



**RECOMMENDATIONS
REGARDING SERVICE ANIMALS FROM
THE ADVISORY COMMITTEE TO THE
LEGISLATIVE COMMITTEE ON PERSONS
WITH DISABILITIES
(NRS 218.53796 AND 218.53791)**

JUNE 23, 2004

The following document has been prepared by the staff of Nevada's Legislative Committee on Persons with Disabilities for the Advisory Committee appointed pursuant to *Nevada Revised Statutes* (NRS) 218.53796. In accordance with the direction of the Legislative Committee on Persons with Disabilities, the Advisory Committee is specifically charged with making proposed recommendations for the Legislative Committee's review on the issue of facilitating service animal use in Nevada.

At its meeting held on June 14, 2004, the Advisory Committee made a number of recommendations as set forth below. The recommendations include proposals to send letters to affected agencies, organizations, or other entities; to request legislative resolutions or bill drafts; and to include a statement in the final report of the Legislative Committee on Persons with Disabilities. Because the recommendations are presented in general language, it should be noted that specificity and implementation details in the final proposed legislation may need to be provided prior to drafting.

The recommendations of the Advisory Committee will be included in the "Work Session Document" presented to the Committee on Persons with Disabilities at its August 16, 2004, meeting.

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| EXHIBIT G Disabilities | | Document consists of 15 pages. |
| <input checked="checked" type="checkbox"/> | Entire document provided. | |
| <input type="checkbox"/> | Due to size limitations, pages _____ provided. A copy of the complete document is available through the Research Library (775/684-6827) or e-mail library@lcb.state.nv.us). | |
| Meeting Date: 6/28/04 | | |

BACKGROUND

In the 2003 Session, two bills were considered that dealt with the issue of service animals: Assembly Bill 332 and Senate Bill 231. Ultimately, S.B. 231 was passed (Chapter 473, *Statutes of Nevada 2003*) and A.B. 332 was not, although portions of A.B. 332 were amended into S.B. 231. Consequently, to address the unresolved issues relating to service animals, Senate Bill 137 creating the Legislative Committee on Persons with Disabilities charged the Committee with recommending ways to facilitate service animal use in Nevada.

The unresolved issues related to service animals can be summarized as:

- Bringing Nevada law into compliance with the Americans with Disabilities Act (ADA), the Federal Fair Housing Act, and the Air Carrier Access Act;
- Clarifying the ability of landlords, employers, and operators of places of public accommodation and transportation to determine the status of service animals;
- Clarifying the status of, and access rights for, service animals in training;
- Preventing the fraudulent misrepresentation of pets as service animals or service animals in training; and
- Providing “teeth” to improve enforcement of existing access laws.

The recommendations of the Advisory Committee address the unresolved issues but also recognize that some issues remain that deserve further consideration. The Advisory Committee came to a strong consensus on the need for public education on the rights of persons with disabilities using service animals and on the penalties, both criminal and civil, for failure to heed those rights. The Advisory Committee also worked to clarify and expand the protection and access rights of service animals in training. Further, the harm caused by persons fraudulently misrepresenting a pet as a service animal or service animal in training was a prime concern of the Advisory Committee and also an area where public education is needed. Finally, public education on the importance of controlling pets and other animals in the presence of service animals was discussed at length due to the potential for harm to service animals by uncontrolled dogs or other animals and the resultant harm to a person with a disability who depends upon his or her service animal for mobility and other assistance.

Excerpts from the *Nevada Revised Statutes* (NRS) related to service animals are attached for easy reference.

GENERAL RECOMMENDATIONS

1. Adopt a resolution of the Legislature: (a) stating the need for increased public awareness of the importance of service animals and service animals in training to persons with disabilities; (b) stating the need for increased public recognition of the rights of service animal users; (c) educating the public about the harm caused by fraudulently misrepresenting pets as service animals and by pet owners failing to control their animals in the presence of a service animal; (d) educating the public concerning the criminal penalties and civil liability for interference with, harming or killing a service animal or service animal in training, or for allowing an animal to interfere with, injure, or kill a service animal or service animal in training; and (e) educating the public about the importance of keeping pet dogs on a leash or appropriately controlled.
2. Send a letter to the chambers of commerce, local government organizations, and local city and county governments: (a) stating the need for increased public awareness of the importance of service animals and service animals in training to persons with disabilities; (b) asking chambers of commerce and local government organizations to provide training to their memberships on the rights of persons with disabilities with service animals to access to public accommodations and public transportation; (c) asking chambers of commerce and local governments to provide training on the rights of persons with disabilities with service animals to nondiscrimination in employment; (d) alerting these entities to the importance of pet owners controlling their animals, including leashing of dogs, and the importance of enforcing existing local ordinances related to animal control; and (e) advising them of the jurisdiction of the Nevada Equal Rights Commission over the resolution of complaints of unlawful discriminatory practices related to housing, employment, and public accommodations.
3. Send a letter to local law enforcement agencies: (a) stating the need for increased public awareness of the importance of service animals and service animals in training to persons with disabilities; (b) asking law enforcement agencies to provide training on the rights of persons with disabilities with service animals to access to public accommodations and public transportation; (c) advising them of the jurisdiction of the Nevada Equal Rights Commission over the resolution of complaints of unlawful discriminatory practices related to housing, employment, and public accommodations; (d) alerting the agencies to the importance of pet owners controlling their animals, including leashing of dogs, and the importance of enforcing existing local ordinances related to animal control; and (e) providing information about the criminal penalties and civil liability for interfering with, harming, or killing a service animal or service animal in training, and for fraudulent misrepresentation of pets as service animals.

4. Adopt a resolution of the Legislature designating a Service Animal Recognition Day in Nevada to heighten public awareness and provide opportunities for educating the public on the subject of service animals. Further, identify and designate an appropriate agency or organization to be responsible for organizing and commemorating the day on an annual basis.
5. Send a letter OR adopt a legislative resolution urging the Nevada Equal Rights Commission to: (a) recognize the importance of access for service animal users and persons training service animals; (b) recognize the difficulties faced by such persons in resolving disputes with employers, landlords, and operators of places of public accommodation; (c) provide timely review and resolution of such complaints by the Commission; and (d) acknowledge the jurisdiction of the Commission as set forth in Chapter 233 of the NRS to accept, investigate, and resolve complaints of unlawful discriminatory practices in housing, employment, and public accommodations.
6. Send a letter to statewide law enforcement organizations, including the Peace Officer Standards Training (POST) Commission (NRS 289.490), directing law enforcement organizations to provide training on: (a) the rights of persons with disabilities to be accompanied by service animals and of persons training service animals; (b) the criminal penalties associated with violation of those rights; (c) the criminal penalties for interfering with, injuring, or killing a service animal or service animal in training; (d) the harm caused by persons fraudulently misrepresenting pets as service animals and by failing to control their animals in the presence of a service animal or service animal in training; (e) the relevancy and importance of state law (e.g., NRS 202.500 and 575.020) and local ordinances in controlling pets and other animals to avoiding interference with or harm to service animals and service animals in training; and (f) advising them of the jurisdiction of the Nevada Equal Rights Commission over the resolution of complaints of unlawful discriminatory practices related to housing, employment, and public accommodations.
7. Send a letter to the Nevada Association of Counties, the Nevada League of Cities and Municipalities, and the counties and cities, advising them of the issues related to service animals and service animals in training, and requesting renewed commitments to the enforcement of local leash laws in their respective jurisdictions with the intent of reducing or avoiding dog or other animal attacks on service animals, or, if the jurisdiction does not have a leash law, requesting that such a law be enacted.
8. Send a letter to the McCarran International and Reno-Tahoe International Airports, as applicable, advising them that their signage related to service animals may be out of date and impermissibly restrictive.
9. Add a statement in the final report of the Committee urging the serious consideration of adding criminal penalties for the violation of access and other rights of persons with disabilities with service animals and, to the extent feasible, to persons training

service animals. The Advisory Committee believes that criminal penalties are a means of giving “teeth” to the laws protecting persons with disabilities with service animals and persons training service animals, and a way to provide more options for resolution of conflicts between persons with service animals or service animals in training and those who would deny them access or opportunities. Further, the Advisory Committee believes that there is good cause and a great need for special treatment for persons with disabilities using service animals due to their unique vulnerability and dependence on service animals for independence and mobility and the entrenched resistance of some employers, landlords, and the owners/operators of places of public accommodation and public transportation to facilitating and accepting the use of service animals by persons with disabilities.

DEFINITIONS RELATING TO SERVICE ANIMALS

10. Amend the NRS by repealing or amending provisions that inappropriately refer to persons as “the blind” or “the deaf” and amend NRS 613.330, 651.075, 704.145, and 706.366, to replace the references to “visual, aural, or physical disabilities” and “visual or aural disabilities” with “persons with disabilities.”
11. Repeal the references in NRS to the use of blaze orange leashes. Further clarify that repeal of the references to blaze orange leashes shall not remove or lessen any rights of persons with disabilities.
12. Amend NRS 426.510 to require pedestrians to grant the right of way to persons with visible or obvious disabilities, including but not limited to persons using an aid or appliance, such as a wheelchair or cane, or accompanied by a service animal.

ACCESS

13. Amend subsection 2 of NRS 651.075 to clarify that, consistent with the ADA, the operator of a public accommodation may ask if an animal is a service animal and what tasks the animal performs to assist the person with a disability.
14. Amend the NRS to allow the exclusion of service animals and service animals in training from public accommodations, in conformance with the ADA, when: (a) the animal is out of control and the owner does not take effective action to control it; or (b) the animal poses a direct threat to the health and safety of others.
15. Amend the NRS to clarify that a landlord may require evidence from a person with a disability using a service animal, in conformance with the Fair Housing Act of 1968, 42 U.S.C. §§ 3601 et seq., which may include questions as to: (a) the person’s need for the service animal; and (b) the proper training of the service animal.

16. Amend the NRS to prohibit requesting or demanding a deposit from a person with a disability using a service animal, and to prohibit requesting or demanding a fee or a deposit from a person training a service animal, as a condition of accessing public transportation.

CRIMINAL PENALTIES

17. Amend Chapter 426 of the NRS to make it a gross misdemeanor to fraudulently misrepresent an animal as a service animal or a service animal in training and provide for a greater penalty (Category E felony) for a second and subsequent offense.
18. Amend the NRS to authorize immediate impoundment of any dog or other animal alleged to have injured or killed a service animal until the appropriate legal processes involving the incident have been commenced and the trier of fact or other appropriate authority has determined the penalties or conditions of release, if any, for the impounded animal. Further, consider including service animals in training.
19. Amend the NRS to make it a misdemeanor to unlawfully request or demand documentation or proof of a service animal's status as a condition of access to a public accommodation by a person with a disability with a service animal, consistent with the ADA as set forth in Recommendation 13. < >
20. Amend Chapter 426 (including NRS 426.790 and 426.810) to provide authority for the imposition of additional penalties for owners of dogs or other animals that interfere with, injure, or kill a service animal, including but not limited to requiring obedience training, limitations on activities and handling of the animal, and similar means designed to prevent further incidents involving service animals.
21. Amend NRS 426.790 or 426.810, as needed, to provide that the restitution requirements in NRS 426.810(3) also apply to persons found guilty of violating the provisions of NRS 426.790.
22. Amend NRS 426.790 or 426.820, as needed, to provide that the civil liability provided for by NRS 426.820 also applies to persons found guilty of violating the provisions of NRS 426.790.
23. Amend NRS 426.790 to add "other animals" after "dog" in the prohibition against interfering with, beating, or killing a service animal.
24. Amend NRS 202.500 and/or NRS 575.020 to reference Chapter 426, if appropriate, to ensure consistency with the criminal penalties and remedies in Chapter 426 for interfering with, injuring, or killing a service animal or service animal in training.

Further, include injuring or attacking service animals and service animals in training in NRS 202.500 in the definition/determination of dangerous dog, as appropriate.

CIVIL LIABILITY

Note: As defined in NRS 426.820, civil liability includes actual damages, punitive damages of at least \$750, and reasonable attorney's fees, as determined by the court.

Public Accommodation

25. Amend the NRS to provide civil liability for persons who request or demand a deposit from a person with a disability using a service animal, as a condition of access to a place of public accommodation.
26. Amend the NRS to specifically prohibit places of public accommodation from segregating a person with a disability with a service animal within a place of public accommodation and further amend the NRS to provide civil liability for violation of this statute.
27. Amend the NRS to provide civil liability for persons who unlawfully request or demand documentation or proof of a service animal's status as a condition of access to a public accommodation by a person with a disability with a service animal.

Public Transportation

28. Amend the NRS to impose civil liability on persons who unlawfully deny access to public transportation, to a person with a disability with a service animal or a person training a service animal, or who violate any other provision of NRS 704.145 and 706.366.
29. Amend the NRS to provide civil liability for persons who request or demand a fee or deposit from a person with a disability using a service animal, or a person training a service animal, as a condition of accessing public transportation.

Housing

30. Amend the NRS to impose civil liability on persons who unlawfully refuse to rent a dwelling to a person with a disability using a service animal.

SERVICE ANIMALS IN TRAINING

31. Amend the NRS to provide for service animal in training identification tags (modeled after California Food and Agriculture Code § 30850 – Attachment A); including a statement that obtaining such tags is voluntary but that applications for such tags shall include an affidavit, signed under penalty of perjury, acknowledging the penalties for fraudulent misrepresentation of a pet as a service animal in training and the receipt of information related to service animals and service animals in training. Further, the person applying for such a tag shall be provided information on the statutes, duties, rights, and obligations relating to the use of service animals and service animals in training, and information on the resources and organizations available to assist persons training service animals.
32. Amend the NRS to require a person with a service animal in training, upon request in designated situations (employment – if applicable, public accommodation, and transportation) to provide credible evidence of his or her expertise or training for such task, or evidence that the training, which may include the socialization process, is taking place under the auspices of an accredited or recognized training organization or school.
33. Amend the NRS to prohibit charging an additional fee or a deposit to a person training a service animal, as a condition of access to a place of public accommodation, and further provide civil liability for persons who violate this provision.
34. Amend NRS 613.330 to permit an employee who is training a service animal to be accompanied at work by a service animal in training provided that the presence of the animal does not pose a threat to the health or safety of others or does not constitute an undue burden on the employer or require a fundamental alteration to the place of employment or the business of the employer.
35. Further, amend NRS 426.790 to provide criminal penalties for a person who allows their dog (or other animal) to interfere with a service animal in training or who beats or kills a service animal in training.

SCHOOLS RELATED TO SERVICE ANIMALS

36. Send a letter to the Commission on Postsecondary Education (NRS 394.383) asking the Commission to consider whether schools or programs for trainers of service animals are subject to the licensing requirements in NRS 394.415 and, if so, to monitor the licensing of such schools.
37. Repeal the provisions in the NRS that reference schools for guide dogs, hearing dogs, and helping dogs, and further delete any references to such schools being approved by Nevada's Department of Employment, Training and Rehabilitation.

California Food and Agriculture Code

§ 30850. Application for assistance dog identification tag; endorsement of tag number; affidavit; death or retirement of dog

(a) The county clerk or animal control department shall endorse upon the application for an **assistance dog identification tag** the number of the identification tag issued. As used in this chapter, "assistance dogs" are dogs specially trained as guide dogs, signal dogs, or service dogs. All applications that have been endorsed shall be kept on file in the office of the county clerk or animal control department and shall be open to public inspection.

(b) Whenever a person applies for an **assistance dog identification tag**, the person shall sign an affidavit stating as follows:

“By affixing my signature to this affidavit, I hereby declare I fully understand that Section 365.7 of the Penal Code prohibits any person to knowingly and fraudulently represent himself or herself, through verbal or written notice, to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide dog, signal dog, or service dog, as defined in subdivisions (d), (e), and (f), respectively, of Section 365.5 of the Penal Code and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code, and that a violation of Section 365.7 of the Penal Code is a misdemeanor, punishable by imprisonment in a county jail not exceeding six months, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.”

(c) Upon the death or retirement of an assistance dog, the owner or person in possession of the **assistance dog identification tag** shall immediately return the tag to the county clerk or animal control department that issued the tag.

NEVADA STATUTES REFERENCING SERVICE ANIMALS – 2004

NRS 118.105 Refusal to rent dwelling because of service animal prohibited.

1. A landlord may not refuse to rent a dwelling subject to the provisions of [chapter 118A of NRS](#) solely because a service animal will be residing with the prospective tenant in the dwelling.
 2. A landlord may require proof that an animal is a service animal. This requirement may be satisfied, without limitation, by exhibition of the identification card normally presented to a person with a disability upon his graduation from a school for guide dogs, school for hearing dogs, school for helping dogs or school for other service animals.
 3. As used in this section:
 - (a) “School for guide dogs” has the meaning ascribed to it in [NRS 426.085](#).
 - (b) “School for hearing dogs” has the meaning ascribed to it in [NRS 426.091](#).
 - (c) “School for helping dogs” has the meaning ascribed to it in [NRS 426.095](#).
 - (d) “Service animal” has the meaning ascribed to it in [NRS 426.097](#).
- (Added to NRS by 1977, 1347; A 1981, 1915; 1987, 824; 1991, 1021, 1981; 2003, [2975](#))

NRS 426.097 “Service animal” defined. “Service animal” means an animal that has been trained to assist or accommodate a person with a disability.

(Added to NRS by 1995, 1992; A 1999, [2515](#); 2003, [2630](#), [2974](#))

NRS 426.099 “Service animal in training” defined. “Service animal in training” means an animal that is being trained to assist or accommodate a person with a disability.

(Added to NRS by 2003, [2973](#))

NRS 426.510 Restrictions on use of service animal, blaze orange leash or white or metallic cane; duties of pedestrian; penalty.

1. Except as otherwise provided in subsections 2, 3 and 4, a person shall not:
 - (a) Use a service animal or a blaze orange leash; or
 - (b) Carry or use on any street or highway or in any other public place a cane or walking stick which is white or metallic in color, or white tipped with red.
2. A blind person may use a guide dog or other service animal, a blaze orange leash and a cane or walking stick which is white or metallic in color, or white tipped with red.
3. A deaf person may use a hearing dog or other service animal and a blaze orange leash.
4. A person with a physical disability may use a helping dog or other service animal and a blaze orange leash.
5. Any pedestrian who approaches or encounters a blind person using a guide dog or other service animal or carrying a cane or walking stick, white or metallic in color, or white tipped with red, shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the blind person.
6. Any person other than a blind person who:
 - (a) Uses a guide dog or other service animal or carries a cane or walking stick such as is described in this section, contrary to the provisions of this section;
 - (b) Fails to heed the approach of a person using a guide dog or other service animal or carrying such a cane as is described by this section;

(c) Fails to come to a stop upon approaching or coming in contact with a person so using a guide dog or other service animal or so carrying such a cane or walking stick; or

(d) Fails to take precaution against accident or injury to such a person after coming to a stop, ➤ as provided for in this section, is guilty of a misdemeanor.

7. Any person other than a blind person, deaf person or person with a physical disability who uses a blaze orange leash is guilty of a misdemeanor.

8. This section does not apply to any person who is instructing a blind person, deaf person or person with a physical disability or training a service animal.

(NRS A 1969, 511; 1981, 670, 1916; 1987, 823; 1995, 1992; 2003, [2630](#), [2974](#))

NRS 426.515 Failure to use cane, leash, dog or other service animal as evidence of contributory negligence in action against carrier or place of public accommodation. The failure of a:

1. Blind person to carry a white or metallic colored cane or to use a guide dog or other service animal or a blaze orange leash;

2. Deaf person to use a hearing dog or other service animal or a blaze orange leash; or

3. Person with a physical disability to use a helping dog or other service animal or a blaze orange leash,

➤ does not constitute contributory negligence per se, but may be admissible as evidence of contributory negligence in a personal injury action by that person against a common carrier or any other means of public conveyance or transportation or a place of public accommodation as defined by [NRS 651.050](#) when the injury arises from the blind person's, deaf person's or person with a physical disability's making use of the facilities or services offered by the carrier or place of public accommodation.

(Added to NRS by 1971, 807; A 1981, 1917; 1987, 824; 1995, 1993; 2003, [2631](#))

NRS 426.695 Operator of vending stand may keep guide dog or other service animal on premises. Blind persons who operate a vending stand pursuant to the provisions of [NRS 426.630](#) to [426.720](#), inclusive, may keep a guide dog or other service animal with them at all times on the premises where that vending stand is located.

(Added to NRS by 1973, 1496; A 1995, 1993)

NRS 426.790 Unlawfully interfering with or allowing dog to interfere with use of service animal; unlawfully beating or killing service animal; penalties.

1. A person shall not:

(a) Without legal justification, interfere with, or allow a dog he owns, harbors or controls to interfere with, the use of a service animal by obstructing, intimidating or otherwise jeopardizing the safety of the service animal or the person using the service animal.

(b) Willfully and maliciously beat a service animal.

(c) Willfully and maliciously kill a service animal.

2. A person who violates:

(a) Paragraph (a) of subsection 1 is guilty of a gross misdemeanor.

(b) Paragraph (b) of subsection 1 is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#).

(c) Paragraph (c) of subsection 1 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by 1981, 1916; A 1987, 824; 1995, 1993; 1999, [2516](#); 2001, [2891](#); 2003, [2975](#))

NRS 426.810 Allowing animal to injure or kill service animal or service animal in training unlawful; allowing animal to endanger or injure person accompanied by service animal or service animal in training unlawful; penalties.

1. It is unlawful for a person to allow any animal that he owns, harbors or controls to cause injury to or the death of any service animal or service animal in training, or to endanger or cause injury to a person who has a disability and is accompanied by a service animal or a person who trains service animals and is accompanied by a service animal in training.

2. Any person, including, without limitation, any firm, association or corporation, who violates the provisions of subsection 1:

(a) Is guilty of a misdemeanor and shall be punished by a fine of not more than \$500; and

(b) In addition to any criminal penalty that may be imposed, is civilly liable to the person against whom the violation was committed as provided in [NRS 426.820](#).

3. In addition to any other penalty, the court shall order a person convicted of a violation of subsection 1 to pay restitution to the person who has the disability or the person who has custody or ownership of the service animal or service animal in training for any veterinary bills, and for the replacement cost of the service animal or service animal in training if it was killed or disabled or has become mentally or physically unable to perform its duties. The restitution must cover all costs for aides, assistance, transportation and other hardships incurred during the absence, and until the replacement, of the service animal or service animal in training.

(Added to NRS by 2003, [2973](#))

NRS 426.820 Civil liability for allowing animal to injure or kill service animal or service animal in training; civil liability for allowing animal to endanger or injure person accompanied by service animal or service animal in training.

1. In addition to any criminal penalty that may be imposed, any person, including, without limitation, any firm, association or corporation, who violates the provisions of subsection 1 of [NRS 426.810](#) is civilly liable to the person against whom the violation was committed for:

(a) Actual damages;

(b) Such punitive damages as may be determined by a jury, or by a court sitting without a jury, which must not be more than three times the amount of actual damages, except that in no case may the punitive damages be less than \$750; and

(c) Reasonable attorney's fees as determined by the court.

2. The remedies provided in this section are nonexclusive and are in addition to any other remedy provided by law, including, without limitation, any action for injunctive or other equitable relief available to the aggrieved person or brought in the name of the people of this state or the United States.

(Added to NRS by 2003, [2973](#))

NRS 484.328 Right-of-way of blind person; penalty.

1. A blind person who is on foot and using a guide dog or other service animal or carrying a cane or walking stick white in color, or white tipped with red, has the right-of-way when entering or when on a highway, street or road of this state. Any driver of a vehicle who approaches or

encounters such a blind person shall yield the right-of-way, come to a full stop, if necessary, and take precautions before proceeding to avoid accident or injury to the blind person.

2. Any person who violates subsection 1 shall be punished by imprisonment in the county jail for not more than 6 months or by a fine of not less than \$100 nor more than \$500, or by both fine and imprisonment.

(Added to NRS by 1981, 669; A 1995, 1993)

NRS 574.615 “Pet” defined.

1. “Pet” means an animal that is kept by a person primarily for personal enjoyment.

2. The term does not include an animal that is kept by a person primarily for:

(a) Hunting;

(b) Use in connection with farming or agriculture;

(c) Breeding;

(d) Drawing heavy loads; or

(e) Use as a service animal or a service animal in training, as those terms are defined in [NRS 426.097](#) and [426.099](#), respectively.

(Added to NRS by 1997, 2554; A 2003, [2976](#))

NRS 613.330 Unlawful employment practices: Discrimination on basis of race, color, religion, sex, sexual orientation, age, disability or national origin; interference with aid or appliance for disability; refusal to permit service animal at place of employment.

1. Except as otherwise provided in [NRS 613.350](#), it is an unlawful employment practice for an employer:

(a) To fail or refuse to hire or to discharge any person, or otherwise to discriminate against any person with respect to his compensation, terms, conditions or privileges of employment, because of his race, color, religion, sex, sexual orientation, age, disability or national origin; or

(b) To limit, segregate or classify an employee in a way which would deprive or tend to deprive him of employment opportunities or otherwise adversely affect his status as an employee, because of his race, color, religion, sex, sexual orientation, age, disability or national origin.

2. It is an unlawful employment practice for an employment agency to:

(a) Fail or refuse to refer for employment, or otherwise to discriminate against, any person because of the race, color, religion, sex, sexual orientation, age, disability or national origin of that person; or

(b) Classify or refer for employment any person on the basis of the race, color, religion, sex, sexual orientation, age, disability or national origin of that person.

3. It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any person because of his race, color, religion, sex, sexual orientation, age, disability or national origin;

(b) To limit, segregate or classify its membership, or to classify or fail or refuse to refer for employment any person, in any way which would deprive or tend to deprive him of employment opportunities, or would limit his employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of his race, color, religion, sex, sexual orientation, age, disability or national origin; or

(c) To cause or attempt to cause an employer to discriminate against any person in violation of this section.

4. It is an unlawful employment practice for any employer, labor organization or joint labor-management committee controlling apprenticeship or other training or retraining, including, without limitation, on-the-job training programs, to discriminate against any person because of his race, color, religion, sex, sexual orientation, age, disability or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

5. It is an unlawful employment practice for any employer, employment agency, labor organization or joint labor-management committee to discriminate against a person with physical, aural or visual disabilities by interfering, directly or indirectly, with the use of an aid or appliance, including, without limitation, a service animal, by such a person.

6. It is an unlawful employment practice for an employer, directly or indirectly, to refuse to permit an employee with a visual or aural disability to keep his service animal with him at all times in his place of employment.

7. As used in this section, "service animal" has the meaning ascribed to it in [NRS 426.097](#).

(Added to NRS by 1965, 691; A 1967, 108; 1971, 1056; 1973, 981, 1497; 1981, 1300, 1920; 1991, 1024; 1995, 1993; 1999, [1938](#); 2003, [2976](#))

NRS 651.075 Rights, duties and liabilities of persons training or accompanied by service animal or police dog; unlawful acts; place of accommodation may require certain proof; unmuzzled service animal may not be presumed dangerous; person subject to same conditions and limitations as others.

1. It is unlawful for a place of public accommodation to:

(a) Refuse admittance or service to a person with a visual, aural or physical disability because he is accompanied by a service animal.

(b) Refuse admittance or service to a person training a service animal.

(c) Refuse to permit an employee of the place of public accommodation who is training a service animal to bring the service animal into:

(1) The place of public accommodation; or

(2) Any area within the place of public accommodation to which employees of the place of public accommodation have access, regardless of whether the area is open to the public.

(d) Refuse admittance or service to a person because he is accompanied by a police dog.

(e) Charge an additional fee for a service animal or a police dog.

2. A place of public accommodation may require proof that an animal is a service animal or that a person is training a service animal. This requirement may be satisfied, without limitation, by exhibition of the identification card normally presented to a trainer of a service animal or to a person with a visual, aural or physical disability upon his graduation from a school for guide dogs, school for hearing dogs, school for helping dogs or other school that is approved by the Rehabilitation Division of the Department of Employment, Training and Rehabilitation to train a service animal to provide a specialized service to a person with a disability.

3. A service animal may not be presumed dangerous by reason of the fact it is not muzzled.

4. This section does not relieve:

(a) A person with a disability who is accompanied by a service animal or a person who trains a service animal from liability for damage caused by the service animal.

(b) A person who is accompanied by a police dog from liability for damage caused by the police dog.

5. Persons with disabilities who are accompanied by service animals are subject to the same conditions and limitations that apply to persons who are not so disabled and accompanied.

6. Persons who are accompanied by police dogs are subject to the same conditions and limitations that apply to persons who are not so accompanied.

7. As used in this section:

(a) “Police dog” means a dog which is owned by a state or local governmental agency and which is used by a peace officer in performing his duties as a peace officer.

(b) “Service animal” has the meaning ascribed to it in [NRS 426.097](#).

(Added to NRS by 1969, 587; A 1971, 1058; 1973, 1499; 1981, 1921; 1987, 824; 1991, 1028; 1995, 1996; 1997, 74; 1999, [2519](#); 2003, [2637](#), [2977](#))

NRS 704.145 Unlawful to refuse service of public transportation or charge additional fee to certain persons accompanied by service animal.

1. It is unlawful for a common carrier or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a person with a visual, aural or physical disability because he is accompanied by a service animal;

(b) Refuse service to a person who is training a service animal because he is accompanied by the service animal; or

(c) Charge an additional fee for a service animal.

2. This section does not relieve a person with a visual, aural or physical disability who is accompanied by a service animal or a person who trains a service animal from liability for damage which may be caused by the service animal.

3. Persons with visual, aural or physical disabilities accompanied by service animals on common carriers or other means of public conveyance or transportation operating in this state are subject to the same conditions and limitations that apply to persons without disabilities who are not so accompanied.

4. As used in this section, “service animal” has the meaning ascribed to it in [NRS 426.097](#).

(Added to NRS by 1969, 587; A 1971, 1059; 1973, 1499; 1981, 1921; 1987, 825; 1995, 1996; 1997, 76; 2003, [2639](#), [2978](#))

NRS 706.366 Unlawful to refuse service of public transportation or charge additional fee to certain persons accompanied by service animal.

1. It is unlawful for a common motor carrier of passengers or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a person with a visual, aural or physical disability because he is accompanied by a service animal;

(b) Refuse service to a person who is training a service animal because he is accompanied by the service animal; or

(c) Charge an additional fee for a service animal.

2. This section does not relieve a person with a visual, aural or physical disability who is accompanied by a service animal or a person who trains a service animal from liability for damage which may be caused by the service animal.

3. Persons with visual, aural or physical disabilities accompanied by service animals on common motor carriers of passengers or other means of public conveyance or transportation operating in this state are subject to the same conditions and limitations that apply to persons without disabilities who are not so accompanied.

4. As used in this section, “service animal” has the meaning ascribed to it in [NRS 426.097](#).

(Added to NRS by 1971, 700; A 1971, 946; 1973, 1500; 1981, 1922; 1987, 825; 1995, 1997; 1997, 76; 2003, [2639](#), [2978](#))