

“Dangerous” and “Vicious” – A Comparative Analysis of Statutory Definitions in the USA

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The following is a summary of the statutory definitions of ‘dangerous’ and ‘vicious’ dogs from all 50 U.S. states and the District of Columbia, grouped by each criteria for characterizing a dog. For each criterion, the jurisdictions that utilize that criterion are listed, and after the name of each jurisdiction, the full citation of the law is given. Separate sub-criteria and special cases are included as necessary. States/D.C. without definitions are listed at the end.

1. Has, without provocation or justification, bitten or attacked a person

- Alabama (Ala.Code 2018 § 3-6A-3)
- Alaska (AS § 03.55.020)
- California (West’s Ann. Cal. Food & Agric. Code § 31603)
- Georgia (Ga. Code Ann., 4-8-21(a)(2); 4-8-21(a)(6))
- Idaho (I.C. § 25-2810)
- Illinois (510 ILCS 5/2.05a; 510 ILCS 5/2.19b)
- Kentucky (KRS § 258.235)
- Louisiana (LAS-R.S. 14:102.14; LAS-R.S. 14:102.15)
- Maine (7 M.R.S.A. § 3907)
- Maryland (MD Code, Criminal Law § 10-619(a)(1), (c)(1))
- Massachusetts (M.G.L.A. 140 § 136A)
- Michigan (MCLA 287.321)
- Minnesota (M.S.A. § 347.50)
- Montana (MCA 7-23-2109)
- Nebraska (Neb.Rev.St. § 54-617)
- Nevada (N. R. S. 202.500)

- New Hampshire (N.H. Rev. Stat. § 466:31 to 31-a)
 - New York (Mckinney's Agriculture and Markets Law § 108(24)(a))
 - North Carolina (N.C.G.S.A. § 67-1(a)(1)-(2))
 - Ohio (R.C. 955.11)
 - Oklahoma (4 Okl. St. Ann. § 44)
 - Oregon (O.R.S. 609.035; O.R.S. 609.098)
 - Pennsylvania (3 P.S. § 459-502-A)
 - Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
 - South Carolina (Code 1976 § 47-3-710; Code 1976 § 47-3-10(7))
 - South Dakota (SDCL § 40-34-14)
 - Tennessee (T. C. A. § 44-17-120)
 - Texas (V. T. C. A., Health & Safety Code § 822.041)
 - Vermont (20 V.S.A. § 3546)
 - Virginia (VA Code Ann. § 3.2-6540; VA Code Ann. § 3.2-6540.1)
 - Washington (West's RCWA 16.08.070)
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2. Has, without provocation or justification, caused serious bodily/physical injury, severe injury, or death to a person

- Alabama (Ala.Code 2018 § 3-6A-3)
- California (West's Ann. Cal. Food & Agric. Code § 31603)
- Colorado (C. R. S. A. § 18-9-204.5(3)(a))
- D.C. (DC ST § 8-1901(1)(A))
- Florida (West's F. S. A. § 767.11)
- Georgia (Ga. Code Ann., 4-8-21(a)(6))
- Idaho (I.C. § 25-2810)
- Illinois (510 ILCS 5/2.19b)
- Louisiana (LAS-R.S. 14:102.14; LAS-R.S. 14:102.15)
- Maine (7 M.R.S.A. § 3907)
- Maryland (MD Code, Criminal Law § 10-619(a)(1); 10-619(c)(1))
- Massachusetts (M.G.L.A. 140 § 136A)
- Michigan (MCLA 287.321)
- Minnesota (M.S.A. § 347.50)
- Nebraska (Neb.Rev.St. § 54-617)
- Nevada (N. R. S. 202.500)
- New York (Mckinney's Agriculture and Markets Law § 108(24)(a))
- North Carolina (N.C.G.S.A. § 67-1(a)(1)-(2))
- Ohio (R.C. 955.11)
- Oklahoma (4 Okl. St. Ann. § 44)

- Oregon (O.R.S. 609.035; O.R.S. 609.098)
- Pennsylvania (3 P.S. § 459-502-A)
- Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
- South Carolina (Code 1976 § 47-3-710)
- South Dakota (SDCL § 40-34-14)
- Tennessee (T. C. A. § 44-17-120)
- Texas (V. T. C. A., Health & Safety Code § 822.041)
- Vermont (20 V.S.A. § 3546)
- Virginia (VA Code Ann. § 3.2-6540; VA Code Ann. § 3.2-6540.1)
- Washington (West's RCWA 16.08.070)

3. Has, without provocation, killed or seriously injured another domestic animal/dog

- California (West's Ann. Cal. Food & Agric. Code § 31602, § 31603)
 - Colorado (C. R. S. A. § 18-9-204.5(3)(a))
 - Florida (West's F. S. A. § 767.11)
 - Georgia (Ga. Code Ann., 4-8-21(a)(2))
 - Illinois (510 ILCS 5/2.05a; 510 ILCS 5/2.19b)
 - Louisiana (LAS-R.S. 14:102.14)
 - Maine (7 M.R.S.A. § 3907)
 - Maryland (MD Code, Criminal Law § 10-619(a)(1), (c)(1))
 - Massachusetts (M.G.L.A. 140 § 136A)
 - Michigan (MCLA 287.321)
 - Minnesota (M.S.A. § 347.50)
 - Nebraska (Neb.Rev.St. § 54-617)
 - Nevada (N. R. S. 202.500)
 - New York (McKinney's Agriculture and Markets Law § 108(24)(a))
 - North Carolina (N.C.G.S.A. § 67-1(a)(2))
 - Ohio (R.C. 955.11)
 - Oklahoma (4 Okl. St. Ann. § 44)
 - Oregon (O.R.S. 609.035; O.R.S. 609.098)
 - Pennsylvania (3 P.S. § 459-502-A)
 - Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
 - South Carolina (Code 1976 § 47-3-710)
 - Virginia (VA Code Ann. § 3.2-6540)
 - Washington (West's RCWA 16.08.070)
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4. Has exhibited menacing/aggressive behavior (menaces or approaches with apparent attitude of attack)

- California (West's Ann. Cal. Food & Agric. Code § 31602)
 - D.C. (DC ST § 8-1901(4)(A))
 - Florida (West's F. S. A. § 767.11)
 - Georgia (Ga. Code Ann., 4-8-21(a)(2))
 - Maine (7 M.R.S.A. § 3907)
 - Massachusetts (M.G.L.A. 140 § 136A)
 - Minnesota (M.S.A. § 347.50)
 - Nebraska (Neb.Rev.St. § 54-617(7))
 - Nevada (N. R. S. 202.500)
 - New Hampshire (N.H. Rev. Stat. § 466:31 to 31-a)
 - New Jersey (N.J.S.A. 4:19-18 & N.J.S.A. 4:19-23)
 - New Mexico (N.M.S.A. § 77-1A-2)
 - North Carolina (N.C.G.S.A. § 67-1(a)(2))
 - Ohio (R.C. 955.11)
 - Oklahoma (4 Okl. St. Ann. § 44)
 - Oregon (O.R.S. 609.035)
 - Pennsylvania (3 P.S. § 459-502-A)
 - Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
 - South Carolina (Code 1976 § 47-3-710)
 - Virginia (VA Code Ann. § 3.2-6540)
 - Washington (West's RCWA 16.08.070)
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5. Has a known propensity, tendency, or disposition to attack or endanger

- Arizona (A.R.S. § 11-1001(16))
 - Minnesota (M.S.A. § 347.50)
 - Nebraska (Neb.Rev.St. § 54-617(7))
 - Pennsylvania (3 P.S. § 459-502-A)
 - Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
 - South Carolina (Code 1976 § 47-3-710)
 - Washington (West's RCWA 16.08.070)
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6. Has been used in, trained for, or involved in animal fighting or as a weapon in a crime

- Colorado (C. R. S. A. § 18-9-204.5(3)(a))

- Nevada (N. R. S. 202.500)
 - New Jersey (N.J.S.A. 4:19-18 & N.J.S.A. 4:19-22)
 - Oregon (O.R.S. 609.098)
 - Pennsylvania (3 P.S. § 459-502-A)
 - Rhode Island (Gen. Laws, 1956 § 4-13.1-2(6))
 - South Carolina (Code 1976 § 47-3-710)
 - Virginia (VA Code Ann. § 3.2-6540) (as crossbreed for fighting)
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7. Was previously declared dangerous/potentially dangerous/vicious and repeated behavior

- California (West's Ann. Cal. Food & Agric. Code § 31603)
 - Maryland (MD Code, Criminal Law § 10-619(a)(1))
 - Minnesota (M.S.A. § 347.50)
 - Nebraska (Neb.Rev.St. § 54-617)
 - Nevada (N. R. S. 202.500)
 - Oklahoma (4 Okl. St. Ann. § 44)
 - Virginia (VA Code Ann. § 3.2-6540.1)
 - Washington (West's RCWA 16.08.070)
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8. Declared dangerous/vicious after hearing/court/board determination

- Arizona (A.R.S. § 11-1001(16))
 - Delaware (16 Del.C. §§ 3071F(3), (9))
 - North Carolina (N.C.G.S.A. § 67-1(a)(1)-(2))
 - New Jersey (N.J.S.A. 4:19-18 & N.J.S.A. 4:19-23)
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9. Other criteria/unique elements

- Idaho—"At-Risk Dog" for bite without serious injury (I.C. § 25-2810)
- Massachusetts—"Nuisance dog" for excessive barking, threatening/attacking without disproportion, etc. (M.G.L.A. 140 § 136A)
- Illinois—Running at large with three or more other dogs (510 ILCS 5/2.17c)
- D.C.—Running at-large and impounded three or more times in a 12-month period (DC ST § 8-1901(4)(A))
- North Dakota—Public nuisance: habitual molestation of persons on public roads (NDCC 42-03-01)
- New Hampshire—Nuisance/menace includes pack predation, excreting, persistent barking, etc. (N.H. Rev. Stat. § 466:31 to 31-a)

- Ohio—Subject of third or subsequent code violation for regulation (R.C. 955.11)
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Jurisdictions Without Statutory Definitions of “Dangerous” or “Vicious” Dogs

- Arkansas
 - Connecticut
 - Hawaii
 - Indiana
 - Iowa
 - Kansas
 - Mississippi
 - Missouri
 - Utah
 - West Virginia (“mention” but no definition)
 - Wisconsin
 - Wyoming
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