

# Rules Comparison

## Service and Assistance Animals – Federal Laws and State Laws for WA, OR, ID and AK



Federal Laws [Americans with Disabilities Act](#) [Fair Housing Act](#) [Air Carrier Access Act](#)

State Laws - [Washington State](#) [Oregon](#) [Idaho](#) [Alaska](#)

| Statute                                      | Training  | Certification   | Medical Documentation  | Comfort/<br>Emotional Support<br>Animals  | Service Animals-in-<br>Training  | Enforcement<br>Entities   |
|--|---|---|--|---|--|---|
| <b>Americans with Disabilities Act (ADA)</b> | <b>Yes.</b> Under the ADA, a service animal must a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Service animals can be professionally trained or trained by the handler themselves. | <b>No.</b> Under Title II (State and Local Government) and Title III (Public Accommodations, meaning private businesses), a service animal handler does <b>not</b> need to provide certification for his or her service animal. | <b>Yes.</b> Title I of the ADA, regarding employment, does not specifically address service animals in the workplace. Under Title I, a service animal may be a reasonable accommodation. As such, medical documentation may be requested by an employer. | <b>No.</b> A comfort or emotional support animal is NOT trained. Comfort animals do not have rights under the ADA. For example, businesses do not have the legal obligation to admit a comfort animal if there is a “no pets” policy, as under the ADA these animals are in essence “pets.” | <b>No.</b> The ADA does not address service animals-in-training, but rather gives each independent state the right to make its own laws regarding the rights of service animals-in-training. | <a href="#">U.S. Dept. of Justice</a><br>[Federal - Titles II&III]<br><hr/> <a href="#">Equal Employment Opportunity Commission</a><br>[Federal -Title I]<br><hr/> State Legislation<br>[Local] |

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| <p><b>Fair Housing Act</b></p> <p><b>(FHA)</b></p> | <p><b>No, not necessarily.</b> Under the FHA, the person with a disability who is requesting the assistance animal must demonstrate a disability-related need for the animal, but there is no requirement that the animal be trained."</p> | <p><b>No.</b> Even if the assistance animal is a reasonable accommodation, the housing entity may <b>not</b> require certification to verify the assistance animal's status as such.</p> | <p><b>Sometimes.</b> A landlord may request medical documentation that a tenant has a qualifying disability under the Fair Housing Act. In addition, the medical professional should indicate the benefit that the assistance animal provides. This documentation cannot be requested when the disability and need for the assistance animal is readily apparent.</p> | <p><b>Yes.</b> Under the FHA, housing entities must admit any type of "assistance animal," a term which includes service animals as well as comfort animals or emotional support animals. In other words, training is not a requirement for an assistance animal.</p> | <p><b>Yes.</b> The Fair Housing Act (FHA) does not require an animal to be trained, or be in training, to serve as an assistance animal for a person with a disability living in housing covered by the FHA. As such, service animals-in-training could be allowed as a reasonable accommodation under the FHA.</p> | <p><a href="http://www.hud.gov/office/od/od.htm">Department of Housing and Urban Development (HUD): Disability Rights in Housing</a></p> <p>800-669-9777 (V)<br/>800-927-9275 (TTY)</p> |

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| <p><b>Air Carrier Access Act</b></p> <p><b>(ACAA)</b></p> | <p><b>Yes.</b> The ACAA defines a service animal as "any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability." U.S. air carriers and their</p> | <p><b>No.</b> The ACAA says that air carriers must accept service animals based on any type of identification or "the credible verbal</p> | <p><b>No, not usually.</b> Under the ACAA, air carriers are to obtain credible verbal assurances from passengers who have service animals that the animal is indeed a trained service animal. If the verbal assurance does not seem credible, the</p> | <p><b>Yes.</b> Under the ACAA, U.S. air carriers and their foreign partners may request current documentation by a physician on letterhead from individuals who would like to bring</p> | <p><b>No.</b> The ACAA does not address service animals-in-training and is not required to carry them as they do not meet the requirements of a "service animal" according to this statute. However, <b>carriers are</b></p> | <p><a href="http://www.dot.gov/aviation-consumer-protection">Aviation Consumer Protection Division; Dept. of Transportation (DOT)</a></p> |

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|  | foreign partners must recognize service animals and consider their presence in the cabin to be a reasonable modification of policy. | assurances of a qualified individual with a disability using the animal.” | carrier may ask for medical documentation. While the ACAA does allow carriers to ask for medical documentation if an individual wants to have his or her service animal in the cabin, the <b>Dept. of Transportation (DOT)</b> says that it urges carriers not to have such a requirement. | their emotional support animals (which do not need to have had specific training) into the cabin. | <b>free to make their own individual policies</b> with regards to carrying any pets, including service animals-in-training, provided they comply with the Animal Welfare Act and are consistent with health and safety codes. |  |
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| Statute   | Training   | Certification   | Documentation  | Comfort/<br>Emotional<br>Support Animals   | Service<br>Animals-in-<br>Training  | Enforcement<br>Entities   |
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| <b>Washington State</b><br><br><a href="#">White Cane Law</a><br><br><a href="#">Law Against Discrimination</a> | <p><b>Yes.</b> Washington State law defines a service animal as “an animal that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability.”</p> <p>See requirements for service animals in “food establishments” in the foot note below.</p> | <p><b>No.</b> There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p> | <p><b>No.</b> Washington State law does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p> | <p><b>No.</b> Comfort or emotional support animals are not considered service animals under Washington State law because they are not trained.</p> | <p><b>No.</b> Washington State Law does not address service animals-in-training. A program or facility certainly can allow a service animal-in-training access, but it is under no legal obligation to do so.</p> | <p><b>Revised Code of Washington</b></p> <p><a href="#">RCW 70.84</a><br/><a href="#">RCW 49.60.218</a></p> |

\*As is described in [RCW 49.60.218: Use of a dog or service animal—Unfair practices—Definitions](#), in [food establishments](#), a “service animal” is defined as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.” Furthermore, [food establishments](#) shall make reasonable modifications in policies, practices, or procedures to allow the use of miniature horses.

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| <p><b>Oregon</b></p> <p><a href="#">Definitions for ORS 346.480</a></p> <p><a href="#">Rights of Person with Physical Impairment and Trainer</a></p> | <p><b>Yes.</b> Oregon defines an “assistance animal” as “any animal trained to assist a person with a physical disability in one or more daily life activities.” This umbrella term includes, but is not limited to, “dog guides”, trained to lead or guide a person who is blind; “hearing ear dogs,” trained to assist a person who is deaf; and dogs trained to pull a wheelchair, fetch dropped items, and perform balance work.</p> | <p><b>No.</b> There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p> | <p><b>No.</b> The Oregon does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p> | <p><b>No.</b> Oregon does not specifically address comfort or emotional support animals. Because such animals are not trained they would not be considered a service/assistance animal in Oregon.</p> | <p><b>Yes.</b> Oregon recognizes the rights of “assistance animal trainees,” defined as “any animal undergoing training to assist a person with a physical impairment.” This includes “hearing ear dog trainees” and “dog guide trainees.” Trainers are permitted in places of public accommodation, for example, provided that they have the dog under control.</p> | <p><b>Oregon Revised Statutes</b></p> <p><a href="#">ORS 346.610</a></p> <p><a href="#">ORS 346.640</a></p> <p><a href="#">ORS 346.680</a></p> <p><a href="#">ORS 346.685</a></p> |

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| <p><b>Idaho</b></p> <p><a href="#">Right to Use of Assistance Dog</a></p> <p><a href="#">Rights of Persons with Dogs-in-Trainings</a></p> | <p><b>Yes.</b> According to Idaho Code, an “assistance dog” is either a dog that has been trained as a “guide dog,” for a person who is blind or has a vision disability; a “hearing dog,” for a person with a hearing disability; or a “service dog,” for a person with a physical disability.</p> | <p><b>No.</b> There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p> | <p><b>No.</b> Idaho Code does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p> | <p><b>No.</b> Idaho Code does not address the rights of comfort or emotional support animals.</p> | <p><b>Yes.</b> Idaho Code recognizes service animals-in-training, and thus businesses, public programs, and workplaces have a legal obligation to allow access to service animals-in-training. Idaho Code does stipulate that the “dog-in-training” will wear a jacket, collar, scarf or other similar article to identify it as a dog-in-training.</p> | <p><b>Idaho Code</b></p> <p><a href="#">Right to Use of Assistance Dog</a></p> <p><a href="#">Rights of Persons with Dogs-in-Trainings</a></p> |

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| <p><b>Alaska</b></p> <p><a href="#">Duty to Disabled Pedestrians</a></p> <p><a href="#">Interference With Rights of Physically or Mentally Challenged Person</a></p> <p><a href="#">Interference with the Training of a Service Animal</a></p> | <p><b>Yes.</b> According to Alaska law, a service animal is trained to assist a physically or mentally challenged person.</p> | <p><b>It depends.</b> Service animals are sometimes referred to as “certified service animals” under Alaska law. Thus, <b><i>certification from an authorized training school can be required</i></b> for access with a service animal in the case of private and public businesses, transportation, etc.* When the issue is for drivers to take precaution to avoid injuring service animals or handlers, Alaska law <b>does not mention certification as necessary for a “service animal.”</b></p> | <p><b>No.</b> Alaska law does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p> | <p><b>No.</b> Alaska law does not address the rights of comfort or emotional support animals.</p> | <p><b>Yes.</b> Service animals-in-trainings do have rights under Alaska law. They must be accompanied by an “authorized” trainer, and be identified by wearing a device or exhibiting an insignia approved by a school, agency, or other facility that trains service animals.</p> | <p><b>Alaska Statute</b></p> <p><a href="#">AS 09.65.150</a><br/> <a href="#">AS 11.76.130</a><br/> <a href="#">AS 11.76.133</a></p> |

\*Alaska’s Title 11, Chapter 76 definition of a service animal, which requires a service animal to be certified by a school or training facility is a definition that is contradictory to the federal Americans with Disabilities Act (ADA) definition of and requirements for a service animal. The ADA does not require a service animal to be trained by a specific school or facility. Thus, even in the state of Alaska, a service animal may not be denied access even if it is not a “certified service animal” according to the Title 11 definition. However, a person may not be charged under this state law for interfering with the rights of a service animal handler if the service animal does not meet the definition of a “certified service animal.” For more information, please contact the Northwest ADA Center.



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