

TYPES OF ASSISTANCE DOGS

Guide Dogs assist their blind or visually impaired partners to independently and safely negotiate the environment by guiding them around obstacles, safely across streets and stopping at curbs and steps.

Hearing Dogs assist their deaf or hearing impaired partners by alerting them to sounds such as a smoke alarm, telephone, alarm clock, door bells, sirens, stove, or dryer timers.

Service Dogs assist with mobility challenges and psychological support. They can be trained to open and close doors, turn lights on and off, assist with balance and tap a specialized K-9 emergency phone for help. The dogs can also create a safe zone around their human partner, provide pressure for a calming effect or reduce stress and hyper-vigilance through specialized task work.



Larry, U.S. Marine Corps Veteran
and his service dog "Lola"

SOME PEOPLE DO NOT "LOOK" DISABLED. WHY DO THEY NEED AN ASSISTANCE DOG?

When you see an assistance dog "on duty," be assured there is a good reason for it, even if the human partner does not use obvious equipment such as a wheelchair or a cane. The human partner undoubtedly has something known as a "hidden disability" such as balance issues, a hearing impairment, traumatic brain injury, or psychological challenges.

HOW DO I RECOGNIZE AN ASSISTANCE DOG?

Most assistance dogs wear a tag, vest, harness, or backpack, **however**, these forms of identification are **not** required by law. You should never pet an assistance dog when it is working as this could distract the dog's focus from its human partner. You can talk to the person, not the dog, if they are not busy and are able to see or hear you.

Dogs For Life

*Training Assistance Dogs
For Veterans*

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Dogs For Life

Legal Rights for People with Guide Dogs, Hearing Dogs, and Service Dogs



*Assistance dogs are
"task trained"
to mitigate the disability of the
people who own them.*



Laws that protect the rights of people with disabilities who have task trained their service dogs:

Federal laws which protect individuals with disabilities include the Americans with Disabilities Act (ADA, revised 2010); the Fair Housing Amendments Act (1988); Sect 504 of the Rehabilitation Act (1973); and the Air Carrier Access Act (1986).

The ADA is the federal law that governs access rights to buildings, businesses and public accommodations for people with service dogs. For more information, visit www.ada.gov or call 1-800-514-0301.

The ADA and Florida law both define a service animal as any dog that is trained to do work or perform tasks for a person with a physical or psychological disability; the work or task must be directly related to the individual's disability. The disabled person must have a diagnosed impairment that substantially limits one or more major life activity.

Service dogs are working animals, not pets. A dog used only for crime deterrence, emotional support, comfort or companionship does not qualify as a service animal under the ADA or Florida law.

These laws protect the rights of individuals with disabilities to be accompanied by their trained service dogs in taxis, buses, trains, stores, restaurants, doctors' offices, schools, parks, hotels and other public places.

Florida State Statute 413.08 defines the rights and responsibilities of an individual with a disability, use of a service animal and prohibited discrimination in employment, public accommodations and housing accommodations. The law also provides for criminal penalties in the following circumstances:

Any person, firm, or corporation, or the agent of any person, firm or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation, or otherwise interferes with the rights of an individual with a disability or the trainer of a service animal while engaged in the training of such an animal, commits a misdemeanor of the second degree. (SS 4)

A person who knowingly and willfully misrepresents him or herself as using and being qualified to use a service animal or as a trainer of a service animal commits a misdemeanor of the second degree. (SS 9)

Reasons to Deny Access

Under Federal Law, SS 36.302 (c)(2) of the ADA, access can be denied for two reasons: (1) the animal is out of control and the animal's handler does not take effective action to control it; or (2) the animal is not housebroken.

Under Florida Law, FSS 413.08 (3)(f) access can also be denied if the dog's behavior poses a direct threat to the health and safety of others. Allergies and fear of dogs are not valid reasons for denying access or refusing service to an individual with a service dog. If a service dog is properly excluded or removed, the public accommodation must provide the disabled

individual the option of continuing access to the public accommodation without having the service dog on the premises.

Summary of Law:

Physically or psychologically disabled persons have the legal right to be accompanied by a specially trained dog in business establishments, housing and accommodations where the general public has access and on all common carriers. No extra charge can be levied because of the dog's presence, but the dog user is liable for any damage the dog might cause to the premises.

Businesses

When it is not obvious what service an animal provides, only limited inquiries are permitted. Business owners or employees may ask two questions: (1) is the dog a service animal required because of a disability; (2) what work or task has the dog been trained to do.

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Service dogs can be any breed or size and are not legally required to wear special equipment or tags. Certification or registration of the dog as a service animal is not required under federal or Florida law. It's the training to do work or perform tasks that makes a service dog legal, not the ID or "clothes" they wear.