



Unconsolidated Pennsylvania Statutes

AGRICULTURE (Title 3)

THE DOG LAW

ARTICLE V-A. DANGEROUS DOGS

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§ 459-501-A. Definitions.

[DELETED by the Act of December 11, 1996, P.L. 943, No. 151]

§ 459-502-A. Registration.

(a) Summary Offense Of Harboring A Dangerous Dog.--Any person who has been attacked by one or more dogs, or anyone on behalf of such person, a person whose domestic animal has been killed or injured without provocation, the state dog warden or the local police officer may file a complaint before a district justice, charging the owner or keeper of such a dog with harboring a dangerous dog. The owner or keeper of the dog shall be guilty of the summary offense of harboring a dangerous dog if the district justice finds beyond a reasonable doubt that the following elements of the offense have been proven:

1. the dog has done one or more of the following:
 - i. inflicted severe injury on a human being without provocation on public or private property.
 - ii. killed or inflicted severe injury on a domestic animal without provocation while off the owner's property.
 - iii. attacked a human being without provocation.
 - iv. been used in the commission of a crime.
2. the dog has either or both of the following:

- . a history of attacking human beings and/or domestic animals without provocation.
 - i. a propensity to attack human beings and/or domestic animals without provocation. A propensity to attack may be proven by a single incident of the conduct described in paragraphs (1)(i), (ii), (iii) or (iv).
- 3. the defendant is the owner or keeper of the dog.

(a.1) effect of conviction.--A finding by a district justice that a person is guilty, under subsection (a), of harboring a dangerous dog shall constitute a determination that the dog is a dangerous dog for purposes of this act.

(b) Report Of Conviction.--The district justice shall make a report of a conviction under subsection (a) to the bureau of dog law enforcement, identifying the convicted party, identifying and describing the dog or dogs and providing such other information as the bureau might reasonably require.

(c) Certificate Required.--It is unlawful for an owner to have a dangerous dog without a certificate of registration issued under this article. This article shall not apply to dogs used by law enforcement officials for police work, certified guide dogs for the blind, hearing dogs for the deaf nor aid dogs for the handicapped.

(d) Disposition Of Dog During Court Proceedings.--An owner or keeper of any dog who has been charged with harboring a dangerous dog shall keep such dog or dogs confined in a proper enclosure or, when off the property of the owner or keeper for purposes of veterinary care, muzzled and on a leash until such time a report is made under subsection (b). If an appeal of a decision under subsection (b) is filed, such dog or dogs shall remain so confined until such proceedings are completed. It shall be unlawful for an owner or keeper of a dog who has been charged with harboring a dangerous dog to dispense the dog in any manner except to be humanely killed. A violation of this subsection shall constitute a summary offense accompanied by a fine of not less than \$200.

§ 459-503-A. Requirements.

(a) Enclosure and insurance.-The department shall issue, upon payment of all fees under subsection (b), a certificate of registration to the owner of such animal within 30 days of notification, in writing, by the department that the dog has been determined to be dangerous and that the owner presents sufficient evidence of:

1. A proper enclosure to confine a dangerous dog and the posting of a premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog.
2. (i) A surety bond in the amount of \$50,000 issued by an insurer authorized to do business within this Commonwealth, payable to any person injured by the dangerous dog; or
(ii) a policy of liability insurance, such as homeowner's insurance, issued by an insurer authorized to do business within this Commonwealth in the amount of at

least \$50,000, insuring the owner for any personal injuries inflicted by the dangerous dog. The policy shall contain a provision requiring the secretary to be named as additional insured for the sole purpose of being notified by the insurance company of cancellation, termination or expiration of the liability insurance policy.

(b) Fee.-The registration fee for a dangerous dog certificate shall be \$25 or such amount set by the department as may be necessary to cover the costs of issuing this registration and enforcing this section. This registration fee shall be in addition to any other fees collectable under this act and shall be credited to the Dog Law Restricted Account for the purpose of administering and enforcing this act.

(c) Uniform identifiable symbol.-The department shall have the authority to establish a uniform identifiable symbol for visual recognition of dangerous dogs. The "Ugh Dog" symbol developed by Animal-Vues may be adopted as the standard symbol to identify dangerous dogs.

(d) Other requirements.-The owner shall sign a statement attesting that:

1. The owner shall maintain and not voluntarily cancel the liability insurance required by this section during the period for which licensing is sought unless the owner ceases to own the dangerous dog prior to expiration of the license.
2. The owner shall notify the Bureau of Dog Law Enforcement, the State dog warden and the local police department within 24 hours if a dangerous dog is on the loose, is unconfined, has attacked another animal, has attacked a human being, has died or has been sold or donated. If the dangerous dog has been sold or donated, the owner shall also provide the Bureau of Dog Law Enforcement and the State dog warden with the name, address and telephone number of the new owner of the dangerous dog.

§ 459-504-A. Control of dangerous dogs.

It is unlawful for an owner of a dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal or from destroying property with its teeth.

§ 459-505-A. Public safety and penalties.

(a) Failure to register and restrain.-A dangerous dog shall be immediately confiscated by a State dog warden or a police officer upon the occurrence of any of the following:

1. The dog is not validly registered under this act.
2. The owner does not secure and maintain the liability insurance coverage required under section 503-A.

3. The dog is not maintained in the proper enclosure.
4. The dog is outside of the dwelling of the owner or outside of the proper enclosure and not under physical restraint of the responsible person.

In addition, an owner violating this subsection commits a misdemeanor of the third degree.

(b) Attacks by dangerous dogs.-If a dangerous dog, through the intentional, reckless or negligent conduct of the dog's owner, attacks a person or a domestic animal, the dog's owner is guilty of a misdemeanor of the second degree. In addition, the dangerous dog shall be immediately confiscated, placed in quarantine for the proper length of time and thereafter humanely killed in an expeditious manner, with costs of quarantine and destruction to be borne by the dog's owner.

(c) Attacks causing severe injury or death.-The owner of any dog that, through the intentional, reckless or negligent conduct of the dog's owner, aggressively attacks and causes severe injury or death of any human shall be guilty of a misdemeanor of the first degree. In addition, the dog shall be immediately confiscated by a State dog warden or a police officer, placed in quarantine for the proper length of time and thereafter humanely killed in an expeditious manner, with costs of quarantine and destruction to be borne by the dog's owner.

(d) Dog owned by a minor.-If the owner of the dangerous dog is a minor, the parent or guardian of the minor shall be liable for injuries and property damages caused by an unprovoked attack by the dangerous dog under section 4 of the act of July 27, 1967 (P.L. 186, No. 58), entitled "An act imposing liability upon parents for personal injury, or theft, destruction, or loss of property caused by the willful, tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery."

[Note: Section 4 of the act of July 27, 1967 (P.L. 186, No. 58) referred to in subsection (d) has been repealed. Its subject matter now is covered by [Chapter 55 of Title 23.](#)]

(e) Mandatory reporting.-

1. All known incidents of dog attacks shall be reported to the State dog warden, who shall investigate each incident and notify the department if a dog has been determined to be dangerous.
2. A State dog warden or police officer who has knowledge of a dog which has attacked a person shall file a written report summarizing the circumstances of the attack with the police in the municipality where the owner of the dog resides or if the attack occurred outside the owner's municipality of residence, with the police having jurisdiction in the municipality where the attack occurred. The report shall be available for public inspection.

§ 459-506-A. State registry.

The department shall promulgate regulations for the establishment of a State registry for dangerous dogs.

§ 459-507-A. Construction of article.

(a) Enforcement.-This article shall be enforced by all municipalities except counties.

(b) Abusive or unlawful conduct of victim.-This article shall not apply if the threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused or assaulted the dog, or was committing or attempting to commit a crime.

(c) Local ordinances.-Those provisions of local ordinances relating to dangerous dogs are hereby abrogated. A local ordinance otherwise dealing with dogs may not prohibit or otherwise limit a specific breed of dog.

(d) Insurance coverage discrimination.-No liability policy or surety bond issued pursuant to this act or any other act may prohibit coverage from any specific breed of dog.

(e) Farm dogs.-No farmer who owns a dog kept on the farm shall be guilty of keeping a dangerous dog if:

1. the dog does not leave the farm property to attack; and
2. the farm is conspicuously posted alerting visitors to the presence of a watch or guard dog at all points of ingress and egress.

(f) Procedure in certain cities.-In cities of the first class, second class and second class A, the following procedure shall apply:

1. A person who has been attacked by a dog, or anyone on behalf of such person, or a person whose domestic animal has been killed or injured without provocation while the attacking dog was off the owner's property or a police officer or an animal control officer employed by or under contract with the city may make a complaint before a district justice, charging the owner or keeper of such a dog with harboring a dangerous dog. The district justice shall make a report of the determination under section 502-A(a) to the police or an animal control officer employed by or under contract with the city and to the Bureau of Dog Law Enforcement. The Bureau of Dog Law Enforcement shall give notice of this determination to the respective city treasurer.
2. All fees and fines shall be paid to and retained by the city treasurers, who shall issue the certificate of registration.
3. Enforcement of this article in these cities will be under the jurisdiction of the local police or an animal control officer employed by or under contract with the city

- with notification requirements in section 503-A(d)(2) to be made to the licensing authority and the local police or an animal control officer employed by or under contract with the city.
4. Copies of all dangerous dog determinations, certificates and reports on the status of the dangerous dog shall be sent to the Bureau of Dog Law Enforcement.
 5. All known incidents of dog attacks shall be reported to the department for the purpose of keeping bite statistics records and possible rabies exposure.
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The complete Pennsylvania Statutes are not yet available on the web. However, selected portions have been made available and can be accessed by [CLICKING HERE](#). These statutes, though available instantaneously over the web, may not be the current law. Court decisions overturning them, later statutes amending them, and a host of other factors come into play when interpreting them. They are provided here as a resource. They should provide some information about the state of the law. However, a competent lawyer, *who from other sources will research the law to insure what is current*, should always be employed in matters of importance.

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