

STATUTES AND REGULATIONS GOVERNING
ACCESS FOR SERVICE DOGS

Minnesota Statutes Section 256C.02 -- Public Accommodations.

Every totally or partially blind, physically handicapped, or deaf person or any person training a dog to be a service dog shall have the right to be accompanied by a service dog in any of the places listed in section 363A.19. The person shall be liable for any damage done to the premises or facilities by such dog. The service dog must be capable of being properly identified as from a recognized school for seeing eye, hearing ear, service, or guide dogs.

Minnesota Statutes Section 256C.025, Subd. 4 -- Housing Accommodations.

Every totally or partially blind, physically handicapped, or deaf person who has a service dog, or who obtains a service dog, shall be entitled to full and equal access to all housing accommodations provided for in this section, and shall not be required to pay extra compensation for such service dog but shall be liable for any damage done to the premises by such service dog.

Minnesota Human Rights Act, Minnesota Statutes Section 363A.09, Subdivision 5 -- Housing.

It is an unfair discriminatory practice for a person to deny full and equal access to real property provided for in sections 363A.08 to 363A.19, and 363A.28, subdivision 10, to a person who is totally or partially blind, deaf, or has a physical or sensory disability and who uses a service animal, if the service animal can be properly identified as being from a recognized program which trains service animals to aid persons who are totally or partially blind or deaf or have physical or sensory disabilities. The person may not be required to pay extra compensation for the service animal but is liable for damage done to the premises by the service animal.

Minnesota Human Rights Act, Minnesota Statutes Section 363A.19 -- Public Accommodation.

(a) It is an unfair discriminatory practice for an owner, operator, or manager of a hotel, restaurant, public conveyance, or other public place to prohibit a blind or deaf person or a person with a physical or sensory disability from taking a service animal into the public place or conveyance if the service animal can be properly identified as being from a recognized program which trains service animals to aid blind or deaf persons or persons with physical or sensory disabilities, and if the animal is properly harnessed or leashed so that the blind or deaf person or a person with a physical or sensory disability may maintain control of the animal.

(b) No person shall require a blind, physically handicapped, or deaf person to make an extra payment or pay an additional charge when taking a service animal into any of the public places referred to in paragraph (a).

**Americans With Disabilities Act -- Federal Regulations.
28 Code of Federal Regulations Section 36.104 -- Definition of "service Animal."**

Service animal means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of 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.

**Americans With Disabilities Act -- Federal Regulations.
28 Code of Federal Regulations Section 36.302(c).**

(c) Service animals

(1) General

Generally, a public accommodation shall modify policies, practices, or procedures to permit the use of a service animal by an individual with a disability.

(2) Care or supervision of service animals

Nothing in this part requires a public accommodation to supervise or care for a service animal.

**Fair Housing Act -- Federal Regulations.
24 Code of Federal Regulations Section 100.204.**

(a) It shall be unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling unit, including public and common use areas.

(b) The application of this section may be illustrated by the following examples:

Example (1): A blind applicant for rental housing wants to live in a dwelling unit with a seeing eye dog. The building has a no pets policy. It is a violation of Sec. 100.204 for the owner or manager of the apartment complex to refuse to permit the applicant to live in the apartment with a seeing eye dog because, without the seeing eye dog, the blind person will not have an equal opportunity to use and enjoy a dwelling.

Air Carrier Access Act Regulations -- Nondiscrimination on the Basis of Disability in Air Travel -- 14 Code of Federal Regulations Section 382.55(a).

(a) Carriers shall permit dogs and other service animals used by handicapped persons to accompany the persons on a flight.

(1) Carriers shall accept as evidence that an animal is a service animal identification cards, other written documentation, presence of harnesses or markings on harnesses, tags, or the credible verbal assurances of the qualified individual with a disability using the animal.

(2) Carriers shall permit a service animal to accompany a qualified individual with a disability in any seat in which the person sits, unless the animal obstructs an aisle or other area that must remain unobstructed in order to facilitate an emergency evacuation.

(3) In the event that special information concerning the transportation of animals outside the continental United States is either required to be or is provided by the carrier, the information shall be provided to all passengers traveling with animals outside the continental United States with the carrier, including those traveling with service animals.

Air Carrier Access Act Regulations -- Nondiscrimination on the Bases of Disability in Air Travel -- 14 Code of Federal Regulations Section 382.37(c) -- Seat Assignments.

(c) If a service animal cannot be accommodated at the seat location of the qualified individual with a disability whom the animal is accompanying (*see* Sec. 382.55(a)(2)), the carrier shall offer the passenger the opportunity to move with the animal to a seat location, if present on the aircraft, where the animal can be accommodated, as an alternative to requiring that the animal travel with checked baggage.