

TITLE 4

Animals and Animal Husbandry

CHAPTER 4-13.1

Regulation of Vicious Dogs

SECTION 4-13.1-2

§ 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.
- (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;

(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.)