

## Outline

- Update justification for the section
- Update definition of serious injury
- Change Vicious to Dangerous
- Create Tiers tied to the actions of the dog
- Create restrictions that vary by tiers
- Allow ACO's to make determinations
- Repurpose hearings for appeals and euthanasia decisions

## Current

## Recommended

### § 4-13.1-1. Declaration of purpose.

(a) It is declared that vicious dogs have become a serious and widespread threat to the safety and welfare of citizens of the state, in that vicious dogs have in recent years assaulted without provocation and ~~seriously injured numerous individuals, particularly children, and have killed numerous dogs.~~ Many of these attacks have occurred in public places.

(b) The number and severity of these attacks are also attributable to the failure of owners to register, confine, and properly control vicious dogs.

(c) It is further declared that the necessity for the regulation and control of vicious dogs is a statewide problem, requiring statewide regulation, and that existing laws are inadequate to deal with the threat to public health and safety posed by vicious dogs.

~~(d) It is further declared that the owning, keeping or harboring of vicious dogs is a nuisance.~~

(e) It is further declared that because of the danger posed to the public, health, safety and welfare by vicious dogs, this chapter constitutes an emergency measure providing for the immediate preservation of the public health, safety and welfare.

History of Section.

(P.L. 1985, ch. 400, § 1.)

### § 4-13.1-1. Declaration of purpose.

(a) It is declared that dangerous dogs can present a serious and widespread threat to the safety and welfare of citizens of the state, in that dangerous dogs have in recent years assaulted without provocation numerous individuals and other domestic animals. Many of these attacks have occurred in public places.

(b) The number and severity of these attacks are also attributable to the failure of owners to register, confine, and properly control dangerous dogs.

(c) It is further declared that the necessity for the regulation and control of dangerous dogs is a statewide problem, requiring statewide regulation, and that existing laws are inadequate to deal with the threat to public health and safety posed by dangerous dogs.

(d) It is further declared that because of the danger posed to the public, health, safety and welfare by dangerous dogs, this chapter constitutes an emergency measure providing for the immediate preservation of the public health, safety and welfare.

History of Section.

(P.L. 1985, ch. 400, § 1.)

## Current

### § 4-13.1-2. Definitions.

As used in §§ 4-13.1-1 – 4-13.1-14, the following words and terms shall have the following meanings, unless the context indicates another or different meaning or intent:

(1) "Dog officer" means any person defined by the provisions of chapter 19 of this title.

~~(2) "Domestic animals" means animals that, through extremely long association with humans, have been bred to a degree that has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species. Such animals may include, but are not limited to:~~

~~(i) Domestic dog (*Canis familiaris*);~~

~~(ii) Domestic cat (*Felis catus*);~~

~~(iii) Domestic horse (*Equus caballus*);~~

~~(iv) Domestic ass, burro, and donkey (*Equus asinus*);~~

~~(v) Domestic cattle (*Bos taurus* and *Bos indicus*);~~

~~(vi) Domestic sheep (*Ovis aries*);~~

~~(vii) Domestic goat (*Capra hircus*);~~

~~(viii) Domestic swine (*Sus scrofa domestica*);~~

~~(ix) Llama (*Lama lama*);~~

~~(x) Alpaca (*Lama pacos*);~~

~~(xi) Camels (*Camelus bactrianus* and *Camelus dromedarius*);~~

~~(xii) Domestic races of European rabbit (*Oryctolagus cuniculus*);~~

~~(xiii) Domestic races of chickens (*Gallus gallus*);~~

~~(xiv) Domestic races of duck and geese (*Anatidae*) morphologically distinguishable from wild birds;~~

~~(xv) Domestic races of guinea fowl (*Numida meleagris*);~~

~~(xvi) Domestic races of peafowl (*Pavo cristatus*).~~

(3) "Enclosed area" means an area surrounded by a fence that will prevent the dog from leaving the owner's property.

## Recommended

### § 4-13.1-2. Definitions.

As used in §§ 4-13.1-1 – 4-13.1-14, the following words and terms shall have the following meanings, unless the context indicates another or different meaning or intent:

(1) "Authorized entity" means any entity authorized by the provisions of this chapter to declare a dog is dangerous.

(2) "Dog officer" or "animal-control officer" means any person employed, contracted, or appointed by the state, or any political subdivision of the state, for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing of dogs, cats, or other animals; the control of dogs, cats, or other animals; or the seizure and impoundment of dogs, cats, or other animals and includes any state or municipal peace officer, animal-control officer, sheriff, constable, or other employee whose duties, in whole or in part, include assignments that involve the seizure or taking into custody of any dog, cat, or other animal.

(3) "Domestic mammals" means mammals that, through extremely long association with humans, have been bred to a degree that has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species.

(4) "Domestic poultry" means species of birds that are commonly raised in captivity for the production of meat or eggs.

(5) "Enclosed area" means an area that has been inspected and approved by the Animal Control Officer or Police Department for the purpose of housing a dog that is determined to be dangerous. The enclosed area must be surrounded by a physical barrier that will prevent the dog from leaving the owner's property.

(6) "Enclosure" means a fence or structure of at least six feet (6') in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a dangerous dog in

## Current

(4) "Enclosure" means a fence or structure of at least six feet (6') in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure.

(5) "Guardian" shall mean a person(s) having the same rights and responsibilities of an owner and both terms shall be used interchangeably. A guardian shall also mean a person who possesses; has title to or an interest in, harbors; or has control, custody, or possession of an animal and who is responsible for an animal's safety and well-being.

(6) "Impounded" means taken into the custody of the public pound in the city or town where the vicious dog is found.

(7) "Leash" means a rope, cable, nylon strap, or other means attached to the dog that will provide the owner with control of the dog.

(8) "Muzzle" means a device that shall not cause injury to the dog or interfere with its vision or respiration but shall prevent the dog from biting a person or animal.

(9) "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, or trust.

(10) "Serious injury" means any physical injury consisting of a broken bone(s) or permanently disfiguring lacerations requiring stitches, multiple stitches or sutures, or cosmetic surgery.

(11) "Tie-out" means a cable, rope, light-weight chain, or other means attached to the dog that will prevent the dog from leaving the owner's property.

(12) "Vicious dog" means:

(i) Any dog that, when unprovoked, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

## Recommended

in conjunction with other measures that may be taken by the owner or guardian, such as tethering of the dangerous dog. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure.

(7) "Guardian" shall mean a person(s) having the same rights and responsibilities of an owner and both terms shall be used interchangeably. A guardian shall also mean a person who possesses; has title to or an interest in, harbors; or has control, custody, or possession of an animal and who is responsible for an animal's safety and well-being.

(8) "Impounded" means taken into the custody of the public pound in the city or town where the Dangerous dog is found.

(9) "Leash" means a rope, cable, nylon strap, or other means attached to the dog that will provide the owner with control of the dog.

(10) "Muzzle" means a device that shall not cause injury to the dog or interfere with its vision or respiration but shall prevent the dog from biting a person or animal.

(11) "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, or trust.

(12) "Serious injury" means any physical injury, to a person or domestic mammal directly resulting in broken bone(s), lacerations requiring stitches or cosmetic surgery, protracted loss or impairment of a body part or organ, or death.

(13) "Tie-out" means a cable or light-weight chain, or other means attached to the dog that will prevent the dog from leaving the owner's property which complies with RIGL 4-13-42.

(14) "Tier 1 dangerous dog" means:

(i) Any dog that bites, attacks or kills domestic poultry.

(ii) Any dog that engages in any behavior that requires a defensive action by a human to avoid injury

(iii) Any dog that bites a person without causing a break of the skin.

(15) "Tier 2 dangerous dog" means:

## Current

- (ii) Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to otherwise endanger the safety of human beings or domestic animals;
- (iii) Any dog that bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal without provocation on public or private property; or
- (iv) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting that is deemed vicious after it has been properly assessed by the Rhode Island Society for the Prevention of Cruelty to Animals (RISPCA) pursuant to the provisions of § 4-13.1-5(d).

Notwithstanding the definition of a vicious dog in subsection (12), no dog may be declared vicious in accordance with § 4-13.1-11 if an injury or damage is sustained by a person who, at the time that injury or damage was sustained, was committing a trespass or other tort upon premises occupied by the owner or keeper of the dog; or was teasing, tormenting, provoking, abusing, or assaulting the dog; or was committing, or attempting to commit, a crime; or until the society for the prevention of cruelty to animals has an opportunity to assess the dog pursuant to the provisions of § 4-13.1-5(d).

(v) No dog may be declared vicious if an injury or damage was sustained by a domestic animal which, at the time that injury or damage was sustained, was teasing, tormenting, provoking, abusing, or assaulting the dog. No dog may be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

### History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2001, ch. 72, § 5; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1; P.L. 2015, ch. 160, § 1; P.L. 2015, ch. 183, § 1.)

## Recommended

(i) Any dog that bites, a human or domestic mammal whether it be a single bite, or multiple bites that puncture the skin, not resulting in serious injury.

(16) "Tier 3 dangerous dog" means:

- (i) Any dog that bites a human or domestic mammal multiple times, or
- (ii) Any dog that bites a human or domestic animal resulting in serious injury as defined under RIGL 4-13-1-2(10) or
- (iii) Any dog that bites a human or domestic animal or attacks resulting in the victim being killed, whether the victim of the bite is human or domestic mammal.

### History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2001, ch. 72, § 5; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1; P.L. 2015, ch. 160, § 1; P.L. 2015, ch. 183, § 1.)

## Current

### § 4-13.1-3. Requirements for registration.

(a) No dog that has been declared vicious shall be licensed by any city or town for any licensing period commencing after April 1986, unless the owner or keeper of that dog that has been declared vicious meets any or all of the following requirements as may be imposed by the hearing panel:

(1) A panel convened pursuant to § 4-13.1-11 of this chapter and/or a judge of the district court may require the owner or keeper to present to the city or town clerk or other licensing authority proof that the owner or keeper has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000), covering any damage or injury which may be caused by the vicious dog during the twelve (12) month period for which licensing is sought, which policy contains a provision requiring the city or town to be named as additional insured for the sole purpose of the city or town clerk or other licensing authority where that dog is licensed to be notified by the insurance company of any cancellation, termination or expiration of the liability insurance policy.

(2) The owner or keeper shall, at his or her own expense, have the licensing number assigned to the vicious dog, or any other identification number that the city or town clerk or other licensing authority determines, tattooed upon the vicious dog by a licensed veterinarian or person trained as a tattooist and authorized a licensed veterinarian or tattooist by any state, city or town police department. The tattoo shall be placed on the upper inner left rear thigh of the vicious dog. The dog officer may, in his or her discretion, designate the particular location of the tattoo. The licensing number shall be noted on the city or town licensing files for the vicious dog, if it is different from the license number of the vicious dog. For the purposes of this section, tattoo shall be defined as any permanent numbering of a vicious dog by means of indelible or permanent ink with the number designated by the licensing authority, or any other permanent, acceptable method of tattooing. A microchip may be

## Recommended

### § 4-13.1-3. Requirements control of dangerous dogs.

Any dog that has been declared dangerous (Tier 1, Tier 2, or Tier3) under this chapter shall meet the following requirements as may be imposed by any entity duly authorized by this chapter to declare a dog dangerous:

(1) Dogs that have been declared Tier 1 dangerous:

(a) The owner or guardian shall, at his or her own expense, have the dog, microchipped with a microchip that has been approved for use in dogs. The microchip number is to be recorded on the dog's license at the time of license issuance. The dog's license is to clearly indicate that the dog has been declared dangerous.

(b) The owner or guardian shall notify the police department or the animal control officer immediately if a dangerous dog is on the loose, is unconfined, has attacked another animal or has attacked a human being, or has died.

(c) The dog must be spayed or neutered unless a licensed veterinarian states in writing that the procedure would threaten the life of the dog.

(d) If the dog is off the owner's property, the dog must be on a leash held by a person over 18 years of age, or if not restrained by a leash, must be confined to an enclosed area on private property. The dog is prohibited from being off leash on public property or on private property that has unrestricted public access.

(e) If the dog is outside on the owner's property, the dog must be confined in an enclosed area; or, on a leash; or, on a tie-out.

(f) If an owner or guardian changes their residence to a different municipality within the state, he or she shall notify the animal control officer or police department of the city or town in which he/she resides and the animal control officer or police department of the city or town in which he or she relocating to. All conditions imposed by the authorized entity in the municipality the dog is being moved from must be adhered to in the municipality the dog is being moved to.

## Current

used in lieu of a tattoo. Each city or town shall affix a two (2) letter prefix to the identification number in order to identify the particular city or town where the dog was initially licensed.

(3) The owner or keeper shall display a sign on his or her premises warning that there is a vicious dog on the premises. The sign shall be visible and capable of being read from the public highway.

(4) The owner or keeper shall sign a statement attesting that:

(i) The owner or keeper shall maintain and not voluntarily cancel the liability insurance required by this section during the twelve (12) month period for which licensing is sought, unless the owner or keeper ceases to own or keep the vicious dog prior to expiration of the license.

(ii) The owner or keeper shall have an enclosure for the vicious dog on the property where the vicious dog will be kept or maintained.

(iii) The owner or keeper shall notify the police department or the dog officer within two (2) hours if a vicious dog is on the loose, is unconfined, has attacked another animal or has attacked a human being, or has died.

(5) When the dog is off the owner's property, it shall be on a leash and/or muzzled.

(6) When the dog is outdoors on the owner's property, it must be on a leash and/or muzzled, or tie-out, or in an enclosed area which prevents its escape.

(b) A dog officer is empowered to make whatever inquiry is deemed necessary to ensure compliance with this chapter, and any dog officer is empowered to seize and impound any vicious dog whose owner or keeper fails to comply with this chapter.

(c) In the event that the owner or keeper of the dog refuses to surrender the animal to the dog officer, the dog officer may request a police officer to obtain a search warrant from a justice of the district court and to seize the dog upon execution of the warrant.

(d) A dog must be spayed or neutered unless a licensed veterinarian states in writing that the procedure would threaten the life of the dog.

## Recommended

(g) The owner of the dangerous dog shall be permitted to sell, give away, or otherwise lawfully transfer the ownership of a Tier-1 dangerous dog, however, the owner must provide the name, address and telephone number of the new owner to the Animal Control Officer in the jurisdiction where the dog was declared dangerous and to the Animal Control Officer in the municipality where the dog will reside, prior to transferring custody of the dog. All requirements imposed upon the original owner under this section will apply to the new owner.

### (2) Tier 2 dangerous:

In addition to all Tier 1 requirements, the following shall apply:

(a) Any time the dog that has been determined to be Tier 2 dangerous is removed from or is otherwise not kept on the owner's property, the dog must be muzzled and be on a leash that is being held by a person over 18 years of age, who is capable of physically controlling the dog.

(b) The owner or guardian shall display a sign on his or her premises warning that there is a dangerous dog on the premises. The sign shall be visible and capable of being read from the public highway. The sign must say "Warning: Dangerous Dog on this Premises."

### (3) Tier 3 dangerous:

In addition to the requirements of Tier 1 and 2, all of the following requirements shall be imposed.

(a) The owner or guardian must present to the city or town clerk or other licensing authority proof that the owner or guardian has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000), covering any damage or injury which may be caused by the Dangerous dog during the twelve (12) month period for which licensing is sought, which policy contains a provision requiring the city or town to be named as additional insured for the sole purpose of the city or town clerk or other licensing authority where that dog is licensed to be notified by the insurance company of

## Current

(e) If an owner or keeper moves, he or she shall notify the dog officer of the city or town in which he/she resides and the dog officer of the city or town in which he or she is to reside.

(f) An owner or keeper may leave a dog under the care and control of someone over the age of sixteen (16) years.

(g) It shall be unlawful for the owner or keeper to sell or give away any dog declared vicious.

### History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1.)

## Recommended

any cancellation, termination or expiration of the liability insurance policy. The owner or guardian shall maintain and not voluntarily cancel the liability insurance required by this section during the twelve (12) month period for which licensing is sought, unless the owner or guardian ceases to own or keep the Dangerous dog prior to expiration of the license.

(b) The dog shall be confined in an enclosure, as defined under RIGL 4-13.1-2(4), when outdoors on the owner's property.

~~(c) If an owner or guardian changes their residence to a different municipality within the state, he or she shall notify the animal control officer of the city or town in which he/she resides and the animal control officer of the city or town in which he or she is relocating to. The owner must present the dog license issued by the municipality that the dog is being moved from to the animal control officer of the municipality that the dog is being moved to prior to the animal being moved. All conditions imposed by the authorized entity in the municipality the dog is being moved from must be adhered to in the municipality the dog is being moved to.~~

(d) The owner shall not be permitted to sell, give away, or otherwise transfer ownership of the dog.

(e) It is unlawful for any owner or guardian to allow any Tier 3 dangerous dog to be outside of the dwelling of the owner or guardian or outside of the enclosure unless it is necessary for the owner or guardian to obtain veterinary care for the dangerous dog or to comply with commands or directions of the animal control officer. In this event, the dangerous dog shall be securely muzzled and restrained with a leash or chain having a minimum tensile strength of three hundred (300) pounds and not exceeding three feet (3') in length, and shall be under the direct control and supervision of the owner or guardian of the dangerous dog.

4. An animal control officer is empowered to make whatever inquiry is deemed necessary to ensure compliance with this chapter, and any

**Current**

**Recommended**

	<p>dog officer is empowered to seize and impound any Dangerous dog whose owner or guardian fails to comply with this chapter.</p> <p>5. In the event that the owner or guardian of the dog refuses to surrender the animal to the animal control officer upon any lawful order by the animal control officer to the owner or guardian of the dog to surrender the animal, the animal control officer may request a police officer to obtain a search warrant from a justice of the district court and to seize the dog upon execution of the warrant.</p> <p>6. An owner or guardian may leave a dog under the care and control of someone over the age of eighteen (18) years.</p> <p>History of Section. (P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1.)</p>
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### § 4-13.1-4. Control of vicious dogs.

(a) All dogs that have been declared vicious shall be confined in an enclosure. It is unlawful for any owner or keeper to maintain a dog that has been declared vicious upon any premises which does not have a locked enclosure.

(b) It is unlawful for any owner or keeper to allow any vicious dog to be outside of the dwelling of the owner or keeper or outside of the enclosure unless it is necessary for the owner or keeper to obtain veterinary care for the vicious dog or to comply with commands or directions of the dog officer with respect to the vicious dog, or to comply with the provisions of § 4-13.1-3(a)(1) or (a)(2). In this event, the vicious dog shall be securely muzzled and restrained with a leash or chain having a minimum tensile strength of three hundred (300) pounds and not exceeding three feet (3') in length, and shall be under the direct control and supervision of the owner or keeper of the vicious dog.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1.)

## Recommended

### § 4-13.1-4. Control of Dangerous dogs.

(Repealed)

## Current

## Recommended

**§ 4-13.1-5. Harboring dogs for dog fighting – Training dogs to attack humans – Selling, breeding, or buying dogs.**

(a) No person shall own or harbor any dog for the purpose of dog fighting; or train, torment, badger, bait, or use any dog for the purpose of causing or encouraging the dog to unprovoked attacks upon human beings or domestic animals.

(b) No person shall possess with intent to sell, or offer for sale, breed, or buy, or attempt to buy, within the state any vicious dog.

(c) Any dog described in subsection (a) or (b) of this section lawfully seized by a sheriff, deputy sheriff, constable, police officer, agent or officer of the Rhode Island Society for the Prevention of Cruelty to Animals shall be placed in the care of the RISPCA pursuant to the provisions of § 4-1-22 – § 4-1-31.

(d) The RISPCA shall utilize a timely process to determine the disposition of the dog and provide for prompt transfer to an appropriate rescue organization or adoptive home with humane euthanization occurring only if the dog's medical and/or behavioral condition warrants such action or it is determined, after reasonable time and effort have been expended, that no appropriate placement for the dog exists.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 2015, ch. 160, § 1; P.L. 2015, ch. 183, § 1.)

**4-13.1-5. Harboring dogs for dog fighting-Training dogs to attack humans-Selling, breeding, or buying dogs.**

(Repealed)

## Current

### **§ 4-13.1-7. Action for damages – Destruction of offending vicious dog.**

If any dog declared vicious under § 4-13.1-11, when unprovoked, kills or wounds, or assists in killing or wounding, any domestic animal, belonging to or in the possession of any person, or, when unprovoked, attacks, assaults, bites, or otherwise injures any human being or assists in attacking, assaulting, biting or otherwise injuring any human being while out of or within the enclosure of the owner or keeper of the vicious dog, or while otherwise on or off the property of the owner or keeper whether or not the vicious dog was on a leash and securely muzzled or whether the vicious dog escaped without fault of the owner or keeper, the owner or keeper of the dog may be liable to the person aggrieved for all damage sustained, to be recovered in a civil action, with costs of suit. It is rebuttably presumed as a matter of law that the owning, keeping, or harboring of a dog that has been declared vicious in violation of this chapter is a nuisance. It shall not be necessary, in order to sustain any action, to prove that the owner or keeper of a dog that has been declared vicious knew that the dog that has been declared vicious possessed the propensity to cause this damage or that the dog had a vicious nature.

#### History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1.)

## Recommended

### **4-13.1-7. Action for damages caused by dangerous dogs.**

If any dog declared dangerous under § 4-13.1-11, when unprovoked, kills or wounds, or assists in killing or wounding, any domestic mammal or poultry, belonging to or in the possession of any person, or, when unprovoked, attacks, assaults, bites, or otherwise injures any human being or assists in attacking, assaulting, biting or otherwise injuring any human being while out of or within the enclosure of the owner or guardian of the dangerous dog, or while otherwise on or off the property of the owner or guardian whether or not the dangerous dog was on a leash and securely muzzled or whether the dangerous dog escaped without fault of the owner or guardian, the owner or guardian of the dog may be liable to the person aggrieved for all damage sustained, to be recovered in a civil action, with costs of suit. It is rebuttably presumed as a matter of law that the owning, keeping, or harboring of a dog that has been declared dangerous in violation of this chapter is a nuisance. It shall not be necessary, in order to sustain any action, to prove that the owner or guardian of a dog that has been declared dangerous knew that the dog that has been declared dangerous possessed the propensity to cause this damage or that the dog had a dangerous nature.

#### History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1.)

**Current**

**Recommended**

**§ 4-13.1-8. Exemptions.**

(a) Sections 4-13.1-3 – 4-13.1-7 shall not apply to kennels licensed in accordance with the provisions of this chapter or chapter 19 of this title.

(b) This chapter shall not apply to K-9 or other dogs owned by any police department or any law enforcement officer which are used in the performance of police work.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1.)

**§ 4-13.1-8. Exemptions.**

(a) This chapter shall not apply to K-9 or other dogs owned by any police department or any law enforcement officer which are used in the performance of police work.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1.)

## Current

## Recommended

### § 4-13.1-9. Penalties for violation – Licensing ordinances and fees.

(a) Any dog declared vicious under § 4-13.1-11:

- (1) Whose owner or keeper does not secure the liability insurance coverage required in accordance with § 4-13.1-3;
  - (2) Which is not maintained on property with an enclosure;
  - (3) Which is outside of the dwelling of the owner or keeper, or outside of an enclosure except as provided in § 4-13.1-4; or
  - (4) Which is not tattooed or microchipped, may be confiscated by a dog officer or may be destroyed in an expeditious and humane manner after the expiration of a five (5) day waiting period exclusive of Sundays and holidays which shall not include any day or part thereof that the public pound is not open for a specified period of time, not to be less than one half ( $1/2$ ) the normal hours of business, for the purpose of reclaiming any such dog by its rightful owner. In addition, the owner or keeper shall pay a five hundred fifty dollar (\$550) fine.
- (5) Provided, further, that in addition to the violations listed herein, if any section of this chapter does not specifically provide a penalty for a violation, the penalty shall be five hundred fifty dollars (\$550) for the first offense and one thousand dollars (\$1,000) for any subsequent violation.

(b) If any dog declared vicious under § 4-13.1-11, when unprovoked, kills, wounds, or worries or assists in killing or wounding any animal described in § 4-13.1-7, the owner or keeper of the dog shall pay a five hundred fifty dollar (\$550) fine. The dog officer is empowered to confiscate the dog. After the expiration of a five (5) day waiting period, excluding Sundays and holidays, which shall not include any day or part thereof that the public pound is not open for a specified period of time, not to be less than one half ( $1/2$ ) the normal hours of business, for the purpose of the rightful owner's reclaiming the dog, the dog officer may destroy the vicious dog. For each subsequent violation, the owner or keeper of the dog shall pay a fine of one thousand dollars (\$1,000).

### § 4-13.1-9. Penalties for violation – Licensing ordinances and fees.

(a) Any dog declared dangerous (Tier 1 – Tier 3) under § 4-13.1-11:

- (1) Whose owner or guardian does not comply with the requirements for the respective Tier, the owner or guardian shall pay a \$550 fine for the first offense and \$1000 for any subsequent violations. In addition, the dog may be seized by the Animal Control Officer.
  - (2) In addition to the fines stated in § 4-13.1-9 (a) (1) any owner or guardian of a dog declared Tier 3 dangerous who does not comply with the requirements of owning or possessing a dog determined to be Tier 3 dangerous is subject to having the dog seized by the Animal Control Officer or Police Department with jurisdiction over the municipality where the animal is kept. The Animal Control Officer is authorized to request a hearing of the panel described in 4-13.1-11 to request the panel order euthanasia of the dog.
- (b) If any dog declared dangerous under § 4-13.1-11, when unprovoked, kills, wounds, or worries or assists in killing or wounding any domestic mammal or poultry described in § 4-13.1-7, the owner or guardian of the dog shall pay a five hundred fifty dollar (\$550) fine. The dog officer is empowered to confiscate the dog. After the expiration of a five (5) day waiting period, excluding Sundays and holidays, which shall not include any day or part thereof that the public pound is not open for a specified period of time, not to be less than one half ( $1/2$ ) the normal hours of business, for the purpose of the rightful owner's reclaiming the dog, the dog officer may cause the dog to be humanely euthanized. For each subsequent violation, the owner or guardian of the dog shall pay a fine of one thousand dollars (\$1,000).
- (c)(1) If any dog declared dangerous under § 4-13.1-11, when unprovoked, attacks, assaults, wounds, bites, or otherwise injures, kills or seriously injures a human being, the owner or guardian shall pay a fine of one thousand dollars (\$1,000) and the dog officer is empowered to confiscate and, after the expiration of a five (5) day

## Current

## Recommended

(c)(1) If any dog declared vicious under § 4-13.1-11, when unprovoked, attacks, assaults, wounds, bites, or otherwise injures, kills or seriously injures a human being, the owner or keeper shall pay a fine of one thousand dollars (\$1,000) and the dog officer is empowered to confiscate and, after the expiration of a five (5) day waiting period, which shall not include any day or part thereof that the public pound is not open for a specified period of time, not to be less than one half ( $\frac{1}{2}$ ) the normal hours of business, for the purpose of reclaiming any such dog by its rightful owner, may destroy the vicious dog. For each subsequent violation, the owner or keeper shall pay a fine of one thousand dollars (\$1,000), for owning or keeping a vicious dog which attacks, assaults, wounds, bites or otherwise injures or kills a human being. In the event a dog kills a person, the dog shall be humanely euthanized.

(2) The dog officer may confiscate a dog for any violation of this section. If the owner or keeper does not contact the dog officer, or if the dog officer cannot, with a reasonable effort, contact the owner or keeper, the dog may be euthanized under § 4-13-15. If the owner or keeper is found, the dog officer may give the owner or keeper up to ten (10) days to meet the previously imposed requirements. If the requirements are not met in the allotted time, the dog may be euthanized. The owner or keeper will be responsible for the kennel and euthanizing cost.

(3) No person shall be charged under subsections (a), (b) or (c), unless the dog, prior to the offense alleged, has been declared vicious pursuant to the provisions of this chapter.

(4) If any dog declared vicious under § 4-13.1-11, seriously injures a person as that term is defined in § 4-13.1-2 or kills or seriously injures a domestic animal, the dog may be humanely euthanized, at the owner's expense, upon a unanimous vote of the hearing panel.

(d)(1) Every city or town shall enact an ordinance requiring the licensing of dogs within their jurisdiction at a fee not to exceed ten dollars (\$10.00). In addition, each city or town shall charge an additional fee of two dollars (\$2.00) for each license, that fee to be

waiting period, which shall not include any day or part thereof that the public pound is not open for a specified period of time, not to be less than one half ( $\frac{1}{2}$ ) the normal hours of business, for the purpose of reclaiming any such dog by its rightful owner, may destroy the Dangerous dog. For each subsequent violation, the owner or guardian shall pay a fine of one thousand dollars (\$1,000), for owning or keeping a Dangerous dog which attacks, assaults, wounds, bites or otherwise injures or kills a human being. In the event a dog kills a person, the dog shall be humanely euthanized.

(2) The dog officer may confiscate a dog for any violation of this section. If the owner or guardian does not contact the dog officer, or if the dog officer cannot, with a reasonable effort, contact the owner or guardian, the dog may be euthanized under § 4-13-15. If the owner or guardian is found, the dog officer may give the owner or guardian up to ten (10) days to meet the previously imposed requirements. If the requirements are not met in the allotted time, the dog may be euthanized. The owner or guardian will be responsible for the kennel and euthanizing cost.

(3) No person shall be charged under subsections (a), (b) or (c), unless the dog, prior to the offense alleged, has been declared Dangerous pursuant to the provisions of this chapter.

(d)(1) Move to 4-13-4 and revise

(e)(1) If the owner or guardian of a dog impounded for an alleged violation of §§ 4-13.1-3, 4-13.1-4, or 4-13.1-5 believes that there has not been a violation of those sections, the owner or guardian may petition the district court which has jurisdiction in the city or town where the dog is impounded praying that the impounded dog not be destroyed. The impounded dog shall not be destroyed pending resolution of the owner's or guardian's petition.

(2) The petition shall be filed within five (5) days of impoundment of the dog. Notice shall be served within five (5) days of the impoundment of the dog upon the dog officer or guardian of the dog

## Current

used exclusively by the cities and towns for enforcement of laws pertaining to animals.

(2) Every owner or keeper of any dog found to be in violation of any city or town ordinance governing the licensing of dogs shall for the first offense be fined twenty-five dollars (\$25.00) and for a second violation of the ordinance shall be fined two hundred dollars (\$200) and shall be required at his or her own expense, to have the dog tattooed in a manner prescribed this chapter, and for a third or subsequent offense shall be fined five hundred dollars (\$500), and shall be required at his or her own expense, to have the dog tattooed or microchipped in a manner prescribed by this chapter.

(3) No fine and/or tattooing or microchipping requirement shall be suspended by any court of competent jurisdiction.

(e)(1) If the owner or keeper of a dog impounded for an alleged violation of §§ 4-13.1-3, 4-13.1-4, or 4-13.1-5 believes that there has not been a violation of those sections, the owner or keeper may petition the district court which has jurisdiction in the city or town where the dog is impounded praying that the impounded dog not be destroyed. The impounded dog shall not be destroyed pending resolution of the owner's or keeper's petition.

(2) The petition shall be filed within five (5) days of impoundment of the dog. Notice shall be served within five (5) days of the impoundment of the dog upon the dog officer or keeper of the dog pound. The hearing shall be conducted within fourteen (14) days from serving of the notice.

(3) The decision of the district court may be appealed to the superior court by any aggrieved party within forty eight (48) hours of the decision. The dog shall remain impounded pending the appeal. A hearing de novo, without a jury, shall be conducted within fourteen (14) days of the appeal.

(4) The decision of the superior court shall be final and conclusive upon all parties thereto. However, the dog officer or any law enforcement officer shall have the right to convene a hearing under § 4-13.1-3 for any actions of the dog subsequent to the date of

## Recommended

pound. The hearing shall be conducted within fourteen (14) days from serving of the notice.

(3) The decision of the district court may be appealed to the superior court by any aggrieved party within forty-eight (48) hours of the decision. The dog shall remain impounded pending the appeal. A hearing de novo, without a jury, shall be conducted within fourteen (14) days of the appeal.

(4) The decision of the superior court shall be final and conclusive upon all parties thereto. However, the animal control officer or any law enforcement officer shall have the right to convene a hearing under § 4-13.1-3 for any actions of the dog subsequent to the date of violation. If the court finds that there has not been a violation of §§ 4-13.1-3 through 4-13.1-5, the dog may be released to the custody of the owner or guardian upon payment to the pound guardian or dog officer of the expense of keeping the dog. The city or town councils may establish by ordinance a schedule of those costs.

(f) One-half (1/2) of all fines paid pursuant to this section shall be paid to the city or town in which the violation occurred for the purpose of defraying the cost of the implementation of the provisions of this chapter.

(g) No dog shall be destroyed within five (5) days of being impounded, exclusive of Sundays and holidays, and which shall not include any day or part of a day that the public pound is not open for a specified period of time, not to be less than one half (1/2) the normal hours of business, for the purpose of reclaiming any such dog by its rightful owner.

(h) All fines levied under this section shall be imposed by the municipal court having jurisdiction. If the city/town having jurisdiction has no municipal court, the fines shall be imposed by the district court with jurisdiction over the municipality where the dog is kept.

History of Section.

## Current

## Recommended

violation. If the court finds that there has not been a violation of §§ 4-13.1-3 through 4-13.1-5, the dog may be released to the custody of the owner or keeper upon payment to the pound keeper or dog officer of the expense of keeping the dog. The city or town councils may establish by ordinance a schedule of those costs.

(f) One-half ( $1/2$ ) of all fines paid pursuant to this section shall be paid to the city or town in which the violation occurred for the purpose of defraying the cost of the implementation of the provisions of this chapter.

(g) No dog shall be destroyed within five (5) days of being impounded, exclusive of Sundays and holidays, and which shall not include any day or part of a day that the public pound is not open for a specified period of time, not to be less than one half ( $1/2$ ) the normal hours of business, for the purpose of reclaiming any such dog by its rightful owner.

(h) If a dog has been declared vicious pursuant to § 4-13.1-11, the owner or keeper shall display a sign on his or her premises warning that there is a vicious dog on the premises. The sign shall be visible and capable of being read from the public highway.

(i) If a dog has been declared vicious pursuant to § 4-13.1-11, the owner or keeper shall sign a statement attesting that the owner or keeper shall maintain and not voluntarily cancel any liability insurance required pursuant to this section during the twelve (12) month period for which licensing is sought, unless the owner or keeper shall cease to own or keep the vicious dog prior to the expiration of the license.

(j) The owner or keeper shall notify the local police or animal control officer within two (2) hours if a dog that has been declared vicious is on the loose, is unconfined, has attacked another animal or has attacked a human being or has died.

(k) It shall be unlawful for any owner to sell or give away a dog that has been declared vicious within the state.

(l) A dog officer is hereby empowered to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1.)

**Current**

**Recommended**

chapter, and any such dog officer is hereby empowered to seize and impound any dog that has been declared vicious whose owner or keeper fails to comply with these provisions.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1; P.L. 1998, ch. 274, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1.)

**§ 4-13.1-10. Legal registration drives.**

It shall be the duty of each city or town to conduct a licensing drive annually after September 1, 1985 in order to ensure compliance with the provisions of this chapter.

History of Section.

(P.L. 1985, ch. 400, § 1; P.L. 1986, ch. 429, § 1.)

**§ 4-13.1-10. Legal registration drives.**

Move to 4-13-4

## Current

### § 4-13.1-11. Determination of a vicious dog.

(a) In the event that the dog officer or law enforcement officer has probable cause to believe that a dog is vicious, the chief dog officer, or his or her immediate supervisor, or the chief of police, or his or her designee, is empowered to convene a hearing for the purpose of determining whether or not the dog in question should be declared vicious. The dog officer or chief of police shall conduct, or cause to be conducted, an investigation and shall notify the owner or keeper of the dog that a hearing will be held, at which time he or she may have the opportunity to present evidence why the dog should not be declared vicious. The hearing shall be held promptly within no less than five (5), nor more than ten (10), days after service of notice upon the owner or keeper of the dog. The hearing shall be informal and shall be open to the public. The hearing shall be conducted by a panel of three (3) persons that shall consist of the chief of police, or his or her designee, the executive director of the Society for the Prevention of Cruelty to Animals (S.P.C.A.), or his or her designee; and a person chosen by the chief of police and the executive director of the S.P.C.A. All members of the panel shall have one vote in making a determination whether or not the dog in question is vicious. Hearing officers shall have immunity.

(b) After the hearing, the owner or keeper of the dog shall be notified in writing of the determination. If a determination is made that the dog is vicious, the owner or keeper shall comply with this chapter in accordance with a time schedule established by the dog officer or chief of police, but in no case more than thirty (30) days subsequent to the date of the determination. If the owner or keeper of the dog contests the determination, he or she may, within five (5) days of that determination, bring a petition in the district court within the judicial district where the dog is owned or kept, praying that the court conduct its own hearing on whether or not the dog should be declared vicious. After service of notice upon the dog officer, the

## Recommended

### § 4-13.1-11. Determination of dangerous dog.

Notwithstanding the definition of a dangerous dog in subsection 4-13.1-2, no dog may be declared dangerous if an injury or damage is sustained by a person who, at the time that injury or damage was sustained, was committing a trespass or other tort upon premises occupied by the owner or guardian of the dog; or was teasing, tormenting, provoking, abusing, or assaulting the dog; or was committing, or attempting to commit, a crime.

No dog may be declared dangerous if an injury or damage was sustained by a domestic animal which, at the time that injury or damage was sustained, was teasing, tormenting, provoking, abusing, or assaulting the dog. No dog may be declared Dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

(a) The animal control officer or police department having jurisdiction over the municipality where a dog has allegedly attacked or menaced a person, domestic mammal, or domestic poultry shall promptly initiate an investigation of the facts surrounding the event. Upon conclusion of the investigation the animal control officer or police department shall make a determination as to whether the facts support a determination of the dog being declared dangerous, and if the facts support the dog being declared dangerous, the animal control officer or police department shall determine whether the dog shall be declared Tier 1, Tier 2 or Tier 3 dangerous as defined.

(i) In the event the animal control officer declares the dog Tier 3 dangerous and determines that the dog presents an ongoing danger to the community, the officer may request a hearing of the panel described in section (2a) of this section to order the dog humanely euthanized.

## Current

court shall conduct a hearing de novo and make its own determination as to viciousness. The hearing shall be conducted within seven (7) days of the service of the notice upon the dog officer or law enforcement officer involved. The issue shall be decided upon the preponderance of the evidence. If the court rules the dog to be vicious, the court may establish a time schedule to ensure compliance with this chapter, but in no case more than thirty (30) days subsequent to the date of the court's determination. If the owner has not complied with the provisions of this chapter at the end of thirty (30) days from the written notification that the dog is vicious, the dog may be euthanized.

(c) The court may decide all issues for or against the owner or keeper of the dog regardless of the fact that the owner or keeper fails to appear at the hearing.

(d) The determination of the district court shall be final and conclusive upon all parties. The dog officer or any law enforcement officer shall have the right to convene a hearing under this section for any subsequent actions of the dog.

(e) In the event that the dog officer or law enforcement officer has probable cause to believe that the dog in question is vicious and may pose a threat of serious harm to human beings or other domestic animals, the dog officer or law enforcement officer may seize and impound the dog pending the hearings.

The owner or keeper of the dog is liable to the city or town where the dog is impounded for the costs and expenses of keeping the dog. The city or town council may establish by ordinance a schedule of those costs and expenses.

### History of Section.

(P.L. 1986, ch. 429, § 3; P.L. 1989, ch. 470, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1; P.L. 2016, ch. 512, art. 2, § 48.)

## Recommended

(b) Upon declaration that the dog is dangerous, the officer will notify the owner or guardian of the dog in writing of the determination, within 7 days of the determination.

(c) If a determination is made that the dog is dangerous, the owner or guardian shall comply with the requirements of the respective tier as determined by the officer, and with a time schedule established by the animal control officer or chief of police, but in no case more than thirty (30) days subsequent to the date of the determination. The dog may be held by the municipality until the imposed requirements are met to the satisfaction of the officer or police department.

(d) If the owner or guardian does not contest the determination of the animal control officer, the respective requirements listed under RIGL 4-13.1-3(1)(2), shall be imposed.

2 (a) If the dog owner or guardian is aggrieved by the determination of the Animal Control Officer or Police Department as to the dog being declared dangerous, or the determination that the dog is Tier 1, Tier 2 or Tier 3 dangerous, the owner or guardian shall request a hearing within 10 days by contacting the Chief of Police in the municipality where the dog was determined to be dangerous. Such request shall be in writing. Upon receipt of the written request the Chief of Police shall convene a panel consisting of three (3) persons that shall consist of: the Chief of Police, or his or her designee, the executive director of the Society for the Prevention of Cruelty to Animals (S.P.C.A.), or his or her designee; and a person chosen by the chief of police and the executive director of the S.P.C.A. The owner of guardian so aggrieved shall be notified of the time, date, and location of the hearing. Notification shall be in the form of a hand delivered summons. The hearing must be located in the municipality where the Chief of Police has jurisdiction. The hearing must take place no fewer than five (5) days nor more than ten (10) days from the receipt of the request for a hearing by the Chief of Police. The hearing shall be informal and shall be open to the public. All members of the panel shall have one vote in making a determination whether or not the

**Current**

**Recommended**

	<p>dog in question is dangerous and if found to be dangerous, determine the appropriate tier. When voting majority rules. The issue shall be decided upon a preponderance of the evidence. Hearing officers shall have immunity.</p> <p>(b) After the hearing, the owner or guardian of the dog shall be notified in writing of the determination. If a determination is made that the dog is dangerous, the owner or guardian shall comply with the requirements of the respective tier as determined by the hearing panel, and with a time schedule established by the dog officer or chief of police, but in no case more than thirty (30) days subsequent to the date of the determination.</p> <p>(c) If the dog kills or seriously injures a domestic mammal, or kills or seriously injures a person as that term is defined in 4-13.1-2, the panel may order humane euthanasia of the dog, at the owner's expense. Any order for humane euthanasia requires a unanimous vote of the panel. Any humane euthanasia order will be suspended until the expiration of the appeal period unless the owner consents to euthanasia.</p> <p>If the owner or guardian of the dog is aggrieved by the determination of the panel, he or she may, within five (5) days of that determination, bring a petition in the district court within the judicial district where the dog is owned or kept, praying that the court conduct its own hearing on whether or not the dog should be declared dangerous. After service of notice upon the dog officer, the court shall conduct a hearing de novo and make its own determination as to dangerousness. The hearing shall be conducted within seven (7) days of the service of the notice upon the dog officer or law enforcement officer involved. The issue shall be decided upon the preponderance of the evidence. If the court rules the dog to be dangerous, the court may establish a time schedule to ensure compliance with this chapter, but in no case more than thirty (30) days subsequent to the date of the court's determination. If the owner has not complied with the provisions of this chapter at the end</p>
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## Current

## Recommended

	<p>of thirty (30) days from the written notification that the dog is dangerous, the dog may be euthanized.</p> <p>(c) The court may decide all issues for or against the owner or guardian of the dog regardless of the fact that the owner or guardian fails to appear at the hearing.</p> <p>(d) The determination of the district court shall be final and conclusive upon all parties. The dog officer or any law enforcement officer shall have the right to convene a hearing under this section for any subsequent actions of the dog.</p> <p>(e) If the dog officer or law enforcement officer has probable cause to believe that the dog in question is dangerous and may pose a threat of serious harm to human beings or other domestic animals, the dog officer or law enforcement officer must seize and impound the dog pending the requirements of this section being met.</p> <p>The owner or guardian of the dog is liable to the city or town where the dog is impounded for the costs and expenses of keeping the dog. The city or town council may establish by ordinance a schedule of those costs and expenses.</p> <p>History of Section. (P.L. 1986, ch. 429, § 3; P.L. 1989, ch. 470, § 1; P.L. 2004, ch. 365, § 1; P.L. 2004, ch. 374, § 1; P.L. 2007, ch. 308, § 1; P.L. 2007, ch. 430, § 1; P.L. 2016, ch. 512, art. 2, § 48.)</p>
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### **§ 4-13.1-12. Uniform summons – Mail-in fines – Prosecution.**

The attorney general shall establish a uniform summons or citation to be used by state and municipal law enforcement agencies in the enforcement of this chapter. Fines of one hundred dollars (\$100) or less may be paid by mail. All other fines or penalties shall require a court appearance. Any offense under this chapter may be prosecuted by complaint.

History of Section.

(P.L. 1986, ch. 429, § 3; P.L. 1998, ch. 274, § 1.)

### **§ 4-13.1-13. Liability of parents for damages caused by dog owned by minor.**

In the event that the owner or keeper of the vicious dog is a minor, the parent or guardian of that minor is liable for all injuries and property damage sustained by any person or domestic animal caused by an unprovoked attack by that vicious dog.

History of Section.

(P.L. 1986, ch. 429, § 3.)

### **§ 4-13.1-14. Severability.**

If any provision of this chapter, or the application of this chapter to any person or circumstance, is held invalid, the validity of the remainder of the chapter and the application of those provisions to other persons and circumstances shall not be affected by that invalidity.

History of Section.

(P.L. 1985, ch. 400, § 1.)

### **4-13.1-12 (Repeal)**

### **4-13.1-13. Liability of parents for damages caused by dog owned by minor.**

In the event that the owner or guardian of the Dangerous dog is a minor, the parent or guardian of that minor is liable for all injuries and property damage sustained by any person or domestic animal caused by an unprovoked attack by that Dangerous dog.

History of Section.

(P.L. 1986, ch. 429, § 3.)

### **§ 4-13.1-14. Severability.**

If any provision of this chapter, or the application of this chapter to any person or circumstance, is held invalid, the validity of the remainder of the chapter and the application of those provisions to other persons and circumstances shall not be affected by that invalidity.

History of Section.

(P.L. 1985, ch. 400, § 1.)

## Current

## Recommended

### **§ 4-13.1-15. Use of the terms owner or guardian.**

Wherever the word "owner" shall appear in this chapter it shall also mean and may be interchanged with the word "guardian" as defined in § 4-13.1-2.

History of Section.  
(P.L. 2001, ch. 72, § 6.)

### **§ 4-13.1-16. Prohibition of breed specific regulation.**

No city or town may enact any rule, regulation or ordinance specific to any breed of dog or cat in the exercise of its power to further control and regulate dogs, cats or other animals as authorized by this chapter.

History of Section.  
(P.L. 2013, ch. 450, § 2.)

### **§ 4-13.1-15. Use of the terms owner or guardian.**

Wherever the word "owner" shall appear in this chapter it shall also mean and may be interchanged with the word "guardian" as defined in § 4-13.1-2.

History of Section.  
(P.L. 2001, ch. 72, § 6.)

### **§ 4-13.1-16. Prohibition of breed specific regulation.**

No city or town may enact any rule, regulation or ordinance specific to any breed of dog or cat in the exercise of its power to further control and regulate dogs, cats or other animals as authorized by this chapter.

History of Section.  
(P.L. 2013, ch. 450, § 2.)

## Outstanding Issues

- Clarify which court will hear violations
- How to handle dogs that were declared vicious in another state and move to RI
- How to handle the transition to the new law (what happens to dogs previously designated dangerous)
- Reorder sections
- Requiring shelters/rescues to disclose history of dangerous behavior