

AN ACT

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District of
Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend An Act To enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia to update language related to service animals, and to confer upon a service animal trainer when accompanied by a service animal in training the same access and liability conferred upon a person who is blind or deaf when accompanied by a service animal; and to amend the Office of Administrative Hearings Establishment Act of 2001 to provide the Office of Administrative Hearings with jurisdiction to adjudicate the imposition of civil fines under An Act To enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Service Animal Amendment Act of 2010”.

Sec. 2. An Act To enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia, approved October 21, 1972 (86 Stat. 970; D.C. Official Code § 7-1001 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1002) is amended by adding a new subsection (c) to read as follows:

Amend
§ 7-1002

“(c) Every service animal trainer who is training an animal to be a service animal shall have the same access and liability conferred upon a person who is blind or deaf pursuant to subsection (b) of this section when accompanied by a service animal in training.”

(b) Section 6 (D.C. Official Code § 7-1007) is amended as follows:

Amend
§ 7-1007

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) added to read as follows:

“(b) A civil fine of \$250 may be imposed as an alternative sanction for any infraction of the provisions of this act pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) (“Civil Infractions Act”). Adjudication of any infraction of this act shall be pursuant to the Civil Infractions Act.

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“(c) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to increase the fine in subsection (b) of this section.”.

(c) Section 8 (D.C. Official Code § 7-1009) is amended by adding new paragraphs (5) and (6) to read as follows:

**Amend
§ 7-1009**

“(5) The term “service animal” means an animal, including a guide dog, that is specially trained to assist a person who is blind or has a physical disability and one which a person who is blind or has a physical disability relies on for assistance.

“(6) The term “service animal in training” means an animal that is:

“(A) At least 6 months of age;

“(B) Undergoing special training to assist a person who is blind or has a physical disability;

“(C) Accompanied by an experienced service animal trainer; and

“(D) Designated as a service animal in training by wearing a harness, backpack, or vest that identifies it as a service animal in training.”.

Sec. 3. Section 6(b-2) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b-2)), is amended as follows:

**Amend
§ 2-1831.03**

(a) Paragraph (2) is amended by striking the word “or” at the end.

(b) Paragraph (3) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (4) is added to read as follows:

“(4) The imposition of a civil fine for violations of An Act To enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia, approved October 21, 1972 (86 Stat. 972; D.C. Official Code § 7-1001 *et seq.*) (“Act”), pursuant to section 6 of the Act.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D. C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia