

Missouri Revised Statutes

Chapter 209

Aid to the Blind--Rights of Persons with Visual, Hearing or Physical Section 209.150

August 28, 2011

Rights of persons with visual, hearing or physical disabilities--guide, hearing or service dogs, no extra charge for--liability for actual damages.

209.150. 1. Every person with a visual, aural or physical disability shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or physical disability is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or physical disability shall have the right to be accompanied by a guide dog, hearing dog, or service dog, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term "service dog" means any dog specifically trained to assist a person with a physical disability by performing necessary physical tasks which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, and carrying supplies.

(L. 1941 p. 344 § 1, A.L. 1965 p. 95, A.L. 1977 S.B. 12, A.L. 1980 H.B. 1133, A.L. 1988 H.B. 1196, A.L. 1996 S.B. 582)

Aid to the Blind--Rights of Persons with Visual, Hearing or Physical Section 209.152

August 28, 2011

Trainers of guide, hearing or service dogs, no extra charge for--liability for damages.

209.152. Any trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog shall have the right to be accompanied by such dog in or upon any of the premises listed in section 209.150 while engaged in the training of the dog without being required to pay an extra charge for such dog. Such trainer shall be liable for any damage done to the premise of facilities by such dog.

(L. 1999 S.B. 12)

**Aid to the Blind--Rights of Persons with Visual, Hearing or Physical
Section 209.160**

August 28, 2011

Discrimination or interference with persons having visual, hearing or physical disabilities, a misdemeanor.

209.160. Any person or persons, firm or corporation, or the agent of any person or persons, firm or corporation who denies or interferes with admittance to or enjoyment of the public facilities enumerated in section 209.150 or otherwise interferes with the rights of a totally or partially blind or deaf person, or a physically disabled person under section 209.150 shall be guilty of a class B misdemeanor.

(L. 1941 p. 344 § 2, A.L. 1977 S.B. 12, A.L. 1980 H.B. 1133, A.L. 1988 H.B. 1196)

**Aid to the Blind--Rights of Persons with Visual, Hearing or Physical
Section 209.162**

August 28, 2011

Discrimination or interference with persons having visual, hearing or physical disability, an unlawful employment practice--complaints, filed by aggrieved persons.

209.162. It is an unlawful employment practice for any employer to discriminate against any person with a visual, aural or physical disability by interfering, directly or indirectly, with the use of an aid or appliance, including a guide dog, hearing dog or service dog by such person. Any person aggrieved by a violation of this section may make a verified complaint to the Missouri commission on human rights pursuant to the provisions of section 213.075.

(L. 1996 S.B. 582)

**Aid to the Blind--Rights of Persons with Visual, Hearing or Physical
Section 209.200**

August 28, 2011

Definitions.

209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

- (1) "Disability", as defined in section 213.010;
- (2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes:
 - (a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;
 - (b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;
 - (c) "Medical alert or respond dog", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;
 - (d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments.

Aid to the Blind--Rights of Persons with Visual, Hearing or Physical

Section 209.202

August 28, 2011

Crime of causing substantial injury to or the death of a service dog, penalty--failure to control an animal that causes substantial injury to or the death of a service dog, penalty--harassment of a service dog, penalty--damages.

209.202. 1. Any person who knowingly, intentionally, or recklessly causes substantial physical injury to or the death of a service dog is guilty of a class A misdemeanor. The provisions of this subsection shall not apply to the destruction of a service dog for humane purposes.

2. Any person who knowingly or intentionally fails to exercise sufficient control over an animal such person owns, keeps, harbors, or exercises control over to prevent the animal from causing the substantial physical injury to or death of a service dog, or the subsequent inability to function as a service dog as a result of the animal's attacking, chasing, or harassing the service dog is guilty of a class A misdemeanor.

3. Any person who harasses or chases a dog known to such person to be a service dog is guilty of a class B misdemeanor.

4. Any person who owns, keeps, harbors, or exercises control over an animal and who knowingly or intentionally fails to exercise sufficient control over the animal to prevent such animal from chasing or harassing a service dog while such dog is carrying out the dog's function as a service dog, to the extent that the animal temporarily interferes with the service dog's ability to carry out the dog's function is guilty of a class B misdemeanor.

5. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against any person who:

(1) Violates the provisions of subsection 1 or 2 of this section; or

(2) Steals a service dog resulting in the loss of the services of the service dog.

6. Any civil damages awarded under subsection 5 of this section shall be based on the following:

(1) The replacement value of an equally trained service dog, without any differentiation for the age or experience of the service dog;

(2) The cost and expenses incurred by the owner of a service dog or the person with a disability who used the service dog, including:

(a) The cost of temporary replacement services, whether provided by another service dog or by a person;

(b) The reasonable costs incurred in efforts to recover a stolen service dog; and

(c) Court costs and attorney's fees incurred in bringing a civil action under subsection 5 of this section.

7. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against a person who:

(1) Violates the provisions of subsections 1 to 4 of this section resulting in injury from which the service dog recovers to an extent that the dog is able to function as a service dog for the person with a disability; or

(2) Steals a service dog and the service dog is recovered resulting in the service dog being able to function as a service dog for the person with a disability.

8. Any civil damages awarded under subsection 7 of this section shall be based on the following:

(1) Veterinary medical expenses;

(2) Retraining expenses;

(3) The cost of temporary replacement services, whether provided by another service dog or by a person;

(4) Reasonable costs incurred in the recovery of the service dog; and

(5) Court costs and attorney's fees incurred in bringing the civil action under subsection 7 of this section.

9. The provisions of this section shall not apply if a person with a disability, an owner, or a person having custody or supervision of a service dog commits criminal or civil trespass.

10. Nothing in this section shall be construed to preclude any other remedies available at law.

(L. 2005 H.B. 116)

Effective 7-12-05

**Aid to the Blind--Rights of Persons with Visual, Hearing or
Physical
Section 209.204**

August 28, 2011

Crime of impersonating a person with a disability for the purpose of receiving certain accommodations, penalty, civil liability.

209.204. Any person who knowingly impersonates a person with a disability for the purpose of receiving the accommodations regarding service dogs under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., is guilty of a class C misdemeanor and shall also be civilly liable for the amount of any actual damages resulting from such impersonation. Any second or subsequent violation of this section is a class B misdemeanor. For purposes of this section, "impersonates a person with a disability" means a representation by word or action as a person with a disability or a representation of a dog by word or action as a service dog.

(L. 2005 H.B. 116)

Effective 7-12-05

Missouri Revised Statutes

**Chapter 304
Traffic Regulations
Section 304.080**

August 28, 2011

Handicapped persons with white cane or dog, driver to take all necessary precautions--cane or dog not required to enforce rights, when.

304.080. The driver of a vehicle approaching a person with a visual, aural or physical disability who is carrying a cane predominantly white or metallic in color, with or without a red tip, or

using a guide dog, hearing dog or service dog shall yield to such pedestrian, and any driver who fails to take such precautions shall be liable in damages for any injury caused such pedestrian and any injury caused to the pedestrian's guide dog, hearing dog or service dog; provided that such a pedestrian not carrying such cane or using a guide dog, hearing dog or service dog in any of the places, accommodations or conveyances listed in section 209.150 shall have all of the rights and privileges conferred by law upon other persons.

(L. 1949 p. 250 § 1, A.L. 1977 S.B. 12, A.L. 1988 H.B. 1163, A.L. 1996 S.B. 582)

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