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Pennsylvania Dog Laws - Dangerous / Vicious Dog Statutes

§ 459-502-A. Court proceedings, certificate of registration and disposition

(a) Summary offense of harboring a dangerous dog. Any person who has been attacked by one or more dogs, or anyone on behalf of the person, a person whose domestic animal, dog or cat has been killed or injured without provocation, the State dog warden or the local police officer may file a complaint before a magisterial district judge, charging the owner or keeper of the a dogwith 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 magisterial district judge finds beyond a reasonable doubt that the following elements of the offense have been proven:

(1) The dog has done any 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, dog or cat 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:

- (i) A history of attacking human beings and/or domestic animals, dogs or cats without provocation.
- (ii) A propensity to attack human beings and/or domestic animals, dogs or cats without provocation. A propensity to attack may be proven by a single incident of the conduct described in paragraph (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 magisterial district judge 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 magisterial district judge 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 other information as the bureau might reasonably require.

(c) Certificate of registration required. It is unlawful for an owner or keeper 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 the 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 the time a report is made under subsection (b). If an appeal of a decision under subsection (b) is filed, the dog or dogs shall remain so confined until the 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, move, sell, offer to sell, give away or transfer the dog in any manner except to have it humanely killed or move the dog to a licensed kennel if approved by the investigating officer. A violation of this subsection shall constitute a summary offense accompanied by a fine of not less than \$500.

CREDIT(S)

1982, Dec. 7, P.L. 784, No. 225, art. V-A, § 502-A, added 1990, May 31, P.L. 213, No. 46, § 2, effective in 60 days. Amended 1996, Dec. 11, P.L. 943, No. 151, § 13, effective in 60 days; 2008, Oct. 9, P.L. 1450, No. 119, § 14, effective in 60 days [Dec. 8, 2008].
3 P.S. § 459-502-A, PA ST 3 P.S. § 459-502-A

Current through Act 2009-52

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