

# DOJ: What is a Service Animal?

## Service Animals under the DOJ ADA Regulations:

Dogs, and in more limited cases miniature horses, that are individually trained to do work or perform tasks for people with disabilities.

### Examples:

- Guiding people who are blind
- Alerting to oncoming seizures
- Pulling a wheelchair
- Reminding to take prescribed medications



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DOT



# DOT: What is a Service Animal?



DOJ



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## Service Animals under the DOT ADA Regulations:

A service animal may be any animal, if it is individually trained to do work or perform tasks for a person with a disability. [49 C.F.R. § 37.3 Definitions.](#)

**Service animal** means any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.



# What is NOT a Service Animal?

## Emotional Support Animals (ESAs)

These animals are not trained to perform work or a task but provide emotional support, comfort, or companionship for a person with a disability. **May be covered in certain employment or housing settings.**

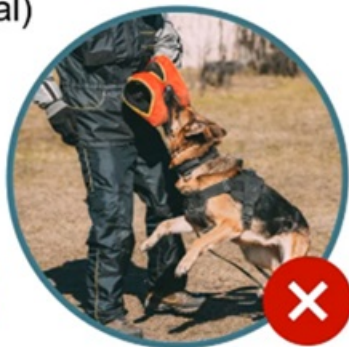
## Therapy Animals

These animals are typically invited by hospitals, schools, and other establishments to provide stress relief and similar benefits as ESAs to patients, students, staff, etc. They can provide therapeutic benefits to individuals, regardless of disability. **No federal access protections.**

# What is NOT a Recognized Task?

The ADA lists the following “tasks” which are not protected under the law as service animal work:

- Emotional support, well-being, comfort, or companionship (i.e. the presence of the animal)
- Violent protection work
- Crime deterrence



# Identifying a Trained Service Animal

Trained service animals are not required to:

- Wear special vests, harnesses, patches or tags identifying them as service animals
- Demonstrate their trained work or task

People with disabilities are not required to:

- Register their trained service animals
- Provide training documentation
- Carry a special ID card or certificate
- Disclose their disability or provide medical documentation



# What Can I Ask?

## Service Animal questions under the ADA:

ADA Title II and III covered entities can ask two questions to determine if an animal can be admitted as a service animal:

1. Is this a service animal required because of a disability?
2. What work or task has the animal been individually trained to perform?

Entities **cannot** ask these questions if the disability and trained work or task are obvious.



# Behavioral Requirements

**In addition to being task trained, service animals are required to be housebroken and under their handler's control at all times in ADA covered businesses and establishments**

- Not allowed to wander away from their handler, jump up on others, obstruct busy walkways, etc.
- Not allowed to bark repeatedly
- Not allowed to behave aggressively or otherwise pose a direct threat to health or safety

# Leash Requirements

**Service animals are required to be leashed, harnessed or tethered unless they meet at least one of the following exceptions:**

1. These devices interfere with the service animal's work or task
2. The person's disability prevents the use of these devices

**The animal must still be under the handler's control via hand signals, vocal commands or some other effective means.**

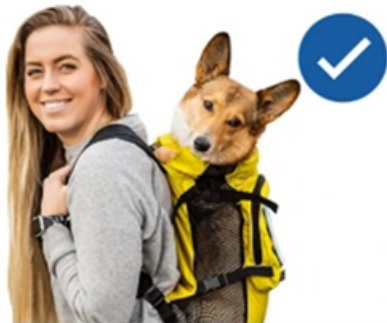




# Shopping Carts and Baskets

## Are service animals allowed to ride in shopping carts or baskets?

- Service animals must stay on the floor or the person may carry the dog in their arms or via their own carrier device
  - **Example:** A glucose alert dog may be carried in a chest pack if it has been trained to smell the handler's breath to detect changes in sugar levels related to diabetes and provide alerts



## Customer-Use Only Items

**Are restaurants, bars, and other places that serve food or drink required to allow service animals to be seated on chairs or allow the animal to be fed at the table?**

- Seating, food, and drink are typically provided for customer use only. The ADA gives a person with a disability the right to be accompanied by his or her service animal, but covered entities are not required to allow an animal to sit at or be fed at the table.

