

Senate Transportation Committee

Kirsten Koch 271-3266

HB 174, relative to reporting a collision between a cat and a motor vehicle.

Hearing Date: April 13, 2021

Time Opened: 1:15 p.m.

Time Closed: 1:31 p.m.

Members of the Committee Present: Senators Birdsell, Watters, Ricciardi, Ward and Sherman

Members of the Committee Absent : None

Bill Analysis: This bill requires the reporting of a collision between a cat and a motor vehicle to the cat's owner or the police.

Sponsors:

Rep. Abbas

Rep. Kenney

Rep. Janigian

Rep. Burroughs

Who supports the bill: Rep. Daryl Abbas, Rockingham 8; Rep. Judy Aron, Sullivan 7; Rep. Steven Smith, Sullivan 11; Gina Scrofano; Patricia Anastasia; Kurt Ethrenberg.

Who opposes the bill: Eric Pauer.

Who is neutral on the bill: None.

Summary of Testimony Presented:

Representative Daryl Abbas, Rockingham 8

- Rep. Abbas said, this is a simple and straightforward bill. Under the current law, if a person strikes a dog with their vehicle, then a person is required to report it to the owner or police. This bill requires the same for cats.
- Rep. Abbas said, NH does not currently provide the same property rights protection for cat owners. NH requires individuals to report any damage to property by a motor vehicle. If you hit a statue of a cat, you would have to report that, but currently not a real cat. This bill is not creating any new private right of action in a civil case. This would put a cat on an equal playing ground as a dog.
- Rep. Abbas said, this bill does not imply a person is negligent just because they hit a cat with their motor vehicle. This bill just offers the same protection to another domesticated animal. With a stray cat, there is no victim to the crime. It is not a reason to not pass this.
- Rep. Abbas said, this comes down to a property rights issue. There is no reason cat owners are not offered the same protection. There is also a moral issue for when conduct injures the rights of another person. Cats and dogs should be under equal standing.

- Sen. Sherman asked, what is the law if you hit another animal, such as livestock? Can domesticated animals include livestock? Should dogs and cats be replaced by “domesticated animals” to protect other family pets out there?
 - Rep. Abbas said, the intent of this bill is to simply incorporate cats. These are the most common animals that roam freely and there is an emotional attachment to them. However, I would share the same moral concern and the same moral obligation if it were a livestock animal that got hit by a vehicle.
- Sen. Ward said, I noticed this is called “Arrow’s Law.” Should we take this out?
 - Rep. Abbas said, this bill was suggested by a very concerned constituent that lost their cat to being struck by a motor vehicle. This constituent is actually my wife.
- Sen. Birdsell said, some dogs have collars with an address so you would know who to report it to. Cats usually don’t. How would you know who to report it to?
 - Rep. Abbas said, it is unusual to see a domesticated cat far from its home. You also have the option to report it to the authorities. This may make the driver feel safer and it is helpful if the cat does not have a collar. It depends on the circumstances.

Gina Scrofano

- Ms. Scrofano testified in support of the bill.
- Ms. Scrofano said, there is an inconsistency with the penalty in these laws. Failing to report property damages is a misdemeanor, and death and injury is a class B felony. The death of a dog is a violation. I believe enhancing the penalty is worthy of a misdemeanor.
- Ms. Scrofano said, I appreciate the question of broadening this to all domestic animals and should be concerned in the future.
- Ms. Scrofano said, the existing laws fails to reflect the significant households with cats in NH. An estimated 25.4% of US households own cats. The number of cats with collars has gone up, specifically through a rabies vaccine requirement.
- Ms. Scrofano said, fleeing from the scene of any property or individual damage is unacceptable. Lastly, this bill will provide families the information they need to save their cat, or receive closure with the loss of their cat.