

11-1024. Dog Guides and Service Dogs; Rights; Procedures; Violation; Classification; Definitions

A. The legally blind, the visually impaired, the deaf and the auditorially impaired and the physically handicapped have the same right as all persons to the use of all streets, highways, walkways, common carriers, public lodging places, public eating places, public amusements and other places to which the general public is invited.

B. In any of the places listed in subsection A, every legally blind person may make use of a cane, predominately white or metallic in color, and every legally blind person, deaf person, physically handicapped person and dog guide trainer or service dog trainer may make use of a dog guide or service dog. These persons shall not be denied admittance nor be required to pay any admission charges for their dog guides or service dogs to such public places except as provided in subsection C. Such persons shall be liable for any damages done to the premises by their dog guides or service dogs. Any person using a dog guide or service dog may be required to identify the dog guide or service dog by exhibiting the dog's laminated identification card before the provisions of this section shall apply.

C. A zoo or wild animal park may prohibit a dog guide or service dog from any area of the zoo or park where the dog guide or service dog can come into direct contact with the animals contained in the zoo or park. Dog guides and service dogs shall not be excluded from public walkways or sidewalks or from any area that allows for physical barriers between the dog guides or service dogs and the animals in the zoo or park. Any zoo or wild animal park that prohibits dog guides and service dogs shall provide without cost adequate facilities for the temporary confinement of dog guides and service dogs. Such facilities shall be adequate to accommodate the anticipated attendance of legally blind, deaf or physically handicapped persons, shall be in an area not accessible to the general public, shall provide water for the dog guides and service dogs and shall otherwise be safe, clean and comfortable. The zoo or wild animal park on request by the legally blind person who is required to leave his dog guide or service dog pursuant to this subsection shall provide a sighted escort if the legally blind person is unaccompanied by a sighted person. In this subsection, "wild animal park" means an entity which is open to the public on a regular basis, which is licensed by the United States department of agriculture as an exhibit, and which is operating primarily to conserve, propagate and exhibit wild and exotic animals.

D. The driver of a vehicle approaching a legally blind pedestrian who is carrying a cane, predominately white or metallic in color, who is using a dog guide or service dog or who is assisted by a sighted person shall yield the right-of-way and take reasonable precautions to avoid injury to the pedestrian and the dog guide or service dog. The pedestrian has the same rights as any other person whether or not he is carrying the cane, using the dog guide or service dog or being assisted by a sighted person.

E. A driver who violates any provision of subsection D is liable for damages for any injury caused the pedestrian or his dog guide or service dog.

F. Any person who violates any provision of this section is guilty of a class 1 misdemeanor.

G. For purposes of this section:

1. "Dog guide" and "service dog" includes a dog guide or service dog in training.

2. "Dog guide trainer" and "service dog trainer" means any person working in conjunction with a dog guide or service dog training school, including salaried and volunteer trainers.

3. "Service dog" means a dog which has gone through a formal training program, which assists its owner in one or more daily living tasks associated with a productive life-style and which is sufficiently conditioned to be of no danger to the health and safety of the general public.