a lawful order from any peace officer or animal control officer.

17           11. No person may solicit members of the public for horse-drawn vehicle services  
18 except at an authorized stand.

19           12. Horse-drawn vehicles may load passengers at stands, or at marked loading zones  
20 on their approved routes if the passengers previously arranged with the horse-drawn vehicle  
21 for pick-up at a particular time and location. Passengers may disembark at any location along  
22 the horse-drawn vehicle's approved route. ((Horse-drawn vehicles shall park, wait for, and  
23 pick up passengers only at authorized stands. Further, while loading or unloading  
24 passengers, t)) The driver shall maintain personal and direct control of the horse or animal by  
25 holding the reins while passengers are loading or unloading at any location.

1           13. Drivers shall not unnecessarily stop or wait at any location other than an  
2 authorized stand, except to load and unload passengers along their approved routes ((for  
3 passengers to disembark)).

4           14. Any horse-drawn vehicle business owner, driver, agent or employee, who finds the  
5 property of another, shall return the property to its rightful possessor. If the rightful possessor  
6 is unknown, the horse-drawn vehicle business shall hold the property for no more than thirty  
7 (30 days before delivering the property to a San Francisco police officer.

8           a) The horse-drawn vehicle business shall keep a log of all found property. The  
9 log shall include entries for the date and time the property was found, a description of the  
10 property, and disposition of the property.

11           b) After the thirty (30) day period, any unclaimed property shall be delivered to a  
12 San Francisco police officer for safekeeping.

13           c) Failure to safeguard found property may subject the driver and/or horse-drawn  
14 vehicle business to permit revocation proceedings.

15           15. Every horse-drawn vehicle operator shall keep an accurate and legible waybill.  
16 Waybills shall be retained for at least one year at the horse-drawn vehicle business address  
17 and be available for review by any peace officer or his or her agent during normal business  
18 hours. Waybills shall set forth, as a minimum, the following information:

- 19           a) Driver's name  
20           b) Vehicle number  
21           c) Date of waybill  
22           d) Starting time for period covered by waybill  
23           e) Origin and destination of each trip  
24           f) Time of hire and discharge for each trip  
25           g) Charges for each trip



1 h) Number of passengers for each trip

2 i) The identity of the horse used for each trip

3 16. The driver must maintain control of the horse or animal at all times and never leave  
4 the horse-drawn vehicle unattended.

5 17. The horse-drawn vehicle shall not block or impede traffic at or near the stand when  
6 the stand is occupied with another horse-drawn vehicle.

7 18. The horse-drawn vehicle business shall operate horse-drawn vehicles at least  
8 seven (7) days during any given calendar month, unless weather precludes operation.

9 19. The Chief of Police, or the Chief's designee, has the authority to restrict or  
10 suspend the operation of horse-drawn vehicles for any situation that reasonably warrants the  
11 restriction or suspension.

12 20. For special events, if the horse-drawn vehicle operator has a valid horse-drawn  
13 vehicle business permit from the San Francisco Police Department, the horse-drawn vehicle  
14 business or driver must provide 24-hour notice to the District Station of the time of the event  
15 and the route to be taken. If the horse-drawn vehicle operator does not have such a permit,  
16 the horse-drawn vehicle business or driver must submit to the Chief of Police two (2) weeks  
17 prior to the event a proposed route for consideration and approval.

18 21. If a horse-drawn vehicle participates in a special event that is not along the horse-  
19 drawn vehicle's authorized route, the horse or animal and vehicle must be transported by  
20 another, appropriate vehicle(s) to and from the site of the special event.

21 22. The maximum number of passengers, not including the driver or trainee, allowed  
22 to ride in the carriage compartment area is six persons.

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1 Section 6. Article 7.1 of the San Francisco Municipal (Police) Code is hereby amended  
2 by amending Section 506, to read as follows:

3 **SECTION 506. VEHICLE REGULATIONS.** (1) Each horse-drawn vehicle shall be  
4 maintained in good working order and in a clean and attractive manner.

5 (2) Each vehicle shall have the horse-drawn vehicle business name and a number painted or  
6 otherwise permanently affixed to the rear of the vehicle in a clear and conspicuous manner.  
7 the name and number shall be free of obstruction and clearly visible and legible to the public.

8 (3) Each carriage shall have the relevant hiring rate, and any other charges, posted in  
9 clear and legible fashion on the exterior of both sides of the vehicle.

10 (4) The passenger compartment of each vehicle for hire shall have posted, without  
11 obstruction, the driver's permit and photograph.

12 (5) All vehicles shall be equipped with a supply of complaint cards, approved by the Chief  
13 of Police, and available to any passenger on demand.

14 (6) All vehicles shall be equipped with a device sufficient to catch horse excretion while on  
15 public property, and on private property that allows public access.

16 (7) No horse-drawn vehicle shall be used primarily for ((display)) advertising ((on its interior or  
17 exterior)). Advertising must be confined to a two feet by three feet area on the back of the  
18 horse-drawn carriage.

19 (8) All vehicles shall comply with the equipment standards set forth in Division 12 of the  
20 California Vehicle Code.

21 (9) If it is reasonably determined that there is a mechanical failure of the equipment or the  
22 vehicle the Chief of Police or the Chief's designee may remove the horse-drawn vehicle from  
23 service. The Chief of Police or the Chief's designee may seek the advice of a qualified  
24 professional. A statement of findings must be provided from a qualified professional and  
25

1 approved by the Chief of Police or the Chief's designee prior to the horse-drawn vehicle  
2 returning to service. All expenses incurred are the responsibility of the permit holder.

3 Section 7. Article 7.1 of the San Francisco Municipal (Police) Code is hereby amended  
4 by amending Section 507, to read as follows:

5 **SECTION 507. HORSE OR HORSE-DRAWN VEHICLE ANIMAL REGULATIONS.**

6 1. All horse-drawn vehicle animals shall weigh over 1,100 pounds and be fit for the  
7 purpose of powering a fully loaded horse-drawn vehicle. To determine fitness, each horse-  
8 drawn vehicle animal shall be examined every six months by a qualified veterinarian, who  
9 shall issue a report and send the report to both the Chief of Police and the Director of Animal  
10 Care and Control. The veterinarian report shall be made on a form approved by the Chief of  
11 Police. The report shall include, but is not limited to:

- 12 (i) The information required in Section 502.(4.)(a) of this Article;
- 13 (ii) Status of immunization, deworming and dental work;
- 14 (iii) Farrier status;
- 15 (iv) Drug tests and pregnancy test for mares ((Blood and pap tests));
- 16 e) Results of any other test deemed prudent by the veterinarian.

17 2. The Chief of Police or the Chief's designee may immediately suspend the use of  
18 any horse-drawn vehicle animal and order a medical evaluation or specific treatment for the  
19 animal by a certified veterinarian. The Chief of Police or the Chief's designee may seek the  
20 advice of a qualified professional. A statement of findings must be provided from a certified  
21 veterinarian, qualified in horse treatment and care, and approved by the Chief of Police or the  
22 Chief's Designee prior to the animal returning to service. If the Department of Animal Care  
23 and Control receives a complaint regarding the condition or treatment of a horse-drawn  
24 vehicle animal, the Director of Animal Care and Control may have the horse examined by an  
25 Animal Care and Control employee and/or a certified veterinarian at any time without notice.

1 All costs associated with medical tests, evaluations and treatments are the responsibility of  
2 the permit holder.

3 3. No animal shall be used to power a vehicle in the City and County of San Francisco  
4 if the animal has an open sore or wound that would affect the animal's comfort or soundness.

5 4. No animal shall be used to power a vehicle in the City and County of San Francisco  
6 unless the animal has hoofs that are properly shod and trimmed. Farrier records shall be kept  
7 for each animal.

8 5. No animal shall be used to power a vehicle in the City and County of San Francisco  
9 unless the animal is groomed daily((, is free of fungus parasites and dandruff,)) and has a  
10 healthy coat.

11 6. No horse-drawn vehicle animal shall work more than five ((six)) consecutive days in  
12 a week or more than six (6) hours in any day or twenty-four (24) hour period per the Carriage  
13 Operators of North America's Rules of Operator. A horse-drawn vehicle animal shall have  
14 water made available during the entire work period.

15 7. No horse-drawn vehicle animal shall work more than eight hours per day without  
16 being given water and rest for not less than two cumulative hours during the work period.  
17 Each horse-drawn vehicle animal shall be given water and rest for not less than fifteen (15)  
18 minutes during each working hour.

19 8. All equipment used on the horse-drawn vehicle animal must be approved by the  
20 Director of Animal Care and Control or his or her designee prior to use. The equipment must  
21 be kept in good repair at all times. Other than normal blinders, no horse drawn vehicle animal  
22 shall work with equipment causing any vision impairment. The harness shall be oiled and  
23 cleaned as to be soft at all times. It also shall be fitted, properly maintained, and free of  
24 makeshift connections such as wire, cloth or tape, except if emergency repair is necessary.

1 No high port, long shank, or twisted wire bits shall be used on any horse-drawn vehicle  
2 animal.

3 9. Whips may be used only in certain cases, and not excessively, to control the animal  
4 ((where the horse-drawn vehicle or the animal will cause immediate danger or harm to  
5 others)). Whips may not be used to inflict pain or suffering to any horse-drawn vehicle animal.

6 ((10. No horse-drawn vehicle animal shall work with a harness or bit that is not  
7 approved by the Chief of Police or his Designee. The harness shall be oiled and cleaned as  
8 to be soft at all times. It also shall be fitted, properly maintained, and free of makeshift  
9 connections such as wire, cloth or tape.))

10 10((11)). Whenever animals are housed on asphalt, concrete or other hard surfaces  
11 the floors must be covered with rubber floor pads.

12 11. Each horse-drawn vehicle animal shall be required to work ninety percent of the  
13 time at a walking gait, and no more than ten percent of the time at a trotting gait.

14  
15 APPROVED AS TO FORM:

16 LOUISE H. RENNE, City Attorney

17  
18  
19 By:

  
20 JOHN I. KENNEDY  
21 Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Ordinance

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**File Number:** 991587

**Date Passed:**

Ordinance amending Police Code Article 7.1, Section 500.3 to change the exceptions to the permitting requirements of this article; by amending Section 501 to change the definition of qualified veterinarian and to add definitions for mechanical evaluator, qualified trainer and special event; by amending Section 502 to set forth some of the criteria the Chief of Police will consider in approving a "stand"; by amending Section 502.5 to refer to the proper code section setting forth license and permit fees; by amending Section 505 to allow animal control officers to review permits, licenses and other information, to make exception for minimum number of days of operation due to weather conditions, to change the advance notice requirements for special events, and to change the locations in which horse-drawn vehicles may load and unload passengers; by amending Section 506 to allow advertising on horse-drawn vehicles; and by amending Section 507 to provide for animal care and control to receive animal fitness reports, inspect horse-drawn vehicle animals and to approve the equipment used on the animals, and to change the standard on the use of whips.

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October 18, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee  
Absent: 2 - Becerril, Newsom

October 25, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee  
Absent: 1 - Becerril

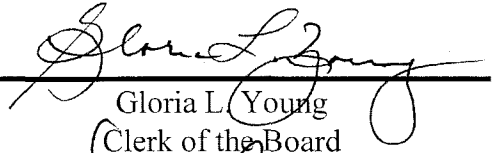
File No. 991587

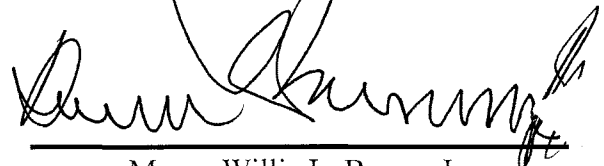
I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on October 25, 1999  
by the Board of Supervisors of the City and  
County of San Francisco.

NOV - 5 1999

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Date Approved

  
Gloria L. Young  
Clerk of the Board

  
Mayor Willie L. Brown Jr.