

U.S. Code of Federal Regulations § 36.202(c)(2):

*(2) Exceptions. A public accommodation may ask an individual with a disability to remove a service animal from the premises if:*

*(i) The animal is out of control and the animal's handler does not take effective action to control it; or*

*(ii) The animal is not housebroken.*

*(3) If an animal is properly excluded. If a public accommodation properly excludes a service animal under § 36.302(c)(2), it shall give the individual with a disability the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.*

### **Service Dogs in Public Should:**

- **Focus on their handler at all times** unless doing trained task work.
- **Possess a stable, even temperament** without anxiety, reactivity or aggression of any kind.
- **Walk nicely on a leash** without pulling, straining, lunging, lagging, circling or forging.
- **Remain quietly by their handler's side** when their handler stops without wandering or losing focus.
- **Lay quietly under the table or beside their handler's chair without getting up or moving around excessively.** Changing positions is fine; outright breaking stays to respond or engage with distractions or to wander off is not.
- **Ignore distractions.**
- **Be quiet at all times unless performing specific, trained task work.** Outside of trained and necessary task work, there should be NO other vocalization, including, but not limited to, whining, grumbling, wooing, barking, growling, whimpering or other noise. Unless working, Service Dogs should be seen by the public and not heard.
- **Appear professional, well-groomed and well-taken care of.** Your Service Dog is a representative of both you and the Service Dog community. She should always leave everyone she comes in contact with with excellent impressions.
- **Keep his or her nose to his or her self at all times,** even if there are food, products or other interesting things readily accessible. Sniffing people, objects or food is not only rude, it's a possible health hazard. Exceptions to this rule include [Allergen Alert Dogs or other Service Dogs](#) who rely on their nose to perform their work. However, the Service Dog's sniffing should be directly related to task work and not random or merely "exploring."
- **Respond quickly and readily to the handler's commands, cues or directions.** Service Dogs should give off the appearance to anyone watching that they are highly trained and that they completely understand what's being asked of them. Service Dogs should possess outstanding obedience skills and above-average manners and both should be readily apparent. A Service Dog's demeanor, training and behavior should, without question, differentiate them from all but the best-trained pet dogs.

- **Be able to do pertinent task work to mitigate their handler's disability.** In order to be considered a "Service Dog" under U.S. federal law, a dog must be partnered with an individual with a disability AND perform specific, trained task work to mitigate that disability. Task work is not optional. If a dog doesn't perform task work, she's not a Service Dog – she's an [Emotional Support Animal](#) and she doesn't belong in public.

### Service Dogs in Public Should NOT:



Service Dogs should be well-behaved.

- **Urinate or defecate inappropriately.** If a dog isn't house trained, she doesn't belong in public, Service Dog or not. For younger Service Dogs in Training, outings should be short enough to provide plenty of opportunities to make trips outside. "Accidents" are one of the few reasons a business can exclude a Service Dog team and there are no excuses for having a Service Dog who isn't house trained. On very, very, very, very rare occasions, a Service Dog may truly be sick or have an upset belly and an accident is unavoidable, but those occurrences are definitely an exception and not to be expected from Service Dogs.
- **Whine, bark, grumble, growl or make other noises.**
- **Pick food or objects up off the floor or steal** (or even show much interest in) food or items that are sitting out. Exceptions to the "picking objects up off the floor" rule include dogs who retrieve dropped items for their handlers or who are otherwise doing trained task work. In general, though, Service Dogs should not interact with distractions or any kind unless cued to or otherwise working.
- **Sniff** staff members, patrons, floors, tables, counters, surfaces, products, shelving or anything else unless the Service Dog is performing specific, trained task work, such as detecting allergens or other substances dangerous to their handler.
- **Drag or pull their handler** for any reason, unless the dog is performing specific mobility-related task work for their handler as evidenced by the presence of a brace mobility support harness, other task-related gear or wheelchair assistance harness. A Service Dog's behavior should never appear "out of control," and there's a huge difference between a Service Dog providing counter-balance for

- their handler by leaning into a harness and a dog who is simply dashing here and there and yanking their handler towards distractions.
- **Wander or move widely out of heel position** unless cued to by their handler. While Service Dogs aren't robots and can't be expected to maintain exact heel position at all times, neither should they range widely enough to infringe on the space, movement or rights of other patrons or teams. Service Dogs should be responsive to their handler's movements and focused enough to readily move with him/her without significant lags or delay. Service Dogs should not be so engaged or engrossed with the surrounding environment or distractions that they give the appearance of wandering, daydreaming, ignoring or of just being generally untrained.
  - **Break "stays," "unders," or other fixed-position behaviors** to investigate distractions, explore or other move around. Exceptions include Service Dogs who must perform task work that requires them to take the initiative to respond to their handler's disability regardless of location or position or to retrieve assistance/medication/help. The Service Dog's decision to break position or disobey a "stay" should be a DIRECT result of specific, trained task work. Again, there's a huge difference between a dog who gets up because they're bored or distracted and a Service Dog who's obviously responding to their handler's disability.
  - **Be anxious, antsy, agitated or aggressive** in any way, shape, form or fashion. A Service Dog should never make anyone interacting with her nervous or afraid because of her direct behavior. Some people are afraid of dogs or intimidated by large, dark or certain breeds of dogs, but a Service Dog's actions should NEVER contribute to that fear. Dogs who are anxious, on edge, reactive, fearful or aggressive in ANY way do not belong in public and especially not as a Service Dog representative.
  - **Stink, smell or appear unkempt/ungroomed in any way.**
  - **Engage with other dogs, people, children or distractions** unless allowed to do so by their human partner. The key here is "allowed to do so by their human." There's nothing wrong with allowing a Service Dog to greet a friendly child or dog if the handler is comfortable with it, but it should be the handler's decision and choice, not the Service Dog's. A Service Dog should not appear overly excited, unfocused, distracted, overstimulated or otherwise out of control. There's no defined line in the sand on this one, but it's easy to know once you see it.
  - **Jump, scratch, mouth or exhibit other "out of control" behavior.** A Service Dog should NEVER exhibit rude, ill-mannered, untrained, or behaviors that are considered inappropriate or nuisances. They should NEVER infringe on other patron's personal space in a way that appears untrained or impolite. This includes laying their head on stranger's knees, licking hands while passing by, or leaning against the legs of the person standing next in line. It's not "cute," regardless of whether or not the other person provides assurances they're "ok with it." A Service Dog should NEVER engage in any behavior or activity that could

potentially be hurtful, harmful, leave a bad taste in someone's mouth or cause the handler to have to apologize to the recipient.