

Definition of a Service Animal

U.S. DOT Definition

The U.S. Department of Transportation (DOT) defines a service animal as “any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” This is the definition with which the operators of public transit service must comply, and it can be found in [**Section 37.3 of 49 CFR Part 37- Transportation Services for Individuals with Disabilities \(ADA\)**](#).

As stated in [**Appendix D to 49 CFR Part 37**](#), one of the most common misunderstandings about service animals is that they are limited to being guide dogs for persons with visual impairments. Dogs are trained to assist people with a wide variety of disabilities, including individuals with hearing and mobility impairments. Other animals are sometimes used as service animals as well, such as miniature horses, monkeys, birds, and potbellied pigs. Note that some persons with hidden disabilities use service animals, such as those that are trained to alert individuals with seizure disorders to an oncoming seizure or respond to a seizure.

The U.S. DOT definition in [**Section 37.3**](#) does not include emotional support or “comfort” animals which have not been trained to perform a task for an individual with a disability. A comfort animal provides comfort or emotional support just by being with the individual. As noted in Section 2.6 of [**FTA ADA Circular 4710.1**](#), simply providing comfort is something that an animal does passively. However, a psychiatric support animal that is trained to perform a task for the individual (such as sensing an impending anxiety attack and taking an action to avoid or reduce the attack) would be considered a service animal under the U.S. DOT definition.

Other Federal Definitions

There can be misunderstandings due to different definitions of service animal that apply in other contexts. For example, in 2010, the U.S. Department of Justice (DOJ) amended its definition of a service animal to include only dogs and miniature horses. While this definition generally applies in places of public accommodation, it does not apply in public transportation facilities or vehicles, which are subject to the U.S. DOT definition.

Another definition that applies to a different mode of transportation is that of the Air Carrier Access Act (ACAA). Under the ACAA, the definition of service animal does include animals that provide emotional support (comfort animals), but again, this is not the case for public transit agencies.

Also note that, even if a state legislature enacts a more restrictive definition of service animal, public transit agencies must continue to follow the U.S. DOT definition.

Determining Whether or Not an Animal is a Service Animal

As stated in Section 2.6 of [FTA ADA Circular 4710.1](#), transit agency personnel may ask riders two questions about the service animal: (1) Is the animal a service animal required because of a disability? and (2) What work or task has the animal been trained to perform? However, transit agencies cannot require special ID cards or other documentation that the animal is a service animal or ask about the person's disability. A case study provided later in this section of the Toolkit shares an approach developed by [Lane Transit District](#) to reduce potential confusion and conflicts in determining a service animal's status.

Other Considerations about Accommodating Service Animals

Transit agencies are not required to transport service animals that pose a direct threat to the health or safety of drivers or other riders, are seriously disruptive, or are otherwise not under the rider's control. The FTA Circular mentions biting as an example of a behavior that constitutes direct threat. A transit agency may also wish to prohibit aggressive behavior toward people or other animals. Repeated barking could be an example of not being under the rider's control. However, the FTA Circular notes that a dog that barks occasionally would likely not be considered out of the rider's control.

Control over the animal can be verbal and does not necessarily involve a leash or harness. In some cases, a service animal may be trained to provide assistance without a leash or harness. The requirement is that the animal be under control of the rider. Beyond that, there is no requirement that the animal be on a leash or harness.

Drivers are not required to take the leash or harness of a service animal. As a customer service, a driver could choose to provide this assistance when requested (for example, by a rider using a wheelchair who also uses a service animal), but FTA has stated that such a request may be denied because caring for a service animal is the responsibility of the rider or a personal care attendant (PCA) (Example 15 in [Appendix E to 49 CFR Part 37](#) as well as [FTA ADA Circular 4710.1](#)).

More than one service animal may accompany a rider on a single trip. Different service animals may provide different services to a rider during trips or at the rider's destination. Transit agency personnel can ask these two questions for each animal: (1) Is the animal a service animal required because of a disability? and (2) What work or task has the animal been trained to perform? [Section 2.6 of [FTA ADA Circular 4710.1](#)].

Transit agencies cannot deny service to a person accompanied by a service animal on the basis of another individual's allergies. Encountering a service animal in a transit or other environment is an expected part of being in public. As such, allergies to service animals would not be grounds for denying service to a person accompanied by a service animal.

Note that the U.S. DOT ADA regulations do not prohibit a transit agency from establishing a local policy to accommodate comfort animals (defined earlier in this section) or even pets.

Transit agencies are not required to accommodate animals that are in training to become service animals, according to FTA. Accommodation of future service animals is optional to the transit agency. (December 2, 2024 Transit Access Report). While it is not a requirement, transit agencies may want to consider that it is a helpful practice for transportation providers to allow service animals in training to ride their buses as long as the animal is under the control of the animal handler. This is the way service animals learn to behave appropriately while on public transit.

For additional discussion and guidance on these and other considerations, see Section 2.6 of [FTA ADA Circular 4710.1](#).