

SENATE. No. 1763

The Commonwealth of Massachusetts

SENATE, July 14, 1994.

The committee on Ways and Means, to whom was committed the Senate Bill relative to hearing dogs, assistance dogs and service animals (Senate, No. 1656), reports recommending that the same ought to pass with an amendment, substituting a new draft entitled "An Act Relative to Hearing Dogs and Service Dogs" (Senate, No. 1763).

For the committee,

THOMAS F. BIRMINGHAM.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT RELATIVE TO HEARING DOGS AND SERVICE DOGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 129 of the General Laws, as
2 appearing in the 1992 Official Edition, is hereby amended by adding
3 the following definitions: —

4 “Service dog”, a dog that has completed a program of
5 professional training to aid physically disabled individuals, other
6 than blind, deaf or hearing impaired individuals, whenever such dog
7 is professionally trained by a person engaged in the service dog
8 business to aid the physically disabled and actually being used for
9 such purpose, or a dog owned by a person engaged in the service
10 dog business within the commonwealth during the period such dog
11 is being trained or bred for such purpose.

12 “Service dog business”, the business of furnishing, whether by
13 lease, sale or otherwise, dogs trained as service dogs, or of training
14 such service dogs.

1 SECTION 2. Said chapter 129 is hereby further amended by
2 striking out sections 39C and 39D and inserting in place thereof the
3 following two sections: —

4 Section 39C. Every person engaged in the hearing dog or service
5 dog business shall obtain a license therefor from the director, the fee
6 for which shall be determined annually by the commissioner of
7 administration under the provisions of section three B of chapter
8 seven for the filing thereof, and such license shall expire on
9 December thirty-first following the date of issuance, unless sooner
10 revoked. The director may make rules and regulations governing the
11 issuance and revocation of such licenses and the conduct of any
12 business so licensed, and relative to the maintenance of premises,
13 buildings and conveyances, the health of the dogs and the method
14 and time of inspection of such dogs and business.

15 The director shall promptly furnish to the director of the office on
16 disability the name and address of each person licensed to conduct a
17 service dog business. The director shall also promptly furnish to the
18 director of the commission for the deaf and hard of hearing the name
19 and address of each person licensed to conduct a hearing dog busi-
20 ness, and the person so licensed shall promptly furnish to the com-
21 mission for the deaf and hard of hearing the name and address of
22 each person to whom a hearing dog is furnished. A hearing dog or
23 service dog shall, for identification purposes, be fitted with a collar
24 and leash which are of a bright color.

25 Section 39D. A person engaged in the hearing dog or service dog
26 business, while actually engaged in the training process and activi-
27 ties of hearing dogs and service dogs, shall have the same rights,
28 privileges and responsibilities with respect to access to places of
29 public accommodation as those applicable to deaf, hearing impaired
30 or other physically disabled persons.

