

Memorandum Urging Approval

COMMITTEE ON ANIMALS AND THE LAW

Animals #24-GOV

September 21, 2018

S. 7112
A. 4956

By: Senator Lanza
By: M. of A. L. Rosenthal
Senate Committee: Transportation
Assembly Committee: Corporations, Authorities
and Commissions
Effective Date: Immediately

AN ACT to amend Chapter 154 of the Laws of 1921, relating to the Port Authority of New York and New Jersey, in relation to authorizing domestic companion animals be permitted to board any public transportation or public transportation service in the event of a state of emergency and evacuation of a region.

LAW & SECTION REFERRED TO: Article VII-E of Section 1 of Chapter 154 of the Laws of 1921.

THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION AND URGES ITS APPROVAL

This bill adds a new Article VII-E to Section 1 of the Laws of 1921, the chapter of laws that established the Port Authority of New York and New Jersey, to provide for evacuation of domestic companion animals on Port Authority public transportation (primarily the PATH trains that operate between New York City and New Jersey) when a state of emergency has been declared in the region and an evacuation of the population ordered.

Over the past few decades, when disasters have occurred in the United States, it has become obvious that failure to allow for evacuation and sheltering of companion animals along with their caretakers has impaired evacuation efforts and put the lives of those needing evacuation or shelter at risk. It has also complicated the efforts of emergency response personnel and at times put their safety at risk. Stories of people who refuse to evacuate or seek shelter because they cannot bring along their pet are common. In recent years, efforts to remedy this problem have resulted in legislation which facilitates evacuation and/or sheltering of companion animals in event of an emergency. In 2006, New York State passed the Pet Evacuation, Transportation and Sheltering Act that required state disaster preparedness plans to accommodate household pets in evacuation plans. In 2017, legislation was enacted to permit domestic companion animals to be evacuated on public transportation operated by the Metropolitan

Transportation Authority. Special legislation is needed to extend the same requirement to public transportation operated by the Port Authority, and to allow companion animals to be evacuated out of New York City across the Hudson River to New Jersey on mass transit operated by the Port Authority of New York and New Jersey.

Because of the unique circumstances of the downstate area around New York City, where much of the public transportation across the waterways surrounding the city is controlled by the Port Authority of New York and New Jersey, it is necessary to coordinate the laws of the two states by enacting laws in both states authorizing the Port Authority to allow pet owners to board any Port Authority Trans-Hudson (PATH) public transportation service during a declared state of emergency. The sponsor's memo in support of this bill points out that it is consistent with established current emergency operation plans (EOPS) pertaining to the needs of animals and individuals with an animal under their care.

In October of 2012, Superstorm Sandy descended on the New York City metropolitan area. This storm made it abundantly clear that more needs to be done to facilitate evacuation of vulnerable flood prone areas both for people and their pets. Clearly, private transportation alone is not an adequate method of evacuation for companion animals and their owners/caretakers if we want to effectively facilitate and motivate people to move away from dangerous coastal areas. In the event of a state of emergency and evacuation of a region, companion animals must be allowed on public transportation across the Hudson River.

New Jersey approved a bill (Chapter 265 of 2013) amending the rules and regulations regarding emergency evacuation for the Port Authority of New York and New Jersey on January 17, 2014. This New York bill (S.7112 / A.4956) which uses similar language and has a similar purpose, is needed to implement emergency response under New York law when evacuation of an area is deemed necessary. This is an instance where New York's and New Jersey's laws need to coordinate for the benefit and protection of the citizens of both states. It is time for New York to follow New Jersey's lead and approve this legislation, since domestic companion animals will not be permitted to board Port Authority mass transit until both states enact that authorization.

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** this legislation and **URGES ITS APPROVAL** by the Governor.