

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Revise the Definition of Service Dog

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 7 MRSA §3907, sub-§13**, as enacted by PL 1987, c. 383, §3, is repealed.

**Sec. 2. 7 MRSA §3907, sub-§14**, as enacted by PL 1987, c. 383, §3, is repealed.

**Sec. 3. 7 MRSA §3907, sub-§24-A** is enacted to read:

**24-A. Service dog.** "Service dog" means a dog that has been or is being trained to provide special services to its handler, including a guide dog for a person who is blind or visually impaired, a hearing dog for a person who is deaf or hard-of-hearing and a personal care dog as defined in Title 17, section 1312, subsection 7.

**Sec. 4. 7 MRSA §3922, sub-§4**, as amended by PL 1995, c. 409, §4, is repealed and the following enacted in its place:

**4. Service dogs.** When the owner or keeper of a service dog is applying to license a dog that has not been previously licensed as a service dog, the owner or keeper must provide the documentation required under section 3923-A, subsection 3-A.

**Sec. 5. 7 MRSA §3923-A, first ¶**, as amended by PL 2003, c. 405, §13, is further amended to read:

Except as provided in subsection 33-A and section 3923-C, a dog owner or keeper obtaining a license from a municipal clerk or dog recorder shall pay the license and recording fees established in this section.

**Sec. 6. 7 MRSA §3923-A, sub-§3**, as amended by PL 2001, c. 422, §9, is repealed.

**Sec. 7. 7 MRSA §3923-A, sub-§3-A** is enacted to read:

**3-A. Exemption from fees.** A municipal clerk or a veterinary licensing agent shall issue a license upon application and without payment of a license fee required under this section for:

A. A service dog when the dog's owner or keeper presents documentation that the dog is certified in accordance with Title 26, section 1412-I or is enrolled for training as a service dog with an organization accredited under Title 26, section 1412-I;

B. A trained search and rescue dog when the dog's owner or keeper presents documentation that the dog is certified in accordance with Title 12, section 10054, subsection 4-A; and

C. A law enforcement dog when a law enforcement officer presents documentation that the dog is certified in accordance with Title 25, section 2803-A, subsection 8-D.

After an initial licensing as a service dog, documentation is not required under this subsection for license renewals unless the owner or keeper of the dog changes.

**Sec. 8. 7 MRSA §3961-A, last ¶**, as enacted by PL 2001, c. 220, §2, is repealed.

**Sec. 9. 12 MRSA §10054, sub-§4-A** is enacted to read:

**4-A. Search and rescue dogs.** Development of minimum training standards for dogs certified as search and rescue dogs. The bureau shall develop a certificate to be issued to the owner or keeper of a dog that successfully completes a search and rescue training program recognized by the bureau as meeting or exceeding the standards developed under this subsection. The certificate must identify the dog by breed and the owner or keeper of the dog who participated in the training;

**Sec. 10. 17 MRSA §1011, sub-§13**, as enacted by PL 1987, c. 383, §4, is repealed.

**Sec. 11. 17 MRSA §1011, sub-§14**, as enacted by PL 1987, c. 383, §4, is repealed.

**Sec. 12. 25 MRSA §2803-A, sub-§8-D** is enacted to read:

**8-D. Training of law enforcement dogs.** To establish training standards for dogs used for law enforcement purposes. The board shall develop a certificate to be issued to the owner or keeper of a dog that successfully completes a training program recognized by the board as meeting or exceeding the standards developed under this subsection;

**Sec. 13. 26 MRSA §1412-I** is enacted to read:

### **§ 1412-I. Certification of service dogs**

No later than July 1, 2008, the commissioner shall adopt rules to establish minimum training standards for service dogs and an accreditation process for persons or organizations that provide training that meets or exceeds the standards developed under this section. For purposes of this section, “service dog” has the same meaning as in Title 7, section 3907, subsection 24-A. The rules must include training standards for guide dogs for people who are blind or visually impaired, hearing dogs for people who are deaf or hard-of-hearing and personal care dogs for people with disabilities other than those related to vision or hearing. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

The commissioner shall develop and maintain a list of accredited trainers and furnish certificates to those trainers to be issued to the owner or keeper of a dog that successfully completes a training program. The certificate must identify the dog by breed and type of service training received and the owner or keeper whom the dog has been trained to assist or who is keeping the dog pending assignment of that dog to a person needing the dog’s services.

## **SUMMARY**

This bill enacts a definition of “service dog.” It requires documentation of minimum training standards for service dogs and dogs trained to assist in law enforcement and search and rescue efforts in order to receive an exemption from licensing fees.