



House
Legislative
Analysis
Section
Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

LEADER DOG ACCESS

House Bill 4052 (Substitute H-2)
First Analysis (5-16-95)

Sponsor: Rep. Penny Crissman
Committee: Regulatory Affairs

THE APPARENT PROBLEM:

Since 1931, it has been a misdemeanor under the Michigan Penal Code for the owner or operator of a public accommodation to deny access to a blind person because the person is accompanied by a "seeing eye dog". Amendments in 1980 and 1984 extended this provision to include hearing and service dogs and to include access to private accommodations.

However, the law does not specifically grant access to public and private accommodations for those who train the leader, hearing and service dogs. Often, trainers find themselves being denied access to stores, restaurants, or housing during the training process. Some proprietors are from cultures unfamiliar with the use of dogs in this capacity, while others deny access because they are not required by law to grant it. Meanwhile, the trainers have no recourse to gain access to properly train the dogs in the type of places that handicappers will need the assistance in. It has been recommended that the statute be amended to include access to public and private accommodations for trainers of leader, hearing, or service dogs.

THE CONTENT OF THE BILL:

The Penal Code prohibits denying access to public accommodations or private housing to handicapped people accompanied by guide dogs. House Bill 4052 would extend this provision to people who are training adult guide, leader, or service dogs and are accompanied by the dogs in places of public or private housing or accommodation. Under the bill, a trainer would have to have in his or her possession picture identification indicating that he or she was employed by an organization that trains leader, hearing, or service dogs.

MCL 750.502c

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

A well-trained guide dog needs to be familiar with types of environments in which it would be assisting a handicapped person. The bill would provide trainers accompanied by leader, hearing, or service dogs the same legal access to places that handicappers accompanied by their dogs currently enjoy under the law.

Against:

Proprietors should not be forced to grant access to trainers accompanied by guide dogs because patrons may be allergic to or bothered by the dogs.

Response:

Current law already requires access to all public and private accommodations for handicapped persons accompanied by guide dogs. People are familiar with these dogs. In the case of a patron being allergic to a dog, current practice is for the person with the dog to be moved to a different section of the room. In addition, the bill specifies access for trainers with "adult" dogs. Therefore, situations where a dog in training may be disruptive would be minimal, if not non-existent.

Against:

Since dogs of varying breeds mature at different ages, the term "adult dog" should be defined.

POSITIONS:

The Michigan Veterinary Medical Association supports the concept of the bill, but would like the term "adult dog" defined. (5-10-95)

The Paws with a Cause organization supports the bill. (5-10-95)

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The Leader Dogs for the Blind organization supports the bill. (5-10-95)

The Michigan Humane Society supports the bill. (5-11-95)

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