

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 514
SENATE BILL 515

AN ACT TO PROVIDE ASSISTANCE DOGS FOR THE HANDICAPPED.

The General Assembly of North Carolina enacts:

Section 1. Chapter 168 of the General Statutes is amended by repealing G.S. 168-4, 168-4.1, 168-7, and 168-7.1, and by adding the following new sections to read:

"§ 168-4.2. **May be accompanied by assistance dog.**—Every mobility impaired person, as defined in this section, visually impaired person, as broadly defined to include visual disability, or hearing impaired person, as defined in G.S. 8B-1(2), has the right to be accompanied by an assistance dog especially trained for the purpose of providing assistance to a person with the same impairing condition as the person wishing to be accompanied, in any of the places listed in G.S. 168-3, and has the right to keep the assistance dog on any premises the person leases, rents, or uses. The person qualifies for these rights upon the showing of a tag, issued by the Division of Vocational Rehabilitation, Department of Human Resources, pursuant to G.S. 168-4.3, stamped 'NORTH CAROLINA ASSISTANCE DOG PERMANENT REGISTRATION' and stamped with a registration number, or upon a showing that the dog is being trained as an assistance dog. An assistance dog accompanying a person in any of the places listed in G.S. 168-3 shall be in a blaze orange harness, on a blaze orange leash, and may not occupy a seat in any of these places.

Any visually impaired person with a guide dog or any hearing impaired person with a hearing ear dog who was accompanied by a dog pursuant to G.S. 168-4, 168-4.1, 168-7, and 168-7.1, as they existed prior to October 1, 1985, continues to have the right to be accompanied by that animal as long as the person continues to meet the appropriate conditions prescribed in those provisions. If the person wishes to be accompanied by another dog, the provisions of G.S. 168-4.2 through G.S. 168-4.5 apply.

A mobility impaired person is a person with a physiological deficiency, regardless of its cause, nature, or extent, that renders the individual unable to move about without the aid of crutches, a wheelchair, or other form of support, or that limits the person's functional ability to ambulate, climb, descend, sit, rise, or perform any other related function.

"§ 168-4.3. **Training and registration of assistance dog.**— The Division of Vocational Rehabilitation, Department of Human Resources, shall issue registrations to a visually impaired person, a hearing impaired person, or a mobility impaired person who makes an application for registration of a dog that serves as an assistance dog. When applying, the person shall present certification that the dog has been trained as an assistance dog for a person with the applicant's particular impairing condition by the appropriate

agency. The Division shall issue the person a permanent tag for the dog that does not need to be renewed while that particular dog serves the person as an assistance dog. The tag shall be stamped with a registration number and with the words 'NORTH CAROLINA ASSISTANCE DOG PERMANENT REGISTRATION'. No fee may be charged the person for the application, registration, tag, or duplicate tag issued in the event the original is lost.

"§ 168-4.4. Responsibility for assistance dog.—The visually impaired person, hearing impaired person, or mobility impaired person who is accompanied by an assistance dog may not be required to pay any extra compensation for the dog. The person has all the responsibilities and liabilities placed on any person by any applicable law when that person owns or uses any dog, including liability for any damage done by the dog.

"§ 168-4.5. Penalty.—It is unlawful to use or be in possession of a dog wearing a blaze orange harness, on a blaze orange leash, with the intent to disguise the dog as an assistance dog, or to deprive a visually impaired person, a hearing impaired person, or a mobility impaired person of any rights granted the person pursuant to G.S. 168-4.2 through G.S. 168-4.4, or of any rights or privileges granted the general public with respect to being accompanied by dogs, or to charge any fee for the use of the assistance dog. Violation of this section shall be a misdemeanor punishable by imprisonment of not more than 10 days and a fine of not more than \$200.

"§ 168-4.6. Donation of dogs for training.—Dogs impounded by a local dog warden that are not redeemed shall be donated to a nonprofit agency engaged in the training of assistance dogs, upon the agency's request."

Sec. 2. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 1st day of July, 1985.