

U.S. SERVICE DOG LAWS

A quick guide to service dog laws in the US with links.



Definition: Disability

“A physical or mental impairment, that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, speaking, breathing, learning, reading, concentrating, thinking, communicating, or working.”

Definition and further questions:

<https://adata.org/factsheet/ada-definitions>

Definition: Service Dog

“Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.”

<https://www.ada.gov/resources/service-animals-2010-requirements/>

<https://www.ada.gov/topics/service-animals/>

Basics: Public Access Rights

Individuals with disabilities have the right to be accompanied by a trained service animal in places of public business, education, housing, accommodation, and transportation. It is the individual with the disability, not the dog, who has these legal accessibility rights.

In the eyes of the law a service animal is assistive equipment. The service animal is viewed as equal to being assisted by a personal care attendant, sighted guide, wheelchair, or other assistive medical equipment or caretakers.

Basics: Behavior Requirements for Public Access

ADA standards for service animal behavior when accompanying an individual with a disability to public places include:

- House Trained.
- Under the Handler's control.
- Tethered, leashed or harnesses.
- Task Trained.
- Not fundamentally alerting the nature of the service for the business or other public place.

Definition: Therapy Dog

“A pet dog and handler team that provides benefit to a number of people in certain settings.”

Quick Facts:

- No right of public access for handlers
- Not paired with a disabled handler
- May be volunteer or paid work
- May also be crisis response or facility dog
- May need liability insurance
- Not a service animal under federal law
- Not covered by the ADA, FHA, AACA, HUD.

Definition: Emotional Support Animal

From ADA definition of *Service Animal*: “the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.”

Quick Facts:

- Provides comfort or emotional support without trained tasks or work
- No right of public access for handlers
- May also refer to “in-home only service animals”
- Covered by Fair Housing Act as “reasonable accommodation to a disability”
- Not a service animal under federal law
- Not covered by the ADA, FHA, AACA.

Housing

Fair Housing Act

<https://www.ada.gov/resources/disability-rights-guide/#fair-housing-act>

Quick Facts:

- Covers permanent housing, rentals, condos, dormitories.
- Does NOT cover owner-occupied housing with 4 or less units, single family homes privately sold or rented, private membership clubs or organization housing, hotels, motels, B&Bs.

Ground Transportation

ADA Title II

<https://adata.org/factsheet/ADA-accessible-transportation>

Quick Facts:

- Covers public and private transportation; i.e., bus, taxi, uber, subway, trains.
- Does not cover air travel.
- Covers service animals as defined by the ADA only.

Air Transportation

adata.org/service-animal-resource-hub/flying

“While the Americans with Disabilities Act covers airports and terminals, the Air Carrier Access Act (ACAA) covers the airline, the services they provide, and the airplane itself. All U.S. air carriers’ operations and airplanes are covered by the ACAA. All foreign air carriers’ flights that begin or end at U.S. airports and the aircraft being used on these flights are covered by the ACAA.”

Air Transportation

US Department of Transportation: Updated Ruling on Flying with Service Animals

- Defines a service animal as a dog that is individually trained to do work or perform tasks for the benefit of a person with a disability;
- No longer considers an emotional support animal to be a service animal;
- Allows airlines to require that service animals be harnessed, leashed, or tethered at all times in the airport and on the aircraft;
- Continues to allow airlines to refuse transportation to service animals that exhibit aggressive behavior and that pose a direct threat to the health or safety of others.

Air Transportation

US Department of Transportation: Updated Ruling on Flying with Service Animals

- Airlines may require forms developed by DOT that provide information on the dog's health, behavior and training, and if taking a long flight attesting that the service animal can either not relieve itself, or can relieve itself in a sanitary manner; which is required up to 48 hours in advance of the flight and a physical copy can be required at the passenger's departure gate on the day of travel.
- Allows airlines to require a service animal to fit within its handler's foot space on the aircraft;

Air Transportation

US DOT Service Animal Air Transportation Form:

www.transportation.gov/resources/individuals/aviation-consumer-protection/us-department-transportation-service-animal-air

A Service Dog Trainer's Guide to Airplane Travel
(how to fill out the DOT form):

<https://youtu.be/hhWofXJmETg?si=mdkHx-lRSbNishug>

Thanks for Reading!

For help, visit [Service Animal Disability Rights Advocacy.](http://ServiceAnimalDisabilityRightsAdvocacy.com)

