

**RESOLUTION NO. 2019-33**

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD  
ADOPTING A SERVICE ANIMAL AND PETS POLICY (POL-508).**

**WHEREAS**, Mason Transit Authority wishes to establish guidelines for passengers and patrons with Service Animals and pets so that safe transportation can be provided for all passengers when Service Animals and pets are on-board MTA vehicles or in MTA facilities, and to comply with Americans with Disabilities (ADA) Act; and

**WHEREAS**, this policy sets forth guidelines and requirements to ride MTA services with a Service Animal or other animal;

**NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD** that the Service Animals and Pets Policy (POL-508), which is attached hereto and incorporated herein, be established and adopted; and

**BE IT FURTHER RESOLVED** that this Service Animals and Pets Policy (POL-508) shall supersede and replace in full any previously adopted or approved Service Animals and Pets policy.


Adopted this 17<sup>th</sup> day of December, 2019.

  
\_\_\_\_\_  
Randy Neatherlin, Chair

  
\_\_\_\_\_  
Wes Martin, Vice-Chair

  
\_\_\_\_\_  
John Campbell, Authority Member

  
\_\_\_\_\_  
Kevin Dorcy, Authority Member

  
\_\_\_\_\_  
Deborah Petersen, Authority Member

  
\_\_\_\_\_  
Don Pogreba, Authority Member

  
\_\_\_\_\_  
Kevin Shutty, Authority Member

  
\_\_\_\_\_  
Sandy Tarzwell, Authority Member

Sharon Trask  
Sharon Trask, Authority Member

APPROVED AS TO CONTENT: Danette Brannin  
Danette Brannin, General Manager

APPROVED AS TO FORM: Robert W. Johnson  
Robert W. Johnson, Legal Counsel

ATTEST: Tracy Becht DATE: December 17, 2019  
Tracy Becht, Clerk of the Board



<b>Title:</b>	Service Animals and Pets
<b>Number:</b>	508
<b>Effective:</b>	December 17, 2019
<b>Cancels:</b>	N/A
<b>Prepared by:</b>	Mike Ringgenberg, Operations Manager
<b>Approved by:</b>	Authority Board Resolution No. 2019-33

## **POL-508 SERVICE ANIMAL AND PETS POLICY**

This policy applies to all Mason Transit Authority (MTA) employees and those using MTA Services and Facilities.

### **1.0 Purpose**

The purpose of this policy is to provide guidelines for passengers and patrons with Service Animals and pets; to provide safe transportation for all passengers when Service Animals and pets are on board MTA vehicles or in MTA facilities; and to comply with the Americans with Disabilities Act (ADA) and Washington state law.

### **2.0 Policy**

Mason Transit Authority allows any service animal on board and in all areas of MTA facilities where the public is normally allowed to go.

Therapy animals or comfort animals are not considered service animals.

Any animal/pet which a rider wishes to take on board an MTA vehicle, other than a service animal, must be in a suitable, securely closed carrier/container that the rider or a companion can comfortably carry.

Staff may ask two questions regarding 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? Staff may not ask about the person's disability or require documentation or ask that the animal demonstrate its ability to perform the work or task.

### **3.0 Definitions**

- 3.1 **Service Animal:** means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. MTA shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability in accordance with RCW 49.60.040(24) if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a facility, MTA shall act in accordance with all applicable laws and regulations.



<b>Title:</b>	Service Animals and Pets
<b>Number:</b>	508
<b>Effective:</b>	December 17, 2019
<b>Cancels:</b>	N/A
<b>Prepared by:</b>	Mike Ringgenberg, Operations Manager
<b>Approved by:</b>	Authority Board Resolution No. 2019-33

A service animal is not a pet. It shall be a civil infraction under chapter 7.80 RCW for any person to misrepresent an animal as a service animal.

- 3.2 Therapy or comfort animals: For the purpose of providing comfort to an individual but are not trained to perform the tasks of a service animal. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. The crime-deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.
- 3.3 Other animals: Any other animal that can be contained in a carrier that is manageable by the rider or the rider's companion or by the patron.

#### 4.0 Requirements to Ride MTA Services

When traveling with a service animal or other animal, notification must be given to the Communication Center Scheduler when requesting a trip on Dial-a-Ride or a deviation on fixed-route service. The passenger must inform the fixed route driver prior to boarding the bus.

All riders must follow the below policy guidelines when bringing an animal on board an MTA vehicle:

- Service animals must be harnessed, leashed or tethered unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal or other effective controls.
- Service animals must be working while on MTA vehicles.
- All other animals must be in a carrier/container. The rider or companion must be able to comfortably carry the carrier/container.
- The service animal must remain under control of the owner and behave appropriately as in the manner of a service animal .
- The service animal must remain at the rider's feet or on the lap of the rider. It may not sit on a vehicle seat.
- The animal must not bark or cause a disturbance unless it is a service animal performing tasks it was trained to do in an emergency.
- Birds, reptiles, amphibians, rodents and cats must be kept in a secured, enclosed carrier/container.
- The container must not be in the way of any passengers or block the aisle way of the vehicle.



<b>Title:</b>	Service Animals and Pets
<b>Number:</b>	508
<b>Effective:</b>	December 17, 2019
<b>Cancels:</b>	N/A
<b>Prepared by:</b>	Mike Ringgenberg, Operations Manager
<b>Approved by:</b>	Authority Board Resolution No. 2019-33

- The animal must not be aggressive toward people or other animals. (49 CFR 37.167(d))

## 5.0 Denial of Services

Service animals and pets, regardless of training or certification, may be denied transportation if the animal poses a direct threat to the health or safety of others. This also applies to animals in MTA facilities.

A person with a disability cannot be asked to remove his service animal from the premises unless: 1) the service animal is out of control and the owner does not take effective action to control it or 2) the service animal 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.

Owners and pets may be excluded from MTA vehicles and facilities if animals are not contained and under control of the owner.

## 6.0 U.S. Department of Justice

Mason Transit Authority follows the U.S Department of Justice Civil Rights Division Disability Rights Section on Service Animals and Chapter 49.60 RCW.

<https://www.nps.gov/deto/planyourvisit/upload/Service-Animal-Policy-DOJ.pdf>