

Orange County Service Animal Policy

The provisions regarding service animals are regulated through Americans with Disabilities Act (ADA) which was enacted in 1990. The regulations allowing service animals in transit vehicles and facilities are upheld by Transit Orange and their operators by following the requirements below.

The ADA defines 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.” (49 CFR 37.3)

If a service animal meets the above ADA sanctioned definition, then they should be allowed to assist their owner regardless of whether they have been licensed or certified by a state or local government. It is important to emphasize that service animals are not pets - they are working animals. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, assisting with stability and balance, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack or performing other duties.

Under 37.167(d) of the DOT ADA regulations, fixed route and demand responsive transit entities are required to permit service animals to accompany individuals with disabilities in vehicles and facilities. Per federal law, documentation of the nature or extent of a person’s disability, or certification of the service animal’s training is not required. Thus, a transit operator cannot ask about a person’s disability or require special ID cards or harnesses for the animal. The operator also may not be able to impose species or breed restrictions. If it is not apparent that the animal is a service animal, the operator is allowed to ask the following:

1. If an animal is a service animal that is required because of a person’s disability
2. What work the animal has been trained to perform

It is the rider’s responsibility to always maintain control of the animal. Other passengers’ allergies and fear of animals are not valid reasons for denying access or refusing service to people with service animals. Under the context of the US DOT ADA regulations, emotional support or comfort animals do not fall under the category of service animals. The operator can refuse transporting the service animal if it is deemed to pose a direct threat to the health and safety of drivers or other riders, cause a disruptive atmosphere, or the rider is unable to maintain control of it.