

Businesses and Service Dogs

**Service Dogs NH is a nonprofit organization that provides financial aid for veterinary bills for people in New Hampshire with service dogs.
We also focused on advocacy and education like this presentation on service dogs for businesses.**



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www.servicedogsnh.org

Where Are Service Dogs Allowed-federal

ADA 2010 Revised Requirements; Service Animals

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. For example, in a hospital it usually would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

ADA.gov
U.S. Department of Justice
Civil Rights Division

How “Service Animal” Is Defined

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities.



Where Service Dogs Are Allowed-state

NH RSA TITLE XII Section 167-D:4

167-D:4 Service Animals May Accompany. – It is lawful for any service animal to accompany his or her handler or ***trainer*** into any public facility, housing accommodation, or place of public accommodation to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.



"Service animal" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. *Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.*





What can I do?

2 questions



(1) is the dog a service animal required because of a disability? and (2) what work or task has the dog been trained to perform?

Emotional support alone is not acceptable task per the Americans With Disability Act.

The NH Attorney General's office recommends

If a business has concerns that a customer is representing that a dog is a service animal when it is not, that business should start with their local police department.





What can I do?

Continued



A person with a disability may be asked to remove the service animal from the premises if: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

If a business normally charges for damage that is caused, a customer with a disability may also be charged for damage caused by himself or his service animal.

If a business does not have an insurance policy that cover dogs, they cannot deny someone public access.



Service Dog Fraudulence

Under NH State Law



TITLE XII Section 167-D:8

It is unlawful for any person to represent that such person has a disability or is a service animal trainer for the purpose of acquiring a service animal unless said person has a disability *or is a service animal trainer* and to impersonate, by word or action, a person with a disability for the purpose of receiving service dog accommodations or service animal accessories such as a collar, leash, vest, sign, harness, or service animal tag, which represents that the animal is a service animal or to acquire a service animal tag issued under RSA 466:8.

TITLE XII Section 167-D:10

Any person violating any provision of this chapter shall be guilty of a misdemeanor and subject to enhanced penalties in paragraphs II and III. These enhancements can elevate a misdemeanor to a felony, increase jail time, fines, or lead to other consequences like license revocation.

Any information provided is non-binding and for informational purposes only. Nothing herein should be construed or interpreted as a legal opinion, counsel, or advice.

NOTICE

**IT IS ILLEGAL TO MISREPRESENT
A PET AS A SERVICE ANIMAL.**

FINES UP TO \$1,200. RSA 167-D:8

Service Dogs Welcome

**REMINDER: Per the Americans with Disabilities Act,
emotional support animals are not
service animals.**

This information is provided by the NH
Secretary of State's Office and the
Governor's Commission on Disability.



NH Governor's Commission on Disability



NH Secretary of State

To help business owners and managers in complying with applicable laws addressing service animals in public places, the Legislature authorized the Secretary of State and Governor's Commission on Disability to produce a free decal that can be displayed on the front door or window of your business. The "NOTICE" decal states "Service Animals Welcome", and that it is illegal to misrepresent a pet as a service animal. The decal includes an informational brochure for business owners or employees explaining what questions may be asked when an animal is brought onto the premises to determine if it meets the requirements of a service animal. To request the free decal and information card, please call the Secretary of State's Corporation Information Line at [\(603\) 271-3246](tel:6032713246), or send an email to corporate@sos.nh.gov. You can also [download and print a 7x8 decal](#) here.



Questions? Contact Brendan Madden

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More information and helpful
resources can be found at our [website](#).