Dangerous Dog and Nuisance Dog Frequently Asked Questions

What is a dangerous dog?
"Dangerous dog" means a dog or wolf hybrid that causes the death of or inflicts serious bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury or death; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear imminent serious bodily injury by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog or wolf hybrid that inflicts bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury and has previously been determined by a court of competent jurisdiction to be a nuisance dog.

"Dangerous dog" does not include:
A. A dog certified by the State and used for law enforcement use; A dog or wolf hybrid that injures or threatens to assault an individual who is on the dog or wolf hybrid owner's or keeper's premises if the dog or wolf hybrid has no prior history of assault and was provoked by the individual immediately prior to the injury or threatened assault; or
B. A dog or wolf hybrid that injures or threatens to assault an individual who is on the dog or wolf hybrid owner's or keeper's premises if the dog or wolf hybrid has no prior history of assault and was provoked by the individual immediately prior to the injury or threatened assault; or
C. A dog or wolf hybrid that inflicts serious bodily injury on or causes the death of an individual who is committing a crime against an individual or property owned by the dog or wolf hybrid owner or keeper. For the purposes of this definition, "dog or wolf hybrid owner's or keeper's premises" means the residence or residences, including buildings and land and motor vehicles, belonging to the owner or keeper of the dog or wolf hybrid.

What is a nuisance dog?
"Nuisance dog" means a dog or wolf hybrid that causes bodily injury, other than serious bodily injury, to an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear bodily injury, other than serious bodily injury, by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog or wolf hybrid that causes damage to property or crops not owned by the dog or wolf hybrid owner or keeper while the dog or wolf hybrid is not on the owner's or keeper's premises.

"Nuisance dog" does not include:
A. A dog certified by the State and used for law enforcement use;
B. A dog or wolf hybrid that injures or threatens to assault an individual who is on the dog or wolf hybrid owner's or keeper's premises if the dog or wolf hybrid has no prior history of assault and was provoked by the individual immediately prior to the injury or threatened assault; or
C. A dog or wolf hybrid that inflicts bodily injury on an individual who is committing a crime against an individual or property owned by the dog or wolf hybrid owner or keeper.
For the purposes of this definition, "dog or wolf hybrid owner's or keeper's premises"

means the residence or residences, including buildings and land and motor vehicles, belonging to the owner or keeper of the dog or wolf hybrid.

How is a dog declared a dangerous dog or a nuisance dog?
Only the court can declare a dog a dangerous dog or a nuisance dog. The dog owner would be summonsed to court (by the ACO or law enforcement) for a dangerous or nuisance dog and the court will make the determination if the dog meets the criteria for either of these categories.

What is the difference between serious and not serious bodily injury?
"Serious bodily injury" means a bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or loss or substantial impairment of the function of any bodily member or organ, or extended convalescence necessary for recovery of physical health.

Is this breed specific?
No. The dog will need to go through the court process in order to be declared a dangerous or nuisance dog. The State of Maine does not have breed specific laws.

Does this new law affect dogs declared dangerous before August 1, 2018?
No. The new fee schedule only applies to dogs declared dangerous or nuisance on or after August 1, 2018. Any dogs declared dangerous or nuisance by a court before August 1, 2018 are grandfathered and will pay the regular license fee.

Is a dog deemed dangerous for its lifetime?
Yes. Once a dog is declared dangerous it will be considered a dangerous dog for its lifetime and will need to be licensed as such.

Is a nuisance dog deemed a nuisance for its lifetime?
No. The title of nuisance dog could be lifted after two years, if the owner applies the court to have the title lifted and can show that they have meet all of the court requirements during that time period. When licensing the dog, the owner should bring in the paperwork from the court that shows that the dog is no longer deemed a nuisance.

Is there a special dog tag for dangerous dogs?
Yes. The dog tag will stay with the dog for its lifetime and will only be replaced if it is lost or damaged. The owner of the dangerous dog will also have to post two signs (provided by the Animal Welfare Program) to show that the dog has been deemed dangerous by the court.

If there a special dog tag for nuisance dogs?
No. They will get the regular dog tags, but will be charged the fee for a nuisance dog. There is no sign for the nuisance dogs.

How will I know a dog has been deemed dangerous or nuisance?
This is still being worked on. Your Animal Control Officer or local law enforcement officer that went to court regarding the summons should monitor the accused dog and owner and let the municipality know if a dog in has deemed dangerous or nuisance by the court. Currently, the

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Animal Welfare Program is working on putting together a database to keep track of this information, and we hope to have it ready in the near future. We will update you when it is ready.

How much does it cost to license a dangerous dog?
It costs $100.00. The town will keep a $1.00 for the recording fee, $98.00 will go into the municipality's animal welfare account, and $1.00 will be sent to the department for deposit in the Animal Welfare Fund. After the first year, if the owner is late licensing the dog, the late fee will be $140.00.

How much does it cost to license a nuisance dog?
It costs $30.00. The town will keep a $1.00 recording fee, $28.00 will go into the municipality's animal welfare account, and $1.00 will be sent to the department for deposit in the Animal Welfare Fund. After the First year, if the owner is late licensing the dog, the late fee will be $70.

Can you license dangerous dogs and nuisance dogs online?
No. They need to license the dogs at the town hall. At this time, the online licensing system has not been changed to accommodate the payment of fees for dangerous or nuisance dogs.

Should I check with my software company to see if they have updated the software to include the new charges for dangerous dogs and nuisance dogs?
Yes, please reach out to your software company to make sure that your software program will be updated for the upcoming dog licensing season.

I have questions regarding this law. Who should I contact?
The Animal Welfare Program at (207) 287-3846 or animal.welfare@maine.gov.