



Helping Your Pet to Have Good Car-ma

By Emily Gardner, Esq.

Well, it's the start of another new year. Out with the old in with the new. Time for making those pesky resolutions we vow to keep each January, only to find by March (or even February) that we have fallen a bit short of our goals. This year, like those before, I am resolving to make some changes, to do things a little differently than I have in the past. In 2006 my personal plans are to try and floss more often, *and*, to be more responsible when driving my car with pets in tow.

The first of my resolutions was prompted by a nagging toothache in one of my rear molars—a notoriously difficult spot to reach with floss. The second, was prompted by a near collision I had while changing lanes (yes, I signaled), which sent my small dog, who had been perched on my leg with his head out the window, flying full force into the side view mirror.

Although my dog was fine, aside from some slight and temporary dizziness, the incident got me thinking. Had I not swerved in time, things could have been a lot worse. A hard hit from behind could have propelled my dog out of the vehicle where he could have suffered a much different fate.

I researched the laws for driving with your pets and here's what I found: In the state of Hawaii, under Hawaii Revised Statute, section 291C-124 (b), it is illegal for any person "[w]hile operating a motor vehicle to hold in the person's lap, or allow to be in the driver's immediate area, any person, *animal* or object which interferes with the driver's control over the driving mechanism of the vehicle."

Moreover, under the Revised Ordinance of Honolulu, section, 15-24.22 (b), in the City & County of Honolulu, "no dog or any other animal shall be transported on any public street or highway in any vehicle unless such animal is totally enclosed within such vehicle, within a secured container upon such vehicle, or securely cross-tethered to such vehicle in such a way as to prevent injury to the animal."

These laws are designed to protect BOTH animals and your fellow motorists. While many dogs are smart beyond their years, I have yet to meet one who seems to firmly grasp the concept of inertia such that they know to hold on when coming to an abrupt stop. With unrestrained animal passengers, there are also the risks of injury from air-bag implosion, if your dog is left in the front seat, or, dirt and bugs causing eye damage, if your dog rides with its head out the window. In addition, pets in the car, much like children, can often be a distraction to the driver, not to mention the bedlam they could cause should they unexpectedly take flight from a moving vehicle in traffic.

I know many of you may be thinking "what a spoil sport," or, "doesn't she know how much my dog *loves* driving with his head out the window?" Those of you can take heart in knowing that Hawaii is pretty middle of the road when it comes to its laws effecting urban animal travel. Pennsylvania recently introduced a bill that would require all drivers to keep their dogs' heads inside the vehicle at all times and to restrain their animals, either with some kind of modified seat belt or carry them in a crate or carrier box. Legally mandating the method of animal restraint inside automobiles seems rather extreme. It would appear a rather unjust result that one could be ticketed for not having a pet in a seat belt or crate, but not for riding a motorcycle without a helmet.

After all, it wasn't that long ago when it was fairly commonplace—and legal—to allow children to frolic in the backseats of cars without seat belts or car seats. Yours truly grew up bounding back and forth between the back seats and the "way back" compartment of a Ford *Country Squire* and is no worse for wear.

Wisdom progressed, however, such that the law now requires that children always be restrained in car seats or seat belts. In recent years, manufacturers have been taking note and have introduced a new series of products for pet passengers.

Products range from simple and relatively inexpensive canine seat belts, with lambs wool padding, that wrap around a dog's chest to elaborate car seats that look more appropriate for a tyke than a mutt. Honda Motor Company even recently came up with a pet-friendly car. The W.O.W., which stands for "wonderful openhearted wagon" is an exhibition wagon that has a special crate for dogs in the glove compartment that allows owners to interact with their pets while driving and a crate that pops up from the floor of the back seat, for bigger dogs. Other auto manufacturers such as SAAB and Volvo offer a wide range of products specially designed to assist with safe pet travel.

I am not advocating that you necessarily have to break the bank and buy a lavish contraption to strap your pet into each and every time you drive your car (nor am I suggesting that you shouldn't). I am urging you take the time to exercise good judgment in riding with your pet in your car and be mindful of the laws in place. Perhaps limit rides with your pet's head out the window to less traveled roads with slower speed limits. Consider a crate or restraint for longer rides or rides through heavy traffic areas. I know the image I'm creating for you may not be as fun as that of your dog poised jubilantly on the car's window sill, ears flapping in the breeze in a state of utter delirium, but things that are good for you, sadly aren't usually the most fun. Kind of like vegetables—and flossing.

Happy new year and safe travels.

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