Riding on Public Roads

This segment collects statutes and administrative regulations that deal with riding or driving horses on public roads. Public roads include the full public right of way from fence to fence, including ditches and shoulders--not just the paved or graveled portion on which motor vehicles travel.

Most of the states that have statutes or regulations dealing with this subject have only one or two--probably left over from the time when public roads were shared by horses and motor vehicles much more than they are today. Only one state--New York--appears to have a more or less comprehensive set of rules of the road for horses ridden or horse-driven vehicles.

If you are planning a trail ride that uses or crosses public roads or just a pleasure ride out on a country road, it would be worth knowing whether your state has any special laws that deal with that experience.

A very common provision requires motorists to exercise special care when near horses to avoid spooking them, sometimes even to the point of coming to a complete stop if necessary. Several states require that persons riding or driving horses on public roads must follow all of the rules of the road that govern motor vehicles that feasibly can be obeyed.

Provisions requiring illumination or reflection for horses ridden or driven between sundown and dawn are quite common. Often these provisions go into great detail specifying the requirements for the illumination or reflection. At least one state prohibits riding horses at all at night on a public road. Several states require that horse-drawn vehicles must display a special slow moving vehicle sign. A few states require that horses pulling snow sleighs must be equipped with bells on their harnesses.

Several states prohibit riding or driving horses on the right of way of a limited access highway, such as an Interstate Highway. One state--Louisiana--prohibits riding a horse on any asphalt road. There are a number of states that prohibit riding horses on sidewalks built by adjoining property owners. Several states prohibit riding a horse at a faster pace than a walk over bridges or certain bridges. A number of states prohibit horse racing or speed testing on public roads. One state prohibits recklessly riding a horse on a public road. Kentucky prohibits riding a horse on a public levee.

Several states prohibit permitting a horse to graze grass on the public road right of way or to browse trees or shrubs on the right of way. A couple of states prohibit horses from being in a rest stop.

Several states, including California, authorize local communities to establish side or bridle paths for use by horses as an alternative to using the public road right of way.

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Statutes and/or administrative regulations were found for 37 of 50 states. If you know the whereabouts of any statutes or regulations on this subject that we were unable to locate, please tell us about them so we can add them to the collection.

New York Riding on Public Roads Statutes

CONSOLIDATED LAWS OF NEW YORK
AGRICULTURE AND MARKETS LAW
CHAPTER 69 OF THE CONSOLIDATED LAWS
ARTICLE 26--ANIMALS

364. Running horses on highway

A person driving any vehicle upon any plank road, turnpike or public highway, who unjustifiably runs the horses drawing the same, or causes or permits them to run, is guilty of a misdemeanor, punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars, or by both.

HIGHWAY LAW
CHAPTER 25 OF THE CONSOLIDATED LAWS
ARTICLE XI--MISCELLANEOUS PROVISIONS

316. Entitled to free use of highways

The authorities having charge or control of any highway, public street, park, parkway, driveway, or place, shall have no power or authority to pass, enforce or maintain any ordinance, rule or regulation by which any person using a bicycle or tricycle shall be excluded or prohibited from the free use of any highway, public street, avenue, roadway, driveway, parkway, park, or place, at any time when the same is open to the free use of persons having and using other pleasure carriages, except upon such driveway, speedway or road as has been or may be expressly set apart by law for the exclusive use of horses and light carriages. But nothing herein shall prevent the passage, enforcement or maintenance of any regulation, ordinance or rule, regulating the use of bicycles or tricycles in highways, public streets, driveways, parks, parkways, and places, or the regulation of the speed of carriages, vehicles or engines, in public parks and upon parkways and driveways in the city of New York, under the exclusive jurisdiction and control of the department of parks and recreation of said city, nor prevent any such

authorities in any other city from regulating the speed of any vehicles herein described in such manner as to limit and determine the proper rate of speed with which such vehicle may be propelled nor in such manner as to require, direct or prohibit the use of bells, lamps and other appurtenances nor to prohibit the use of any vehicle upon that part of the highway, street, park, or parkway, commonly known as the footpath or sidewalk.

323. Injuring fruit or shade trees

It shall be unlawful for any person or persons whatsoever in this state to hitch any horse or other animal to or leave the same standing near enough to injure any fruit or forest tree growing within the bounds of the public highway, or used as a shade or ornamental tree around any schoolhouse, church or public building, or to cut down or mutilate in any way any such ornamental or shade tree; but the right of property owners along the highway to cultivate, train and use such shade trees shall not be impaired or abridged hereby. Any person or persons guilty of violating the provisions of this section shall be deemed guilty of misdemeanor, and shall be punishable by a fine of not less than five dollars, nor more than twenty-five dollars for each such offense, and in case of failure to pay any fine imposed, may be committed to jail, not exceeding one day for each dollar of such fine. Courts of special sessions having jurisdiction to try misdemeanors, as provided by section fifty- six of the code of criminal procedure, [FN1] shall have exclusive jurisdiction to try offenders in all cases occurring in the same manner as in other cases, where they now have jurisdiction, and subject to the same power of removal, and to render and enforce judgments, to the extent herein provided. All fines collected under the provisions of this act shall be paid when the offense is committed in a town outside of incorporated villages, to the supervisor of the town, to be used as the town board and town superintendent may direct. When the offense is committed in any village of the county, which by law is constituted a separate road district, the fine shall be paid to the treasurer of said village, to be used as the board of trustees may direct.

VEHICLE AND TRAFFIC LAW
CHAPTER SEVENTY-ONE OF THE CONSOLIDATED LAWS
TITLE VII--RULES OF THE ROAD
ARTICLE 26--RIGHT OF WAY

1146. Drivers to exercise due care

Notwithstanding the provisions of any other law to the contrary, every driver of a vehicle shall exercise due care to avoid colliding with any bicyclist, pedestrian or domestic animal upon any roadway and shall give warning by sounding the horn when necessary. For the purposes of this section, the term "domestic animal" shall mean domesticated sheep, cattle and goats which are under the supervision and control of a pedestrian.

1146-a. Approaching horses

1. Notwithstanding the provisions of any other law to the contrary, every driver of a vehicle shall exercise due care to avoid colliding with any horse being ridden or led along a public highway.

2. Every driver of a vehicle shall approach a horse being ridden or led along a public highway at a reasonable and prudent speed so as to avoid frightening such horse and shall pass the horse at a reasonable distance.

3. No driver of a vehicle shall sound the horn when approaching or passing a horse on a public highway.

ARTICLE 34-B--RIDING HORSES

1260. Effect of regulations

(a) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

(b) These regulations applicable to horses shall apply whenever a horse is ridden or led upon any highway and upon private roads open to public motor vehicle traffic.

1261. Traffic laws apply to persons riding or leading horses

Every person riding or leading a horse upon a roadway shall be granted all rights and shall be subject to all the duties applicable to the driver of a vehicle by this title, except as to special regulations in this article and except as to those provisions of this title which by their nature can have no application.

1262. Riding on roadways, shoulders and horse paths

(a) Upon all roadways, horses shall be ridden or led either near the right hand curb or edge of the roadway or upon a usable right-hand shoulder, lane or path in such a manner as to prevent undue interference with the flow of traffic.

(b) Persons riding or leading horses upon a roadway shall do so single file.

(c) Any person riding or leading a horse who is entering the roadway from a private road, driveway, alley or over a curb shall bring the horse to a full stop before entering the roadway.

1263. Carrying articles

No person riding or leading a horse shall carry any package, bundle, or article which prevents such person from keeping at least one hand upon the reins.

1264. Ban on night riding

No person shall ride or lead a horse upon a roadway during the period from one-half hour after sunset to one-half hour before sunrise. The provisions of this section shall not apply to horse-drawn carriages or carts or police officers, peace officers or park rangers mounted on horseback.

1265. Wearing of helmets

1. No person less than fourteen years of age shall ride a horse unless such person is wearing a helmet meeting or exceeding ASTM F1163 (Safety Equipment Institute certified) Equestrian Standard. For purposes of this section, "certified" shall mean that the helmet's manufacturer agrees to the rules and provisions of a system that includes independent testing and quality control audits, and that each helmet manufactured by such manufacturer is permanently marked with the certifying body's registered mark or logo before such helmet is sold or offered for sale. For the purposes of this section, wearing a helmet means having a helmet fastened securely upon the head using the manufacturer's fitting guidelines for the particular model used.

2. Any person who violates the provisions of this section shall pay a civil fine not to exceed fifty dollars. A police officer shall only issue a summons for a violation of this section by a person less than fourteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than fourteen years of age.

3. (a) The court shall waive any civil fine for which a person who violates the provisions of this section would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a helmet.

(b) The court may waive any civil fine for which a person who violates the provisions of the section would be liable if the court finds that due to reasons of economic hardship such person was unable to purchase a helmet.

4. The failure of any person to comply with the provisions of this section shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

1604. Local ordinances prohibited

Except as otherwise provided in this chapter, local authorities shall have no power to pass, enforce or maintain any ordinance, rule or regulation requiring from any owner of a motor vehicle or motorcycle, or from any operator or chauffeur to whom this chapter is applicable, any tax, fee, license or permit for the use of the public highways, or excluding any such owner, operator or chauffeur from the free use of such public highways, excepting such driveway, speedway or road as has been or may be expressly set apart by law for the exclusive use of horses and light carriages, or in any other way restricting motor vehicles or motorcycles or their speed upon or use of the public highways; or setting aside for any given time a specified public highway or any part thereof constructed in whole or in part at the expense of the state for exhibitions, shows, exercises, entertainments or meetings; and no ordinance, rule or regulation contrary to or in any wise inconsistent with the provisions of this chapter, now in force or hereafter enacted shall have any effect.

Provided, however, that the power given to local authorities to license and regulate vehicles offered to the public for hire, and processions, assemblages or parades in the streets or public places, and all ordinances, rules and regulations which may have been or which may be enacted in pursuance of such powers shall remain in full force and effect.