

ORIGINAL: 2241

P.O. Box 12085  
Harrisburg, PA 17108-2085



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*Pennsylvania Legislative Animal Network*

June 21, 2002

Richard Burd  
Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

RECEIVED  
2002 JUN 21 AM 9:42  
DEPARTMENT OF AGRICULTURE

Dear Mr. Burd,

What a super job the Department has done with the penalty section! That's one of the most comprehensive penalty sections on the books! Thank you for organizing all those references in such a concise manner.

The remainder of the language appears well written and comprehensible. However, PLAN still has a special request. Since new forms will likely be developed to accommodate the new regulations, we would like to suggest the addition of the word "altered" to the identifying license certificates, forms and anywhere the regulations require information about the breed, date of birth, sex, color and markings of the dog. This simple "altered" box will allow everyone involved with a dog to immediately know whether the dog has been spayed or neutered. There will be no need to check on the price of the license, which differs from altered and unaltered dogs.

Looking toward the future, this will facilitate information concerning dogs, especially females, who are not returned to their owners and are offered for adoption. We are aware of many female dogs who have had needless surgery because their guardians did not know they had already been spayed. Thank you for your consideration in this matter.

**PLAN is extremely pleased with the Department's regulations. Please thank everyone involved with the process.**

Sincerely,

*Johnna L. Seeton*

**Johnna L. Seeton  
Chairperson**

cc: **Mr John Jewitt, IRRC ✓**  
**Senator Michael Waugh**  
**Senator Michael O'Pake**  
**Senator Stewart Greenleaf**  
**Representative Raymond Bunt**  
**Representative Peter Daley**  
**Representative Thomas Gannon**

ORIGINAL: 2241

## Bucks County Society for the Prevention of Cruelty to Animals

AN INDEPENDENT NON-PROFIT ORGANIZATION  
CHARTERED DEC. 18, 1912 BY THE COMMONWEALTH OF PENNSYLVANIA

Telephone  
(215) 794-7425

P.O. Box 277  
Lahaska, Pa. 18931

January 10, 2001

Comments on 7 Pennsylvania Code Part II. Dog Law Enforcement Bureau  
Chapter 21. General Provisions; Kennels, Licensure, Dog Caused Damages proposed changes

The Federated Humane Societies of Pennsylvania support the addition of microchips as a suitable permanent identification for lifetime licenses. Because of how microchips are manufactured and distributed there will need to be some differences between how lifetime licenses are issued for microchips and how they are issued for tattoos.

Microchips are issued by the manufacturer to veterinarians and animal shelters in sequential series. These chips are used for dogs, cats and other animals. Many dogs adopted from animal shelters are microchipped prior to adoption and many other dogs have been microchipped by veterinarians. A County Treasurer can issue a lifetime license number which will appear on the tag, but he cannot specify the microchip number. The lifetime license number will have to be linked with whatever microchip number is implanted in the dog. The number on the tag will be different from the number on the microchip.

The provisions of the regulation require applying for the license prior to microchipping and then having the microchipper fill out the rest of the application. This is acceptable for animals not already chipped, but many have been chipped already and they should also be eligible for lifetime licenses. Owners of microchipped dogs should be able to present proof of microchipping, either in the form of the original paperwork from the vet or animal shelter showing the chip number and manufacturer, or in the form of a verification from a vet or animal shelter that the animal is microchipped with chip #----- and the name of the manufacturer. Some people will have retained their original paperwork and others may have lost it, but the chip is still good and any animal shelter or veterinarian with a scanner will be able to verify the number and manufacturer of the chip.

21.53 Transfer of lifetime dog licenses. It would be useful to have more specific information in this section. How much time does an owner have after change of address or change of ownership before a transfer is required? What information must they provide, particularly in the case of change of ownership? Is there any fee for handling the transfer?

Thank you for considering these comments before enacting these important and useful changes to the kennel regulations.

*Anne Irwin*

Anne Irwin  
Executive Director, Bucks County SPCA  
President, Federated Humane Societies of PA

ORIGINAL: 2241

P.O. Box 12085  
Harrisburg, PA 17108-2085



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*Pennsylvania Legislative Animal Network*

June 21, 2002

Richard Burd  
Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

2002 JUN -8 AM 9:04  
RECEIVED  
DEPARTMENT OF AGRICULTURE  
HARRISBURG, PA

Dear Mr. Burd,

What a super job the Department has done with the penalty section! That's one of the most comprehensive penalty sections on the books! Thank you for organizing all those references in such a concise manner.

The remainder of the language appears well written and comprehensible. However, PLAN still has a special request. Since new forms will likely be developed to accommodate the new regulations, we would like to suggest the addition of the word "altered" to the identifying license certificates, forms and anywhere the regulations require information about the breed, date of birth, sex, color and markings of the dog. This simple "altered" box will allow everyone involved with a dog to immediately know whether the dog has been spayed or neutered. There will be no need to check on the price of the license, which differs from altered and unaltered dogs.

Looking toward the future, this will facilitate information concerning dogs, especially females, who are not returned to their owners and are offered for adoption. We are aware of many female dogs who have had needless surgery because their guardians did not know they had already been spayed. Thank you for your consideration in this matter.

PLAN is extremely pleased with the Department's regulations. Please thank everyone involved with the process.

Sincerely,

*Johnna L. Seeton*

Johnna L. Seeton  
Chairperson

cc: Mr John Jewitt, IRRRC  
Senator Michael Waugh  
Senator Michael O'Pake  
Senator Stewart Greenleaf  
Representative Raymond Bunt  
Representative Peter Daley  
Representative Thomas Gannon

ORIGINAL: 2241

**COUNTY TREASURERS' ASSOCIATION  
OF THE  
COMMONWEALTH OF PENNSYLVANIA**

VIRGINIA S. RICHARDSON, PRESIDENT  
104 COURTHOUSE  
MERCER, PA. 16137  
PHONE (724) 662-4440

TO: BUREAU OF DOG LAW

ATTENTION: RICK L. BURD, DIRECTOR OF ENFORCEMENT

FROM: VIRGINIA S. RICHARDSON  
MERCER COUNTY TREASURER  
FOR: PENNSYLVANIA ASSOCIATION OF COUNTY  
TREASURERS

DATE: JUNE 19, 2002

REF: COMMENTS ON DRAFT 05-13-02 - ANNEX "A" 7  
PENNSYLVANIA CODE - PART II. DOG LAW  
ENFORCEMENT BUREAU - CHAPTER 21. GENERAL  
PROVISIONS; KENNELS; LICENSURE; DOG-CAUSED  
DAMAGES

RECEIVED  
MERCER COUNTY  
JUN 20 2002  
10 5 AM '02

THE FOLLOWING ARE COMMENTS FROM THE COUNTY TREASURER'S ASSOCIATION:

1. 21.51 Lifetime Dog License issuance. (A) APPROPRIATE AGENT, AGENT is mention many different places in this proposal. We are not in agreement with our sub agents selling Lifetime Dog License. They might hand out the application but the Treasurers Office would issue the number and keep all the Lifetime Records.
2. Page 8, # (1): THE DOG OWNER MAY OBTAIN AND COMPLETE THE LIFETIME LICENSE APPLICATION IN PERSON OR BY MAIL. Who is going to pay the postage on the mail?
3. Page 8, # (5): THE TATTOO SHALL BE APPLIED BY A LICENSSES VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT. How do we know who is approved to do the tattoo?
4. Page 8, # (6) & Page 11 # (3): THE VERIFICATION OF TATTOO FORM SHALL SET FORTH THE EXACT NUMBER TATTOOED ON THE DOG,

**IDENTIFY THE DOG BY BREED AND DELINEATE THE DOG'S DATE OF BIRTH, SEX, COLOR AND MARKINGS.** Some people cannot remember the age of their dog, unless the dog is registered people probably will not know the dog's date of birth. They might know the age.

5. Page 9, # (7) & (9) & Page 13, # (2) & Page 14 (1): 10 DAYS. We feel that 10 days should be changed to read 30 or 60 days. People work today and lots of times come to purchase the lifetime license on their day off and they would not be able to return the verification of tattoo form to the county treasurer within 10 days. We feel that the time should be changed to 30 or 60 days.
6. Page 9, # (9): THE ISSUING COUNTY TREASURER OR AGENT SHALL RETURN THE LIFETIME LICENSE FEE TO THE DOG OWNER AND RECORD AND REPORT THE NONCOMPLIANCE TO THE DEPARTMENT ..... We feel the issuance fee should be retained by the County Treasurer for his service. The same as Page 13 # (2) The Issuing County Treasurer and, where applicable, the agent shall retain the applicable issuance fees,.....
7. Page 9, # (4) & Page 13, # (3): THE LIFETIME LICENSE APPLICATION MAY BE OBTAINED AND COMPLETED EITHER PRIOR TO OR AFTER IMPLANTATION OF THE MICROCHIP IN THE DOG..... If people can obtain the lifetime license after the implantation of the microchip, do you think people will misunderstand and think the microchip is their license? We feel this entire paragraph needs some discussion and additional thought.
8. Page 8, # (5) & Page 10 # (5): THE LICENSED VETERINARIAN OR DEPARTMENT APPROVED PERSON IMPLANTING THE MICROCHIP.....  
The Treasurers will have to be supplied with the list of people approved by the Department to implant the microchip or will the Treasurers not be held responsible if somebody other than those approved by the Department would implant the microchip.
9. Page 13, # (2): REFUND THE LIFETIME LICENSE FEES, RECORD AND DESIGNATE THE LIFETIME LICENSE NUMBER AS VOID AND NOTIFY THE DEPARTMENT OF THE VIOLATION. We feel at the time we file our monthly report we would include any lifetime license that we had voided during the previous month.
10. Who is going to track and keep the records of the Microchip numbers?



ORIGINAL: 2241

A Statewide Organization for the Benefit of  
Dogs and Dog Owners

RECEIVED  
JUN 19 11:12:19  
LEGISLATIVE COMMISSION

June 18, 2002

Mr. Rick L. Burd  
Director of Enforcement, Bureau of Dog Law Enforcement  
2301 North Cameron St. Harrisburg, Pa. 17110

Dear Rick,

We are writing you in response to the proposed rules and regulations for Act 225, The Dog Law contained in your mailing dated May 29, 2002.

We agree with all of the proposals up to Page 7, Licensure, 21.51. Lifetime dog license issuance.

We do have several concerns with that section:

- 1. The Dog Law itself contains no reference as to whom may apply the permanent identification. We object to now limiting this application, be it a tattoo or a microchip, to only veterinarians or someone approved by the Department of Agriculture. We have a number of people who do tattooing who are not veterinarians and we could be severely restricted as to where we could go for this service. Presently, some breeders are microchipping their own dogs and puppies and this could also cause complications for them.
- 2. This only allows 10 days for someone to return an application to the county treasurer after receiving the Lifetime license number. That is much too short a time period, especially if the dog owner is doing it by mail. During that time the owner must get the dog to the person who does tattooing and then get it back. The Dog Law states no time period, so this must be made more reasonable. A dog owner should have 30 days in which to complete this process. The time period for having a dog either tattooed or microchipped should be the same.

We respectfully request that these changes be made to the proposed rules and regulations so that more dog owners can avail themselves of this important use of permanent identification for the purpose of obtaining a Lifetime Dog License.

Sincerely,  
*Dotsie Keith*  
Dotsie Keith, Legislative Chairman

CC: Independent Regulatory Review Commission



# **P**ENNSYLVANIA FEDERATION OF DOG CLUBS, Inc.

A Statewide Organization for the Benefit of  
Dogs and Dog Owners

### FAX COVER SHEET

DATE: June 19, 02 FAX NO: 717-772-4352, 717-783-2664  
 TO: Bureau of Dog Law + D.R.R.C.  
 ATT: Mr. Rick Burd, Mr. Dick Hess + Kim at D.R.R.C.  
 RE: Rules + Regs for Act. 225, The Dog Law - lifetime licens e  
 FURTHER INFORMATION: \_\_\_\_\_

2002 JUN 19 11:15:10

ATTACHMENTS: Letter  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Number of pages transmitted including cover sheet: 2  
 Please call if you have problems receiving this FAX.

FROM: Dotsie Keith

PHONE NO.: (215) 794-7173 FAX NO.: ( 215) 794-7498

Please confirm receipt of this FAX Hard copy to follow \_\_\_\_\_

ORIGINAL: 2241

TO: BUREAU OF DOG LAW

ATTENTION: RICK BURD, DIRECTOR OF ENFORCEMENT

FROM: VIRGINIA S. RICHARDSON, <sup>AR</sup>MERCER COUNTY  
TREASURER FOR PENNSYLVANIA  
ASSOCIATION OF COUNTY TREASURERS

DATE: FEBRUARY 4, 2002

REF: COMMENTS ON PROPOSED RULEMAKING  
DEPARTMENT OF AGRICULTURE  
(7PA. CODE CH. 21) DOG LICENSURE  
(32 Pa.B. 66)

THE FOLLOWING ARE COMMENTS FROM THE COUNTY  
TREASURER'S ASSOCIATION:

1. WE DO NOT SEE ANY PROVISIONS IN THE LANGUAGE FOR SOMEONE MOVING IN FROM OUT OF STATE WHO HAS ALREADY HAD THEIR DOG CHIPPED. WE CANNOT IMAGINE THAT THEY WOULD BE IMPLANTED WITH A NEW CHIP, THE SCANNER WOULD PICK UP BOTH CHIPS. DO WE NEED SOME PROVISIONS FOR TRANSFER FROM OUT OF STATE?
2. UNDER SUBSECTION 21.51 "OWNER" (1) THE OWNER SHALL ARRANGE TO HAVE THE DOG....IT GOES ON TO STATE "WITH THE NUMBER ASSIGNED BY THE COUNTY TREASURER IN THE MANNER PRESCRIBED IN SUBSECTION (b)". IF WE ARE INTERPRETING THE CHANGES CORRECTLY, THE LANGUAGE IN SUBSECTION (b) IS TO BE DELETED. THUS, WHAT WILL IT REFERENCE?
3. UNDER SUBSECTION 21.51 (d) (3) IT STATES: THE 50 CENT ISSUANCE FEE SHALL BE RETAINED BY THE

COUNTY TREASURER FOR HIS SERVICE IN FORWARDING THE REFUND ..... THE ISSUANCE FEE NOW IS \$1.00. ARE YOU DECREASING OUR FEE?

4. SINCE THE MICROCHIP-LICENSE NUMBER WILL BE TWO DIFFERENT NUMBERS OUR COMPUTER PROGRAMS WILL NEED SOME MODIFICATIONS. WE FEEL THESE EXPENSES SHOULD BE THE RESPONSIBILITY OF THE DEPT OF AGRICULTURE.

PLEASE RESPONSE BACK TO ME SO I KNOW YOU RECEIVED THESE COMMENTS.

**P**ENNSYLVANIA FEDERATION OF  
**DOG CLUBS, Inc.**

A Statewide Organization for the Benefit of  
Dogs and Dog Owners

ORIGINAL: 2241

June 18, 2002

Mr. Rick L. Burd  
Director of Enforcement, Bureau of Dog Law Enforcement  
2301 North Cameron St. Harrisburg, Pa. 17110

Dear Rick,

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We do have several concerns with that section:

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2. This only allows 10 days for someone to return an application to the county treasurer after receiving the Lifetime license number. That is much too short a time period, especially if the dog owner is doing it by mail. During that time the owner must get the dog to the person who does tattooing and then get it back. The Dog Law states no time period, so this must be made more reasonable. A dog owner should have 30 days in which to complete this process. The time period for having a dog either tattooed or microchipped should be the same.

We respectfully request that these changes be made to the proposed rules and regulations so that more dog owners can avail themselves of this important use of permanent identification for the purpose of obtaining a Lifetime Dog License.

Sincerely,  
*Dotsie Keith*  
Dotsie Keith, Legislative Chairman

CC: Independent Regulatory Review Commission

RECEIVED  
INDEPENDENT REGULATORY REVIEW COMMISSION  
JUN 19 9 40 AM '02

**Department of Agriculture Regulation #2-135 (IRRC #2241)**  
**Dog Licensure**  
**Questions on Draft Final**

**Section 21.14. Penalties.**

1. Is it necessary to reiterate the penalty provisions of the Act in the regulation, rather than just cross-referencing the penalty provisions?

**Section 21.51. Lifetime dog license issuance.**

2. In Subsections (D)(7) and (D)(9), is “10 days” a sufficient amount of time to allow a dog owner, upon receipt of lifetime license number, to get a dog tattooed and return the verification form in to the county treasurer or agent? This 10-day requirement also appears in Subsection (G)(2). (Note: The proposed version of the regulation gave the owner 60 days, plus an additional 30 days to reapply if the 60-day time frame was not met – § 21.51(d)(3).)
3. In Subsection (D)(9), since a lifetime license is not mandatory, what section of the Act is violated if a person does not meet the 10-day time frame? Also, the comparable provision in Subsection (E) entitled “Microchip as permanent identification” does not contain similar language regarding violation of the Act.
4. In the second to the last sentence in Subsection (F)(3), should the reference to “the person implanting the microchip number” be changed to the person “scanning” the microchip number since this subsection addresses dogs that were previously microchipped?
5. Subsection (G)(2) contains a typo. In the third to the last sentence, the word “fees” should be changed to “fee.”
6. Subsection (F) and (G) appear to repeat the same information. Could these subsections be combined into one?

**Section 21.53. Transfer of lifetime dog licensees.**

7. Subsection (A)(1) addresses change of address or ownership. Subsection (B)(1) addresses change of ownership or possession. What is the difference? Additionally, Subsections (A) and (B) appear to repeat the same information. Could they be combined into one subsection?
8. Subsections (A)(1) and (A)(2) give the dog owner 10 days to notify the county treasurer of a change in address or ownership. How was 10 days picked as the time frame – it seems too short?
9. Subsection (B)(2) states that when ownership is transferred to a person outside the issuing county, a new lifetime license number will be issued and the original license number will be voided. How will this work if the license number has already been tattooed on the dog as required under Section 21.51(D)(4)? The same questions apply to Subsection (B)(4).
10. There is a typo in the first sentence of Subsection (B)(2). The sentence reads: “Whenever the ownership or possession of a dog is permanently transferred from **on** person to another....” The word “on” should be changed to “one.”

**Section 21.57. Kennel tags.**

11. There is a typo in this section. The word “dog” should appear between the words “state” and “warden.”



ORIGINAL: 2241

## MANHEIM PIKE VETERINARY HOSPITAL, INC.

1669 Manheim Pike, Lancaster, PA. 17601

Telephone: 717-569-6424 Facsimile: 717-569-7745

Website: [www.myvetonline.com/manheimpikevets](http://www.myvetonline.com/manheimpikevets)



Jeffrey S. Steed, D.V.M.  
Marc H. Rovner, V.M.D.  
Patricia L. Thomson, D.V.M.  
Donald M. Herr, D.V.M.

Dear Rick Burd,

At first glance, the proposed lifetime licensure regulation was not going to achieve our goal. Upon closer review, the regulations may accomplish what is needed but are very confusing as written and definitely more complicated than necessary.

The biggest concern and confusion arises over the assigning of a microchip-license number. This number is assigned by the state in accordance with regulation 21.51 number 7. The microchip has a unique encoded ID number. These are manufactured for national distribution and cannot be assigned. The different numbers are easily confused as the regulations currently read. It needs to be clear that they are different numbers.

When the microchip is implanted, the owner receives a certificate that has the unique encoded ID number on it. The process of obtaining a lifetime license should be simple. An owner brings in a microchip certificate with a corresponding ID number and the county treasurer accepts a lifetime application with this ID number on it and will then issue a *different* license tag number. This tag number is issued in accordance with 21.51 #7. This will allow for future microchips that are implanted and for any that have already been done.

As written, the owner must obtain an application with a tag number on it. The dog is then tattooed with this number or has a microchip with a unique ID number encoded on it implanted. The application is appropriately completed and returned to the County Treasurer where a tag is issued. This will work but for a microchip it is not necessary. The owner can bring the microchip certificate and corresponding ID number with them when they pick up the application. The license tag number is immediately issued and the application completed.

The state database must include the unique microchip ID number and its associated license tag number for the process to work as intended.

The process of getting these regulations revised has been long and frustrating. Any further delay would be disappointing to all concerned. If we can be sure that the process that is outlined above will work with these regulations, then they should be passed. The regulations must be clear to all involved, especially the Treasurers, to avoid further problems.

Sincerely,

Jeff Steed D.V.M. (Dog Law Board Member)

ORIGINAL: 2241



January 16, 2002

Mr. Richard Burd  
Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 Cameron Street  
Harrisburg, PA 17110

Dear Mr. Burd,

I am writing today on behalf of the PVMA to congratulate the Bureau on proposing and supporting the updating of regulations concerning the lifetime licensing of dogs and to provide comment as requested in the Pennsylvania Bulletin. It is our understanding that the changes will permit lifetime licensure of dogs through the implantation of a microchip. We believe that this will not only permanently identify pets for their owners but will also encourage owner responsibility and accountability.

I must admit that there are several areas of confusion that might present a misunderstanding in the implementation of these new regulations. It is important to remember that each microchip has a unique, unalterable number. This is one of the important characteristics that guarantee positive identification when using microchips as identification. In Chapter 21 of Title 7 the wording is confusing.

21.51b (2) instructs the county Treasurer to assign a "microchip-license number" and 25.51b (7) requires a two digit county code number to be placed ahead of the "microchip-license number". In 25.51d (2) the County Treasurer is instructed to record the "microchip-license number and *corresponding* microchip identification number." In speaking with a number of people there is some confusion with the use of these terms. Simply using "microchip number" versus "microchip identification number" might simplify the issue. There is an incorrect assumption that the "microchip number" must be pre-assigned and have the two number county code placed in front of it. In fact it is the "microchip-license number."

There is also a question in the ability of dog owners that have previously had their dog microchipped to obtain a lifetime license. My understanding is that "Upon receipt of the properly completed tattoo/microchip certificate, the County Treasurer shall issue the lifetime license and tag to the dog owner" as stated in 21.51d (2). Hopefully a microchipping receipt from a veterinarian would qualify as proof of identification and microchipping to the County Treasurer and a lifetime license would be issued without the "assigned" number" being issued *prior* to placing the microchip.

I would again like to thank the Bureau and hope that these comments can help in clarifying some of the issues.

Sincerely,

James R. Rummel, VMD, President  
Pennsylvania Veterinary Medical Association

Pennsylvania Veterinary  
Medical Association

777 East Park Drive  
P.O. Box 8820  
Harrisburg, PA 17105-8820

Phone: 1-888-550-7862  
Fax: 717-558-7841  
Email: pvma@pamedsoc.org  
Website: www.pavma.org

ORIGINAL: 2241

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Harrisburg, PA 17108-2085



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E-Mail [plannet@epix.net](mailto:plannet@epix.net)

## *Pennsylvania Legislative Animal Network*

January 28, 2002

Richard Burd  
Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

Dear Mr. Burd,

Pennsylvania Legislative Animal Network applauds the Department for moving forward with an alternative method for lifetime licenses. We have supported the use of microchips for many years. Thank you.

As you know, microchips are already numbered when they are manufactured. Therefore, the specific number assigned by the county treasurer or an agent for a microchip-license must be linked to the implanted microchip number by the person implanting the microchip and the county treasurer or agent. Thus, a dog with a lifetime microchip-license will carry two numbers for identification. The same dog may wear two tags, one with the lifetime license number, and the other with the actual microchip number, even though the license number is linked to the microchip number.

It is important that dogs who already have a microchip be eligible for a microchip-license. Proof of microchipping should be mandatory before application is initiated. The microchip number should be linked to the microchip-license number.

In Section 21.51 (3), PLAN requests the addition of the word "altered" to the identifying license certificate, so the applicant or county treasurer may check a box as to whether or not the dog has been spayed or neutered. While veterinarians, breeders and animal shelter personnel may know to include this information under the term "sex," most applicants and many treasurers would specify a dog as a "male" or "female" instead of a "whole" or "intact" male or female, or a "spayed, neutered or altered" male or female. Even though there's a cost differentiation between whole and altered dogs for a lifetime license, we believe this additional information will be helpful in the future.

When the microchip issue was being discussed, PLAN thought this was the only item for addition or revision in the Kennel Regulations. We find that is not true.



We strongly object to the removal of the Penalty section, Section 21.4. This entire section has been removed and replaced with the term "Reserved." This section was discussed by the Dog Law Advisory Board prior to the December 14, 2000 public hearing. The proposed changes to this section are noted in the *Discussion Paper – 12-14-0*. The Bureau of Dog Law Enforcement agreed with PLAN's position:

Section 21.4. Penalties

A person found in violation of any provision of the chapter shall be guilty of one of the following:

- (1) A summary offense for the first [and second] conviction[s] under this chapter or the act within a 1 year period.
- (2) A misdemeanor of the third degree for a second [third] or subsequent violation under this chapter or the act within 1 year of conviction for the first [and second] violation[s].

This above noted change in the regulations identifies the exact penalty language used in the Dog Law. *PLAN* believes that having the penalties included in the regulations, such as appears in other regulations, will clarify the regulations for judges, kennel owners and all those who read them.

*PLAN* was not aware of the need for the definition of "releasing agency." To the best of our knowledge, the only reference to an "agency releasing the dog" is found in Section 23.6, dealing with stray dogs under Chapter 23, Funding For Local Dog Control Programs. While this definition may not be considered negative, *PLAN* would like an explanation why it appeared in the proposed regulation changes. We realize that Article IX of the Dog Law (pertaining to Sterilization of Dogs and Cats) contains this definition, but it seems unnecessary to include it in the Kennel Regulations.

Thank you for the opportunity to reply to the proposed rulemaking.

Respectfully submitted,



Johnna L. Seeton, Chairperson

cc: Mr. John Jewitt, IRRC  
Senator Michael Waugh  
Senator Michael O'Pake  
Senator Stewart Greenleaf  
Representative Raymond Bunt  
Representative Peter Daley  
Representative Thomas Gannon

ORIGINAL: 2241

# Bucks County Society for the Prevention of Cruelty to Animals

AN INDEPENDENT NON-PROFIT ORGANIZATION  
CHARTERED DEC. 18, 1912 BY THE COMMONWEALTH OF PENNSYLVANIA

Telephone  
(215) 794-7425

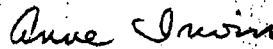
P.O. Box 277  
Lahaska, Pa. 18931

January 25, 2002

Comments on 7 Pennsylvania Code Part II. Dog Law Enforcement Bureau  
Chapter 21. General Provisions; Kennels, Licensure, Dog Caused Damages proposed changes

The Federated Humane Societies of Pennsylvania opposes the deletion of Section 21.4. Penalties. We believe that raising the level of offense to misdemeanor of the third degree for a third or subsequent violation under this act within 1 year of conviction for the first and second violations is both reasonable and necessary. Summary offense penalties are clearly not meaningful or effective if they do not deter someone from committing a third or subsequent offense less than a year after being convicted for a similar offense.

In the case of violations of kennel regulations animals may be suffering when conditions are sufficiently poor to result in conviction. In the case of other kinds of violations like repeated instances of dogs running at large, public health and safety is put at risk. In both kinds of cases time and resources of enforcement personnel and courts are taken up with repeated violations.



Anne Irwin  
Executive Director, Bucks County SPCA  
President, Federated Humane Societies of PA

Original; 2241



A Statewide Organization for the Benefit of  
Dogs and Dog Owners

January 22, 2002

Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street  
Harrisburg, Pa. 17110  
Attn: Mr. Richard Burd

Dear Mr. Burd,

We are contacting you in regards to the recent proposed rules and regulations governing the implanting of microchips in dogs and the use of these for "life time" licensing of these dogs.

These proposed rules, unfortunately, make the assumption that the current method of "life time" licensing with a tattoo placed on a dog with a number assigned by a county treasurer can also be used when a microchip is implanted.

Microchips are supplied by the manufacturer with a number already imbedded in it. Also, many dogs have already been micro chipped by their owners or breeders in order to identify these dogs should they get lost. The numbers on these microchips are then entered into a national data base for tracking the owner. Usually, an 800 telephone number is then supplied to the finder who can be told to whom the dog belongs and where to reach them. Therefore, it is not possible for a county treasurer to assign any number for the microchip itself.

It will be necessary to rewrite these rules and regulations to reflect the two different methods, tattooing and micro chipping, when used for the purpose of obtaining a "life time" license for a dog in the state of Pennsylvania.

It would seem that when a dog has a microchip or is going to get one, that the county treasurer would have to have a system whereby the dog would be assigned a state or county number that would appear on both the paper work and the license tag itself and then the microchip number would also appear on the paper work in order to identify the dog by cross referencing the two numbers.

We realize that this will cause some additional time, effort and paper work by both the

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Bureau of Dog Law and the state's county treasurers but this new, easier way to track lost or stolen dogs will benefit all dogs and owners who use it. Tattooing is still important and many owners use them and will continue to in the future. Using a microchip is one more valuable aid.

We hope that these rules and regulations can be corrected to accommodate both of these quickly as we have been discussing this for several years with the Bureau and people are anxious to have them implemented.

Sincerely,



Dotsie Keith, Legislative Chairman

CC: Mr. John Jewitt, IRRC

Senator Michael Waugh, Chairman, Senate Agriculture and Rural Affairs Committee

Representative Raymond Bunt, Chairman, House Agriculture and Rural Affairs Committee

ORIGINAL: 2241



A Statewide Organization for the Benefit of  
Dogs and Dog Owners

2002 JAN 22 PM 12:10

HARRISBURG, PA

January 22, 2002

Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street  
Harrisburg, Pa. 17110  
Attn: Mr. Richard Burd

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It will be necessary to rewrite these rules and regulations to reflect the two different methods, tattooing and micro chipping, when used for the purpose of obtaining a "life time" license for a dog in the state of Pennsylvania.

It would seem that when a dog has a microchip or is going to get one, that the county treasurer would have to have a system whereby the dog would be assigned a state or county number that would appear on both the paper work and the license tag itself and then the microchip number would also appear on the paper work in order to identify the dog by cross referencing the two numbers.

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Dotsie Keith, Legislative Chairman • Box 67, Furlong, PA 16925 • (215) 794-7173

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