

# UNIVERSITY LEGAL SERVICES

Protection & Advocacy Program



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## Know Your Rights under the Americans with Disabilities Act (ADA): Guide Dogs & Service Animals



**UNIVERSITY LEGAL SERVICES, INC.**

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The ADA is a federal law enacted in 1990.<sup>1</sup> It prohibits discrimination against people with disabilities in a wide range of private and public programs, services, activities, and facilities. The ADA requires government agencies and private companies and organizations to offer “reasonable accommodations” upon request to afford people with disabilities equal access to programs, services and facilities.

The ADA defines a service animal as “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[.]”<sup>2</sup>

Under the ADA, government services and “public accommodations” that offer programs, services and facilities (e.g., restaurants, hospitals, health care offices, theatres, schools, and leasing offices), must allow full access by people with disabilities when accompanied by their guide dogs or service animals. Restaurants must

allow guide dogs and service animals even if local health codes prohibit animals.

Businesses and government agencies may ask if an animal is a guide dog or service animal, and what tasks the animal has been trained to perform.

Businesses and government agencies must not:  
require identification for the animal or charge extra fees, or isolate or treat you less favorably than other patrons; exclude your service animal from the premises unless: (1) the animal is out of control or (2) the animal poses a direct threat to the health or safety of others. If you are asked to leave for these reasons, you have the option to obtain goods and services without the animal on the premises.

Allergies and fear of animals are generally not valid reasons for denying access or refusing service to people with service animals.

Private and public transportation (e.g., metro, bus, van, taxi) providers must allow guide dogs and service animals to accompany people with disabilities.

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<sup>1</sup> 42 U.S.C. § 12132 et seq., 42 USC 12181 et seq.

<sup>2</sup> 49 C.F.R. § 37.3; 28 C.F.R. § 36.104