

Maryland

SUMMARY

The following statutes comprise Maryland's pertinent service animal laws. These statutes provide misdemeanor penalties for discriminating against a disabled individual accompanied by a service animal. These laws also provide penalties for interfering with, injuring, or killing a service animal.

Date last checked: October 2021

West's Annotated Code of Maryland. Article 10 to Article 26A. Article 24. Political Subdivisions--Miscellaneous Provisions. Title 11. Licenses. Subtitle 5. Regulation of Animals

§ 13-104. Service dogs

(Formerly cited as MD CODE, Art. 24, § 11-502)

"Service dogs" defined

(a) In this section, "service dog" means a dog that is professionally trained to aid individuals who are:

- (1) blind or visually impaired;
- (2) deaf or hard of hearing; or
- (3) mobility impaired.

Exemption from fees

(b) If an application meets the requirements of subsection (c) of this section and the local licensing agency is satisfied that the dog for which a license is sought is a service dog and is actually in use as a service dog:

- (1) the dog owner is not required to pay a fee for issuance of the license; and
- (2) the local licensing agency shall inscribe across the face of the license in red ink the words "service dog".

Affidavit required

(c)(1) An application for a license for a service dog shall be accompanied by an affidavit from the owner stating that:

(i) the dog for which the license is sought has been professionally trained as a service dog; and

(ii) the owner is aware that the owner may be liable, under § 7-705 of the Human Services Article, for damages caused by the service dog to premises or facilities.

(2) The local licensing agency in each county shall make forms available for affidavits required under this subsection.

Additional tag

(d)(1) In addition to any tag issued under Part II of this subtitle, the local licensing agency shall issue a tag for a service dog.

(2) A service dog tag shall:

(i) be orange;

(ii) be labeled "service dog"; and

(iii) indicate that it is issued by the State.

(3) In accordance with § 4-316 of the State Finance and Procurement Article, the Department of General Services shall purchase the service dog tags and make them available to the counties on reimbursement for the cost of the tags.

Credits

Added by Acts 2013, c. 119, § 2, eff. Oct. 1, 2013.

§ 7-701. Definitions

...

(g) "Service animal" means a guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including:

(1) guiding individuals with impaired vision;

(2) alerting individuals with impaired hearing to an intruder or sounds;

(3) providing minimal protection or rescue work;

(4) pulling a wheelchair;

(5) fetching dropped items; or

(6) detecting the onset of a seizure.

Service animal trainer

(h) "Service animal trainer" means a person who trains or raises service animals for individuals with disabilities, whether the person is a professional or volunteer.

Credits

Added by Acts 2007, c. 3, § 2, eff. Oct. 1, 2007. Amended by Acts 2007, c. 241, § 1, eff. Oct. 1, 2007; Acts 2008, c. 594, § 1, eff. Oct. 1, 2008; Acts 2008, c. 595, § 1, eff. Oct. 1, 2008; Acts 2012, c. 305, § 1, eff. Oct. 1, 2012.

§ 7-704. Rights of individuals with disabilities

Public places

(a) Individuals with disabilities, the parents of a minor child with a disability, and service animal trainers who are accompanied by an animal being trained or raised as a service animal have the same right as individuals without disabilities to the full and free use of the roads, sidewalks, public buildings, public facilities, and other public places.

Public accommodations and conveyances

(b)(1) Individuals with disabilities, the parents of a minor child with a disability, and service animal trainers who are accompanied by an animal being trained or raised as a service animal are entitled to full and equal rights and privileges with respect to common carriers and other public conveyances or modes of transportation, places of public accommodations, and other places to which the general public is invited, subject only to any conditions and limitations of general application established by law.H

(2) The failure of a blind or visually impaired pedestrian to carry a cane predominantly white or metallic in color, with or without a red tip, or an individual with a disability or a parent of a minor child with a disability to use a service animal wearing an orange license tag or orange collar and on a leash, or to use a service animal in a place, accommodation, or conveyance listed in paragraph (1) of this subsection does not constitute contributory negligence per se.

Housing accommodations

(c)(1) This subsection does not apply to any accommodations or single family residence in which the occupants offer for compensation not more than one room.

(2) An individual with a disability, a parent of a minor child with a disability, or a service animal trainer who is accompanied by an animal being trained or raised as a service animal is entitled to the same access as other members of the general public to housing accommodations in the State, subject to any conditions and limitations of general application established by law.

(3) An individual with a disability, a parent of a minor child with a disability, or a service animal trainer who has, obtains, or may wish to obtain a service animal or an animal to be

trained or raised as a service animal is entitled to full and equal access to housing accommodations.

(4) An individual with a disability, a parent of a minor child with a disability, or a service animal trainer who is accompanied by a service animal or an animal being trained or raised as a service animal may not be required to pay extra compensation for the service animal, but the individual may be liable for damages to the premises or facilities that the service animal causes.

Credits

Added by Acts 2007, c. 3, § 2, eff. Oct. 1, 2007. Amended by Acts 2007, c. 241, § 1, eff. Oct. 1, 2007; Acts 2008, c. 594, § 1, eff. Oct. 1, 2008; Acts 2008, c. 595, § 1, eff. Oct. 1, 2008; Acts 2012, c. 305, § 1, eff. Oct. 1, 2012.

§ 7-705. Service animals

In general

(a) The following individuals have all the same rights and privileges conferred by law on other individuals:

(1) a blind or visually impaired pedestrian using a service animal and not carrying a cane predominantly white or metallic in color, with or without a red tip;

(2) an individual with a disability and a parent of a minor child with a disability using a service animal not wearing an orange license tag or orange collar and on a leash;

(3) an individual with a disability and a parent of a minor child with a disability using a service animal in a place, accommodation, or conveyance listed in § 7-704(b) of this subtitle; and

(4) a service animal trainer who is accompanied by an animal that is being trained as a service animal.

Mobility impaired individual accompanied by a service animal

(b) This section does not require a physical modification of any place or vehicle in order to admit an individual with a disability or any other individual authorized under this subtitle to use a service animal who is accompanied by a service animal.

Rights of service animal trainer; exception

(c)(1) Except as provided in paragraph (2) of this subsection, a service animal trainer may be accompanied by an animal that is being trained as a service animal in any place where an individual with a disability or a parent of a minor child with a disability has the right to be accompanied by a service animal.

(2) An animal being trained as a service animal and accompanied by a service animal trainer may be excluded from a place described in paragraph (1) of this subsection if admitting the animal would create a clear danger of a disturbance or physical harm to an individual in the place.

Extra compensation prohibited; liability

(d)(1) An individual with a disability or a parent of a minor child with a disability who is accompanied by a service animal specially trained for that purpose in a place, accommodation, or conveyance listed in § 7-704(b) of this subtitle may not be required to pay extra compensation for the service animal, but the individual may be liable for any damages to the premises or facilities caused by the service animal.

(2) A service animal trainer who is accompanied by an animal that is being trained as a service animal may not be required to pay extra compensation for the animal, but the service animal trainer organization that certifies the service animal may be liable for any personal injuries or damages to the premises or facilities caused by the service animal.

Violations; penalties

(e)(1)(i) A person may not deny or interfere with the admittance of a service animal that accompanies an individual with a disability or a parent of a minor child with a disability in violation of this section.

(ii) A person who violates subparagraph (i) of this paragraph is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 for each offense.

(2)(i) A person may not deny or interfere with the admittance of an animal being trained as a service animal that accompanies a service animal trainer.

(ii) Subject to subsection (c)(2) of this section, a person who violates subparagraph (i) of this paragraph is subject to a fine not exceeding \$25 for each offense.

Credits

Added by Acts 2007, c. 3, § 2, eff. Oct. 1, 2007. Amended by Acts 2007, c. 241, § 1, eff. Oct. 1, 2007; Acts 2008, c. 594, § 1, eff. Oct. 1, 2008; Acts 2008, c. 595, § 1, eff. Oct. 1, 2008.

§ 7-708. Professional training programs to include rights of individuals with service animals

Any organization or agency that requires a professional training program for the following individuals shall include a segment concerning the rights of individuals with disabilities who are accompanied by service animals:

- (1) first responders;
- (2) emergency shelter operators; and
- (3) 9-1-1 operators.

CREDIT(S)

Added by Acts 2007, c. 241, § 1, eff. Oct. 1, 2007.

§ 7-709. White Cane Safety Day

The Governor shall take suitable public notice of each October 15 as White Cane Safety Day by issuing a proclamation that:

- (1) comments on the significance of the white cane;
- (2) calls on the public to observe the White Cane Law under §§ 7-704 through 7-707 of this subtitle and to take precautions necessary for the safety of blind and visually impaired individuals;
- (3) reminds the public of the policies with respect to blind and visually impaired individuals and urges cooperation with the policies;
- (4) emphasizes the need for awareness of the presence of blind and visually impaired individuals in the community and the need to keep roads, sidewalks, public accommodations, public buildings, public facilities, other public places, and other places to which the public is invited safe and functional for those individuals; and
- (5) offers assistance to blind and visually impaired individuals on appropriate occasions.

CREDIT(S)

Added as Human Services § 7-708 by Acts 2007, c. 3, § 2, eff. Oct. 1, 2007. Renumbered as Human Services § 7-709 by Acts 2007, c. 241, § 1, eff. Oct. 1, 2007.

Transportation. Title 21. Vehicle Laws--Rules of the Road. Subtitle 5. Pedestrians' Rights and Rules.

§ 21-511. Blind, deaf or mobility impaired pedestrians

Driver of vehicle required to yield right-of-way to blind, deaf, or mobility impaired pedestrians

(a) The driver of a vehicle shall yield the right-of-way to:

(1) A blind or partially blind pedestrian using a guide dog or carrying a cane predominantly white or metallic in color (with or without a red tip);

(2) A deaf or hearing impaired pedestrian accompanied by a guide dog; or

(3) A mobility impaired individual crossing a roadway while using any of the following mobility-assisted devices:

(i) A manual or motorized wheelchair;

(ii) A motorized scooter;

(iii) Crutches; or

(iv) A cane.

Persons not blind or partially blind prohibited from using or carrying white cane

(b) A person who is not blind or partially blind may not use or carry a white cane, a cane that is white tipped with red, or a chrome, nickel, aluminum, or other reflecting or shining metal cane, in the manner described in subsection (a)(1) of this section.

CREDIT(S)

Added by Acts 1977, c. 14, § 2, eff. July 1, 1977. Amended by Acts 1978, c. 929; Acts 1979, c. 565; Acts 1980, c. 340; Acts 1991, c. 116; Acts 1994, c. 179, § 1, eff. Oct. 1, 1994; Acts 1997, c. 329, § 2, eff. Oct. 1, 1997.

**West's Annotated Code of Maryland. State Government.
Title 9. Miscellaneous Executive Agencies. Subtitle 9.**

Department of Veterans Affairs. Part VIII. Maryland Veterans Service Animal Program. § 9-957. Maryland Veterans Service Animal Program

(a)(1) In this section the following words have the meanings indicated.

(2) "Eligible veteran" means an individual who:

(i) served on active duty in:

1. the armed forces of the United States;
2. the National Guard; or
3. a reserve component of the armed forces of the United States;

(ii) served in a capacity other than for training;

(iii) was discharged or released under conditions other than dishonorable; and

(iv) 1. is a resident of the State; or

2. receives treatment or care from a U.S. Department of Veterans Affairs or U.S. Department of Defense medical facility in the State.

(3) "Fund" means the Maryland Veterans Service Animal Program Fund established under subsection (f) of this section.

(4) "Nonprofit training entity" means a corporation, a foundation, or any other legal entity that:

(i) is qualified under § 501(c)(3) of the Internal Revenue Code;

(ii) 1. engages in the training of service dogs or support dogs for use by veterans; or

2. uses trained therapy horses for interaction with veterans; and

(iii) has been selected by the Department to provide services under this section.

(5) "Program" means the Maryland Veterans Service Animal Program established under subsection (b) of this section.

(6) "Program participant" means an eligible veteran who participates in the Program.

(7) "Successful Program participant" means a Program participant who successfully completes the training or therapy protocol specified by a nonprofit training entity.

Established

(b) There is a Maryland Veterans Service Animal Program in the Department.

Purpose

(c) The purposes of the Program are to:

(1) refer eligible veterans who inquire about participation in the Program to one or more nonprofit training entities;

(2) provide additional funding mechanisms to assist veterans participating in the Program;

(3) encourage successful Program participants to assist in outreach and referral of other eligible veterans who could benefit from participation in the Program;

(4) assist in the reduction of the Maryland veteran suicide rate; and

(5) identify potential capital projects and services to facilitate more services for veterans in the State.

Selection of nonprofit training entity

(d)(1) The Department shall select at least one nonprofit training entity to:

(i) implement a training or therapy protocol for the purposes of the Program that will teach each Program participant methodologies, strategies, and techniques for:

1. partnering with service dogs or support dogs; or

2. interacting with therapy horses;

(ii) select qualified Program participants from those eligible veterans referred to the nonprofit entity under the Program;

(iii) select an appropriate service dog, support dog, or therapy horse, as applicable, for each Program participant;

(iv) facilitate each Program participant's training or therapy using the nonprofit training entity's training or therapy protocol; and

(v) unless the nonprofit training entity uses trained therapy horses, partner each successful Program participant with the service dog or support dog on the Program participant's successful completion of the nonprofit training entity's training protocol.

(2) To be eligible for selection under paragraph (1) of this subsection, a nonprofit entity must:

(i) be based in the State;

(ii) serve the needs of the veteran population in the State; and

(iii) generate its own revenue and reinvest the proceeds of that revenue in the growth and development of its programs.

Disqualification of program participant

(e)(1) A nonprofit training entity may disqualify a Program participant from participation in the Program if the nonprofit training entity determines that the Program participant's involvement in the Program:

(i) presents a danger to the Program participant's mental or physical well-being;

(ii) has caused or may potentially cause harm to others, an animal, or property;

(iii) presents a danger to the service dog's, support dog's, or therapy horse's mental or physical well-being; or

(iv) does not meet the training requirement of the nonprofit.

(2) A Program participant may discontinue involvement in the Program for any reason.

Maryland Veterans Service Animal Program Fund(f)(1) There is a Maryland Veterans Service Animal Program Fund.

(2) The Department shall use revenue from the Fund to pay a nonprofit training entity.

(3) Revenue from the Fund may be used only to pay:

(i) a nonprofit training entity; and

(ii) administrative costs of the Program.

(4) The Secretary, or the Secretary's designee, shall administer the Fund.

(5)(i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(6) The Fund consists of:

(i) revenue collected by the Department in the form of donations to the Program;

(ii) money appropriated in the State budget to the Fund; and

(iii) any other money from any other source accepted for the benefit of the Fund.

(7) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(8) Any interest earnings of the Fund shall be credited to the General Fund of the State.

(9) Expenditures from the Fund may be made only in accordance with the State budget.

(10) Money expended from the Fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for the Program.

Donations to Fund

(g)(1) For the purpose of implementing this section, the Department may accept gifts or grants for donation to the Fund.

(2) On or before October 1, 2018, and each October 1 thereafter, the Department shall post and maintain on its website a list containing the names of all persons who have donated to the Fund in the previous year and have authorized the Department to publish their names on its website.

Regulations

(h) The Department shall adopt regulations to implement this section, including regulations establishing procedures for the Department to:

(1) promote the Program to eligible veterans through the Department's outreach methods;

(2) refer eligible veterans to selected nonprofit entities;

(3) receive donations for the Fund through a link placed in a prominent location on the Department's website; and

(4) use revenue from the Fund to pay selected nonprofit entities for services that are provided through the Program.

Credits

Added by Acts 2017, c. 416, § 1, eff. July 1, 2017. Amended by Acts 2018, c. 12, § 1, eff.

April 5, 2018; Acts 2018, c. 152, § 1, eff. Oct. 1, 2018; Acts 2018, c. 153, § 1, eff. Oct. 1, 2018; Acts 2019, c. 465, § 1, eff. June 1, 2019.