



STATE LAWS PROHIBITING LEAVING ANIMALS IN UNATTENDED VEHICLES

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ISSUE

Do any states have laws that prohibit a person from leaving an animal in an unattended motor vehicle? Do the laws allow someone to break into a vehicle to rescue an animal?

SUMMARY

Eighteen states have laws that explicitly address leaving an animal in an unattended vehicle: Arizona, California, Illinois, Maine, Maryland, Minnesota, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Rhode Island, South Dakota, Tennessee, Vermont, Washington, and West Virginia (see Table 1 below).

These laws either prohibit a person from leaving an animal in an unattended vehicle, allow certain people (e.g., police and animal control officers) to rescue an animal that is confined in a vehicle, or both. Generally, the person may use reasonable force to rescue the animal given the circumstances.

In Connecticut, depending on the facts and circumstances of the case, a person leaving an animal confined in a parked vehicle in adverse weather (e.g., extreme heat or cold), may be charged with animal cruelty.

Under Connecticut law, a person commits animal cruelty if he or she, among other things, tortures, cruelly beats or kills, deprives of necessary sustenance, or unjustifiably injures an animal. A person is also guilty of this crime if (1) when confining an animal, they fail to provide the animal proper care or to supply it with wholesome air, food, and water or (2) when having custody of an animal, they inflict cruelty upon it or fail to provide it proper food, drink, or protection from the weather. Animal cruelty is punishable by up to one year in prison, a fine of up to \$1,000, or both for a first offense and is a class D felony for a subsequent offense. Intentional and malicious animal cruelty is a class D felony ([CGS § 53-247](#)).

TABLE 1: STATE LAWS PROHIBITING LEAVING AN ANIMAL IN AN UNATTENDED VEHICLE

STATE AND CITATION	PROHIBITED ACTIVITY	PENALTY	RESCUE PROVISION
Arizona A.R.S. § 13-2910	Intentionally, knowingly, or recklessly leaving an animal unattended and confined in a motor vehicle where physical injury or death is likely to result	Class 1 misdemeanor	A peace officer or animal control enforcement agent or deputy may use reasonable force to open a vehicle to rescue an animal
California Cal. Penal Code § 597.7	Leaving or confining an animal in an unattended motor vehicle under conditions that endanger the animal's health or well-being due to heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death	First conviction: up to a \$100 fine, but if the animal suffered great bodily injury, then up to a \$500 fine, up to six months in county jail, or both Subsequent conviction: up to a \$500 fine, up to six months in county jail, or both	A peace officer, animal control officer, or humane officer (1) may take all steps necessary to remove the animal from the vehicle after making a reasonable effort to locate the person responsible and (2) must leave a written note indicating where the animal can be claimed
Illinois 510 ILCS 70/7.1	Confining an animal in a motor vehicle in a way that places it in a life- or health-threatening situation due to prolonged exposure to extreme heat or cold without proper ventilation or other precaution against the heat or cold	First conviction: class C misdemeanor Subsequent conviction: class B misdemeanor	A law enforcement officer, animal control officer, or agriculture department investigator may enter the vehicle using any reasonable means after making a reasonable effort to locate the person responsible
Maine 7 M.R.S.A. § 4019	Leaving an animal in a motor vehicle if the animal's safety, health, or well-being appears to be in immediate danger from heat, cold, or lack of adequate ventilation and extreme suffering or death could reasonably be expected	None specified, but the animal's owner can claim the animal only after paying all charges accrued for the animal's maintenance, care, medical treatment, and impoundment	A law enforcement officer, humane agent, animal control officer, firefighter, first responder, or licensed security guard (1) may take all steps reasonably necessary to remove the animal from the vehicle and (2) must leave a written note indicating where the animal may be claimed

Table 1 (continued)

STATE AND CITATION	PROHIBITED ACTIVITY	PENALTY	RESCUE PROVISION
Maryland MD Code, Trans., § 21- 1004.1	Leaving a cat or dog unattended in a standing or parked motor vehicle in a manner that endangers the animal's health or safety	Motor vehicle violation (currently a \$70 fine)	The following people may use reasonable force to remove a cat or dog from a motor vehicle: law enforcement officer, public safety employee, animal control officer, officer of a prevention of cruelty to animals society authorized to make arrests, or fire and rescue service volunteer or professional
Minnesota M.S.A. § 346.57	Leaving a cat or dog unattended in a standing or parked motor vehicle in a manner that endangers the animal's health or safety	Petty misdemeanor, subject to a \$25 fine	A peace officer, humane agent, dog warden, or fire or rescue department volunteer or professional (1) may use reasonable force to remove a cat or dog from a vehicle and (2) must use reasonable means to contact the animal's owner to arrange for its return
Nevada N.R.S. § 574.195	Leaving a cat or dog unattended in a standing or parked motor vehicle during extreme heat, cold, or in any other manner that endangers the animal's health or safety	Misdemeanor	The following people may use reasonable force necessary under the circumstances to remove a cat or dog from a motor vehicle: peace officer, animal control officer, public safety officer, officer of a prevention of cruelty to animals society who is authorized to make arrests, fire department employee or volunteer, or member of a search and rescue organization that is under a sheriff's supervision
New Hampshire N.H. Rev. Stat. § 644:8- aa	Confining an animal in a motor vehicle or other enclosed space in which the temperature is either so high or so low as to cause serious harm	Misdemeanor	A law enforcement officer or agent of a licensed humane organization may take action necessary to rescue a confined animal endangered by extreme temperatures

Table 1 (continued)

STATE AND CITATION	PROHIBITED ACTIVITY	PENALTY	RESCUE PROVISION
New Jersey N.J.S.A. § 4:22-26(c)	Leaving a living animal or creature unattended in a vehicle under inhumane conditions adverse to its health or welfare	Between \$500 and \$2,000 fine	None specified
New York N.Y. Agri & Mkts § 353-d	Confining a companion animal in a motor vehicle in extreme heat or cold without proper ventilation or other protection, placing the animal in imminent danger of death or serious physical injury	First offense: between \$50 and \$100 fine Subsequent offense: between \$150 and \$250 fine	A police officer, peace officer, or peace officer acting as an agent of an incorporated humane society (1) may take necessary steps to remove the animal from the vehicle and (2) must leave a written note indicating where the animal will be taken
North Carolina N.C.G.S.A. §§ 14-363.3 & 14-360	Leaving an animal confined in a motor vehicle under conditions that are likely to cause suffering, injury, or death due to heat, cold, lack of adequate ventilation, or other endangering conditions	None specified, but may be charged with cruelty to animals, which is a class 1 misdemeanor or class H felony, depending on the circumstances	An animal control officer, appointed animal cruelty investigator, law enforcement officer, firefighter, or rescue squad worker may enter the vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the person responsible
North Dakota NDCC § 36-21.2-12	Leaving an animal unattended in a motor vehicle endangering the animal's health and safety	Infraction	A law enforcement officer may use reasonable means to remove an animal from a vehicle
Rhode Island R.I. Gen. Laws § 4-1-3.2	Confining an animal in a motor vehicle and placing the animal in a life- or extreme health-threatening situation by exposing it to a prolonged period of extreme heat or cold without proper ventilation or other protection	Knowingly violating the law is punishable by up to one year in prison, a fine of up to \$1,000, or both The animal's owner can claim the animal only after paying all charges accrued for the animal's maintenance, care, medical treatment, and impoundment	An animal control officer, law enforcement officer, or firefighter (1) may enter a vehicle by any reasonable means necessary under the circumstances to rescue the animal after making a reasonable effort to locate the person responsible and (2) must leave a written note indicating where the animal may be claimed

Table 1 (continued)

STATE AND CITATION	PROHIBITED ACTIVITY	PENALTY	RESCUE PROVISION
South Dakota SDCL § 40-1-36	Leaving a cat, dog, or other small animal unattended in a standing or parked vehicle in a manner that endangers the animal's health or safety	None specified	A peace officer or humane society officer or agent may use reasonable force to remove an animal from a vehicle
Tennessee 2015 Laws Ch. 166 (H.B. 537)	Leaving an animal in a vehicle that is locked or with no reasonable way to exit, placing the animal in imminent danger of suffering harm if not immediately removed	None specified	A person with a reasonable, good faith belief that forcible entry is necessary because the animal is in imminent danger of suffering harm who has contacted the local law enforcement agency, fire department, or 911 operator (1) may use force to enter the vehicle to rescue the animal and (2) must (a) leave a written note indicating where the animal will be taken and (b) remain with the animal until an emergency responder arrives
Vermont 13 V.S.A. §§ 386, 352, & 353	Leaving an animal unattended in a standing or parked motor vehicle in a manner that endangers the animal's health or safety	<p>First conviction: up to one year in prison, up to a \$2,000 fine, or both</p> <p>Subsequent conviction: up to two years in prison, up to a \$5,000 fine, or both</p> <p>If the person is a first time offender, in lieu of a criminal arrest, a law enforcement officer may issue a civil citation and assess a fine of up to \$500</p> <p>The owner is liable for reasonable expenses incurred for rescuing the animal</p>	A humane officer or member of a fire and rescue service (1) may use reasonable force to remove an animal from a vehicle and (2) must, if the owner cannot be found, leave a written note indicating where the animal may be claimed

Table 1 (continued)

STATE AND CITATION	PROHIBITED ACTIVITY	PENALTY	RESCUE PROVISION
Washington 2015 Laws Ch. 235 (S.S.B. 5501)	Leaving or confining an animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed due to excessive heat, cold, lack of ventilation, or lack of necessary water	Class 2 civil infraction Animal cruelty charges may also apply	An animal control or law enforcement officer who reasonably believes an animal is suffering or likely to suffer harm may enter a vehicle or enclosed space to remove the animal by any means reasonable under the circumstances
West Virginia W.Va. Code § 61-8-19	Leaving an animal unattended and confined in a motor vehicle when physical injury or death is likely to result	First conviction: misdemeanor, subject to up to six months in jail, a fine of between \$300 and \$2,000, or both Subsequent conviction: misdemeanor, subject to jail for at least 90 days, a fine of between \$500 and \$3,000, or both A person convicted may be (1) required to complete a psychiatric or psychological evaluation and an anger management program and (2) prohibited from owning or possessing an animal for five years	None specified

Sources: Individual state laws and Michigan State University College of Law’s Animal Center (<https://www.animallaw.info/topic/table-state-laws-protect-animals-left-parked-vehicles>)

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