

## Wyoming

### SUMMARY

The following statutes comprise Wyoming'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 graduated criminal penalties for interfering with, injuring, or killing a service animal. It is also a misdemeanor to misrepresent an untrained dog as a service animal.

1. Date last checked: September 2020
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#### **§ 35-13-201. Generally; service and assistance animals**

(a) Any blind, visually impaired, deaf, hearing impaired person or other person with a disability, subject to the conditions and limitations established by law and applicable alike to all persons:

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**i.** Has the same right as an able-bodied person to the full *and* free use of the streets, *highways*, sidewalks, walkways, public buildings, public facilities and other public places;

**ii.** Shall be afforded full and equal accommodations, advantages, facilities *and* privileges of any place of public accommodation and any other place to which the general public is invited; *and*

**iii.** Shall not be discriminated against in the leasing or rental of apartments *and* other private residential property because of his disability.

**b.** Any blind, visually impaired, deaf, hearing impaired person or other person with a disability may be accompanied by a service animal in any facility of a public entity *in* accordance with 28 C.F.R. 35.136 and any place of public accommodation in accordance with 28 C.F.R. 36.302(c).

**C.** A person shall not be discriminated against *in* the leasing or rental of residential property because the person has an assistance animal, which shall be permitted in leased or rented

residential property in accordance with the federal Fair Housing Act. The person shall be liable for any damage done by *his* assistance animal to the premises or facilities of the leased or rented residential property.

d. A public accommodation, or any agent or employee thereof, that permits a service *animal* or an animal believed in good faith to be a service animal *in* its place of public accommodation is not liable for any damage or injury caused by the animal.

Credits

**Laws 1967, ch. 32, § 1; Laws 1983, ch. 88, § 1; Laws 1987, ch. 213, § 1; Laws 1988, ch. 34, § 3; Laws 2001, ch. 170, § 2, eff. March 1, 2001; Laws 2017, ch. 133, § 1, eff. July 1, 2017.**

#### **§ 35-13-202. Drivers to take precautions; liability**

**The driver of a vehicle approaching a blind, partially blind, deaf or hearing impaired pedestrian carrying a cane predominantly white or chrome metallic *in color* or *using* a guide dog shall take all necessary precautions to avoid injury to the pedestrian. Any driver failing to take these precautions is liable in damages for any injury caused the pedestrian.**

**Laws 1967, ch. 32, § 2; Laws 1983, ch. 88, § 1; Laws 1988, ch. 34, § 3.**

#### **§ 35-13-203. Interfering with rights; misrepresentation of a service or assistance animal; penalties**

**(a) Any person denying or interfering with admittance to or enjoyment of any place or facility referenced in W.S. 35-13-201(a) through (c) or otherwise interfering with the rights of the *blind,***

partially blind, deaf, hearing impaired person or other person with a disability is guilty of a misdemeanor and may be fined not more than seven hundred fifty dollars (\$750.00).

(b) Any person who knowingly and intentionally misrepresents that an animal is a service animal or an assistance animal for the purpose of obtaining any of the rights or privileges set forth in this article is guilty of a misdemeanor and may be fined not more than seven hundred fifty dollars (\$750.00).

Credits

Laws 1967, ch. 32, § 3; Laws 1983, ch. 88, § 1; Laws 1988, ch. 34, § 3; Laws 2001, ch. 170, § 2, eff. March 1, 2001; Laws 2017, ch. 133, § 1, eff. July 1, 2017.

**§ 35-13-204. Additional provisions on use of service dogs; penalty**

a. Any blind, partially blind, deaf, hearing impaired person or other person with a disability who is a passenger on any common carrier, airplane, motor vehicle, railroad train, motor bus, boat or any other public conveyance operating within the state may have with him a service dog.

b. Any person violating this section is subject to a fine not to exceed seven hundred fifty dollars (\$750.00).

Laws 1971, ch. 8, § 1; Laws 1983, ch. 88, §§ 1, 2; Laws 1988, ch. 34, § 3; Laws 2001, ch. 170, § 2, eff. March 1, 2001.

**§ 35-13-205. Definitions**

(a) As used in this article:

i. Repealed by Laws 2017, ch. 133, § 2, eff. July 1, 2017.

ii. "Person with a disability" means an individual who has a mental or physical impairment which substantially limits one (1) or more major life activities;

iii. "Major life activities" means functions associated with the normal activities of independent daily living such as caring for one's self, performing manual tasks, walking, seeing, hearing or speaking.

iv. "Assistance animal" means an animal that works, provides assistance or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability;

v. "Place of public accommodation" means as defined in 28 C.F.R. 36.104;

vi. "Public accommodation" means as defined in 28 C.F.R. 36.104;

vii. "Public entity" means as defined in 28 C.F.R. 35.104;

Viii. "Service animal" means as defined in 28 C.F.R. 35.104 and 28 C.F.R. 36.104 and includes service miniature horses pursuant to 28 C.F.R. 35.136 and 28 C.F.R. 36.302(c).

#### Credits

Laws 2001, ch. 170, § 1, eff. March 1, 2001; Laws 2017, ch. 133, §§ 1, 2, eff. July 1, 2017.

### **§ 35-13-206. Injuring or killing a service or assistance animal prohibited; penalties**

a. Any person who knowingly, willfully and without lawful cause or justification inflicts, or permits or directs any animal under his control or ownership to inflict, serious bodily harm, permanent disability or death upon any service animal or assistance animal is guilty of a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both.

b. A court shall order a defendant convicted of an offense under subsection (a) of this section to make restitution to the owner of the service animal or assistance animal for:

i. Related veterinary or medical bills;

ii. The cost of replacing the service animal or assistance animal or retraining an injured service animal or assistance animal; and

iii. Any other expense reasonably incurred as a result of the offense.

#### Credits

Laws 2005, ch. 41, § 1, eff. July 1, 2005; Laws 2017, ch. 133, § 1, eff. July 1, 2017.

**Title 31. Motor Vehicles. Chapter 5. Regulation of Traffic on Highways. Article 6.  
Pedestrians' Rights and Duties**

**§ 31-5-611. Blind pedestrian right-of-way**

The driver of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.

**Credits**

Laws 1984, ch. 48, § 1.

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