

# NAVIGATING ALPHABET SOUP: ACAA, ADA, DOT, FHA

## What does it all mean???

A breakdown of designations and what's provided for under the law.



# Definitions

ACAA: Air Carrier Access Act

ADA: Americans with Disabilities Act

CGC: Canine Good Citizen

ESA: Emotional Support Animal

FHA: Fair Housing Act

SD: Service Dog

TD: Therapy Dog

# ACAA:

The Air Carrier Access Act of 1986 is Title 49, Section 41705 of the U.S. Code. The Act amended the earlier section 404 of the Federal Aviation Act of 1958, which was repealed by the Airline Deregulation Act of 1978. The ACAA prohibits commercial airlines from discriminating against passengers with disabilities. *A service animal is any dog that is individually trained or able to provide assistance to a person with a disability.*

*This act was amended by the Department of Transit on December 10, 2020. Under the amendment, Emotional Support Animals are considered pets.*

# DOT final rule:

- Defines a service animal as a dog that is individually trained to do work or perform tasks for the benefit of a person with a disability;
- No longer considers an emotional support animal to be a service animal;
- Requires airlines to treat psychiatric service animals the same as other service animals;
- Allows airlines to require forms developed by DOT attesting to a service animal's health, behavior and training, and if taking a long flight attesting that the service animal can either not relieve itself, or can relieve itself in a sanitary manner;
- Allows airlines to require individuals traveling with a service animal to provide the DOT service animal form(s) up to 48 hours in advance of the date of travel if the passenger's reservation was made prior to that time;
- Prohibits airlines from requiring passengers with a disability who are traveling with a service animal to physically check-in at the airport instead of using the online check-in process;
- Allows airlines to require a person with a disability seeking to travel with a service animal to provide the DOT service animal form(s) at the passenger's departure gate on the date of travel;
- Allows airlines to limit the number of service animals traveling with a single passenger with a disability to two service animals;
- Allows airlines to require a service animal to fit within its handler's foot space on the aircraft;
- Allows airlines to require that service animals be harnessed, leashed, or tethered at all times in the airport and on the aircraft;
- Continues to allow airlines to refuse transportation to service animals that exhibit aggressive behavior and that pose a direct threat to the health or safety of others; and
- Continues to prohibit airlines from refusing to transport a service animal solely based on breed.

# ADA:

The Americans with Disabilities Act of 1990 is a civil rights law that prohibits discrimination based on disability. Beginning on March 15, 2011, only dogs are recognized as service animals under titles II and III of the ADA.

# FHA:

The Fair Housing Act (FHA) of 1988, Section 504 is a federal law that states any person with a mental or physical disability cannot be turned away from housing with their certified service animal or emotional support animal. This includes buildings and apartments that have a “no pets policy” in place.



# CGC:

The Canine Good Citizen program, established in 1989, is an American Kennel Club program to promote responsible dog ownership and to encourage the training of well-mannered pet dogs.



Canine Good Citizens dogs are family pets who have passed all 10 items on the American Kennel Club test by approved evaluators.



AMERICAN  
KENNEL CLUB

Canine Good

Citizen



Test Items


- 1) Accepting a Friendly Stranger
- 2) Sitting Politely for Petting
- 3) Appearance and Grooming
- 4) Out for a Walk (Walking on a Loose Leash)
- 5) Walking Through a Crowd
- 6) Sit and Down Command (Stay in Place)
- 7) Coming When Called
- 8) Reaction to Another Dog
- 9) Reaction to Distractions
10. Supervised Separation





# ESA:

An emotional support animal is a companion animal that a medical professional says provides some comfort for a person affected by a mental health condition or emotional disorder. Emotional support animals are typically dogs, but are sometimes cats or other animals. ESAs are not considered service animals by the DOT.

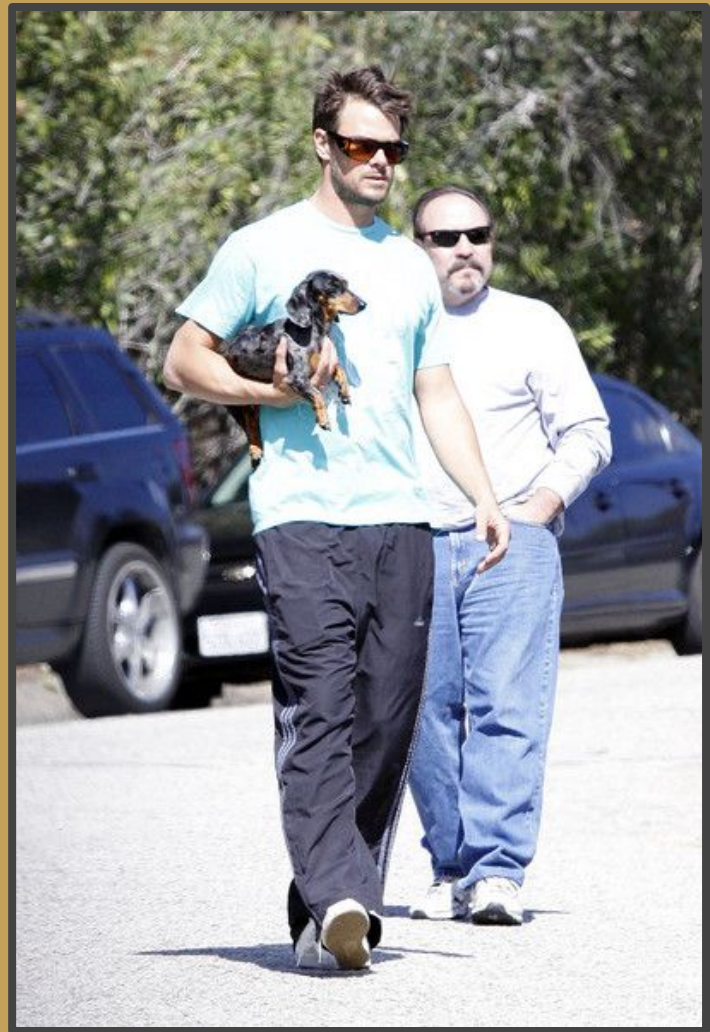


## Emotional Support Animals

provide comfort to a specific individual.

They may be a family pet. They may not necessarily be friendly to members outside their immediate family.

They are not required to pass a test.



# SD:

A service dog is a term used in the US to refer to any type of assistance dog

*\*specifically trained\** to help people who have disabilities, such as visual impairment, hearing impairments, mental disorders, seizures, mobility impairment, and diabetes.



## What is a service animal?

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform specific tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.



[https://www.ada.gov/regs2010/service\\_animal\\_qa.pdf](https://www.ada.gov/regs2010/service_animal_qa.pdf)

# TD:

A therapy dog is a dog that provides affection, comfort and love to people in hospitals, retirement homes, nursing homes, schools, hospices, and disaster areas. Although training is helpful, it is not specifically required for Therapy Dogs.



# Therapy Dogs

Therapy Dogs are family pets who have passed a test by qualified testers and are trained to interact with and provide joy and comfort to many individuals. Therapy Dogs must be friendly with everyone, dogs and humans alike.





# What Is Provided for Under the ADA Law?

The ADA does not address airline or housing regulations.  
(Airline travel is covered under the ACAA.  
Housing is covered under the FHA.)

Under the ADA, staff of a business may ask two questions:

(1) Is the dog a service animal required because of a disability? They MAY NOT ask about the disability.

(2) What work or task has the dog been trained to perform?

Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

Staff are not required to provide care or food for a service animal.

Service Dogs NEVER sit on a chair or bench at the table.





Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using a SERVICE DOG.

When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

**THErapy DOGS may be denied access.**

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A person with a disability cannot be asked to remove his service animal from the premises unless:

**(1) the dog is out of control and the handler does not take effective action to control it or**

**(2) the dog is not housebroken.**

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

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Pretending your dog is a service animal is not a joke and in some states it is illegal to misrepresent your dog as a service dog.

People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals.

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For additional information, please visit:

[https://www.ada.gov/regs2010/service\\_animal\\_qa.pdf](https://www.ada.gov/regs2010/service_animal_qa.pdf)

<https://servicedogsupport.org/certification/become-a-certified-team/>

<https://www.therapydogs.com/join-therapy-dogs/>

<https://www.akc.org/products-services/training-programs/canine-good-citizen/>

