



SUMTER COUNTY PUBLIC WORKS DEPARTMENT

POLICY

(Public Transit Service Animal Policy)

March 3, 2023

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Table of Contents

Definition of a Service Animal	1
Other Federal Definitions	1
Determining Whether or Not an Animal is a Service Animal	2
Other Considerations about Accommodating Service Animals	2

Definition of a Service Animal

The U.S. Department of Transportation (DOT) 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, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” This is the definition with which Sumter County Transit complies, and it can be found in Section 37.3 of 49 CFR Part 37- Transportation Services for Individuals with Disabilities (ADA).

As stated in Appendix D to 49 CFR Part 37, one of the most common misunderstandings about service animals is that they are limited to being guide dogs for persons with visual impairments. Dogs are trained to assist people with a wide variety of disabilities, including individuals with hearing and mobility impairments. Other animals are sometimes used as service animals as well, such as miniature horses, monkeys, birds, and potbellied pigs. Note that some persons with hidden disabilities use service animals, such as those that are trained to alert individuals with seizure disorders to an oncoming seizure or respond to a seizure. There are also service dogs which help individuals with diabetes when blood sugar spikes or drops quickly.

The U.S. DOT definition in Section 37.3 does not include emotional support or “comfort” animals which have not been trained to perform a task for an individual with a disability. A comfort animal provides comfort or emotional support just by being with the individual. As noted in Section 2.6 of the FTA ADA Circular, simply providing comfort is something that an animal does passively. However, a psychiatric support animal that is trained to perform a task for the individual (such as sensing an impending anxiety attack and taking an action to avoid or reduce the attack) would be considered a service animal under the U.S. DOT definition.

Other Federal Definitions

There can be misunderstandings due to different definitions of service animal that apply in other contexts. The U.S. Department of Justice (DOJ) amended its definition of a service animal to include only dogs and miniature horses and this policy applies to Sumter County buildings but not to Sumter County Transit which are subject to the U.S. DOT definition.

Also note that, even if a state legislature enacts a more restrictive definition of service animal, public transit agencies must continue to follow the U.S. DOT definition.

Determining Whether or Not an Animal is a Service Animal

As required by the FTA ADA Circular, transit agency personnel (and Sumter County contracted staff) may ask riders two questions about the service animal:

1. Is the animal a service animal required because of a disability?
2. What work or task has the animal been trained to perform?

However, Sumter County Transit will not require special identification cards or other documentation that the animal is a service animal, or ask about the person's disability.

Other Considerations about Accommodating Service Animals

Sumter County Transit will not transport service animals that pose a direct threat to the health or safety of drivers or other riders, are seriously disruptive, or are otherwise not under the rider's control. Biting is an example of a behavior that constitutes direct threat. Sumter County Transit prohibits aggressive behavior toward people or other animals. Repeated barking is an example of a service animal not being under the rider's control. A dog that barks occasionally is not considered to be out of the rider's control.

Control over the animal can be verbal and does not necessarily involve a leash or harness. In some cases, a service animal may be trained to provide assistance without a leash or harness.

Drivers are not required to take the leash or harness of a service animal. As a customer service, a driver could choose to provide this assistance when requested (for example, by a rider using a wheelchair who also uses a service animal), but if the driver chooses to do so, it is at the sole liability of the driver and their employer. A driver can deny handling a service animal because caring for a service animal is the responsibility of the passenger or a personal care attendant.

More than one service animal may accompany a rider on a single trip, per the FTA requirements as different service animals may provide different services to a rider during trips or at the rider's destination. Sumter County Transit will not deny service to a person accompanied by a service animal on the basis of another individual's allergies.