

The Equine Esquire

Column editor Patrice Doyle, JD, Board of Directors

Riding on the Road: Law and Common Sense

There may be times when you need to ride on a public thoroughfare. If so, you'll need to know the rules of the road, and apply some basic common sense.

Rules of the road

You may be surprised to learn that the California Vehicle Code contains three sections specifically addressing equestrians riding on a roadway. They afford protections to you and your horse, as well as duties for you to uphold.

Ca Vehicle Code § 21050 states, "Every person riding or driving an animal upon a highway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this division and Division 10 (commencing with § 20000), except those provisions which by their very nature can have no application." As a horseback rider on a roadway, the California Vehicle Code considers you a driver on the road. Therefore, you are required to follow all applicable traffic laws. One of the most fundamental practices you can do is simply yield to cars and stop at traffic lights/signs. This not only keeps you and your horse safe, but removes the uncertainty of what a driver might assume you will do next.

The second relevant code is Ca Vehicle Code § 21759. This law states, "The driver of any vehicle approaching any horse drawn vehicle, any ridden animal, or any livestock shall exercise proper control of his vehicle and shall reduce speed or stop as may appear necessary or as may be signaled or otherwise requested by any person driving, riding or in charge of the animal or livestock in order to avoid frightening and to safeguard the animal or livestock and to insure the safety of any person driving or riding the animal or in charge of the livestock." As equestrians, we know that many people are simply unfamiliar with horses and their worldview. They shy at objects and noises that we, as riders, would only anticipate. However, if you are on horseback and clearly indicate to a driver of a car that they need to slow down or stop to avoid a problem, then the driver needs to follow your direction. If the driver fails to respond and an injury occurs, the driver may be found liable for damages that result from the accident. Damages could include injury to you, your horse, and your personal property. More specifically, you could be compensated for medical bills, veterinary bills, loss or diminution of the value of your horse, and pain and suffering.

Ca Vehicle Code § 21805 pertains to right of way. It states:

(a) The Department of Transportation, and local authorities with respect to highways under their jurisdiction, may designate any intersection of a highway as a bridle path or equestrian crossing by erecting appropriate signs. The signs shall be erected on the highway at or near the approach to the intersection, and shall be of a type approved by the Department of Transportation. The signs shall indicate the crossing and any cross marks, safety devices, or signals the authorities deem necessary to safeguard vehicular and equestrian traffic at the intersection.

(b) The driver of any vehicle shall yield the right-of-way to any horseback rider who is crossing the highway at any designated equestrian crossing, which is marked by signs as prescribed in subdivision (a).

(c) Subdivision (b) does not relieve any horseback rider from the duty of using due care for his or her own safety. No horseback rider shall leave a curb or other place of safety and proceed suddenly into the path of a vehicle which is close enough to constitute an immediate hazard.

The yellow equestrian crossing signs we find throughout Sonoma County are for our safety and alert drivers that we have the right-of-way. But remember your good common sense. As a rider, you are required to wait until you and your horse are able to cross safely. If you proceed in an unsafe manner and cause an accident, you may be liable for the resulting damages.

Common sense and the roadway

As a horse owner or horse property owner, you can be held liable for negligence if you fail to keep your horse contained and it causes an accident. Therefore, it is imperative that fences be inspected and repaired to not only limit liability, but also avoid heartbreak should an unfortunate accident occur. You could also be held negligent if you tie your horse to your trailer and it becomes loose on a roadway, and injuries result to someone else.

When riding after dark you will need to illuminate you and your horse. Just as it would be illegal to drive a vehicle after dark without lights, it is also illegal to ride an animal on public streets after dark without some form of lighting.

Drinking while riding your horse can also get you into obvious trouble. You may not know, however, that it is possible to be charged with a DUI while riding your horse on a public street. You could also be charged with public intoxication.

Riding your animal on a public thoroughfare can be done safely and legally. Just remember that your horse is treated the same as a car. If you obey all the traffic laws just as you would in a motorized vehicle, then you should have no worries when riding your four-legged friend.

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