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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF AGRICULTURE
2301 NORTH CAMERON STREET, HARRISBURG, PA 17110-9408

2002 MAY 29 10:35

U.S. MAIL PERMIT NO. 1000 HARRISBURG, PA

May 29, 2002

The Independent Regulatory Review Commission
14th Floor
333 Market Street
Harristown #2
Harrisburg, PA 17120

Dear Sirs:

Enclosed please find the most recent draft of the Lifetime License regulation. The regulation has undergone major changes based on comments received from yourself and others during the proposed rulemaking stage. Because of these extensive revisions, the Bureau has decided to send the revised draft to all commentators for review and comment prior to submitting the regulation as final-form rulemaking.

Although this is an additional step, which is not required by the regulatory review process, the Bureau felt that it would be helpful and could lead to a smoother and more expeditious processing of the final-form rulemaking. The regulated community has expressed a desire to have the Lifetime License regulations promulgated as soon as possible. Therefore, we request that you submit your comments or letters of approval or both to the Bureau without delay, but no later than June 21, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick L. Burd".

Rick L. Burd
Director of Enforcement
Bureau of Dog Law Enforcement

RLB/mem

DRAFT 05-13-02

Annex "A"

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7 Pennsylvania Code
Part II. Dog Law Enforcement Bureau
Chapter 21. General Provisions; Kennels; Licensure;
Dog-Caused Damages

CHAPTER 21. GENERAL PROVISIONS; KENNELS; LICENSURE;
DOG-CAUSED DAMAGES

* * *

GENERAL PROVISIONS

§ 21.1. Definitions.

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AGENT - A DISTRICT JUSTICE OR OTHER PERSON WITHIN THE COUNTY AUTHORIZED BY THE COUNTY TREASURER OR THE DEPARTMENT TO PROCESS AND ISSUE DOG LICENSE CERTIFICATES AND TAGS, AS SET FORTH UNDER SECTION 200(a) OF THE ACT (3 P.S. § 459-200(a)).

* * *

Microchip - A passive transducer encapsulated in a biocompatible material activated by a 125-kilohertz scanner, or any similar device approved by the Department.

* * *

~~Releasing agency - A public or private pound, animal shelter, humane society, society for prevention of cruelty to animals or other similar entity that releases a dog or cat for adoption.~~

* * *

Secretary- The Secretary of [the Department] Agriculture or any person to whom authority has been delegated by the Secretary of Agriculture.

* * *

{§ 21.4. Penalties.

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

~~(1) A summary offense for the first and second convictions under this chapter or the act within a 1 year period.~~

~~(2) A misdemeanor of the third degree for a third or subsequent violation under this chapter or the act within 1 year of conviction for the first and second violations.] Reserved~~

THE ACT ESTABLISHES PENALTIES FOR VIOLATIONS OF THE VARIOUS ARTICLES OF THE DOG LAW AND ANY RULES AND REGULATIONS PROMULGATED THEREUNDER. THE DEPARTMENT MAY IMPOSE THE FOLLOWING PENALTIES INDIVIDUALLY OR IN COMBINATION. SECTION 903 OF THE ACT (3 P.S. § 459-903) PROVIDES THE PENALTY FOR ILLEGAL OR UNLAWFUL ACTIVITIES ENUMERATED IN THE ACT OR VIOLATIONS OF THE ACT FOR WHICH SPECIFIC CRIMINAL PENALTY PROVISIONS HAVE NOT BEEN ENUMERATED. IT MAY BE APPLIED IN ADDITION TO CIVIL PENALTIES PROVIDED FOR IN THE ACT.

(A) ARTICLE II PENALTY PROVISIONS. ARTICLE II OF THE ACT (3 P.S. §§ 459-200 – 459-219) CONTAINS PROVISIONS REGARDING LICENSURE OF DOGS AND KENNELS AND PROVIDES THE FOLLOWING PENALTIES:

(1) AGENT VIOLATION. CONSISTENT WITH SECTION 200(j) OF THE ACT (3 P.S. § 459-200(j)), AN AGENT WHO VIOLATES THE PROVISIONS OF SECTION 200 OF THE ACT (3 P.S. § 459-200) COMMITS A SUMMARY OFFENSE AND UPON CONVICTION SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$300 NOR MORE THAN \$500, AND IN ADDITION MAY HAVE HIS AGENCY RECALLED AT THE DISCRETION OF THE SECRETARY. EACH DAY OF VIOLATION OR EACH ILLEGAL ACT CONSTITUTES A SEPARATE OFFENSE.

(2) FAILURE OF AN INDIVIDUAL TO COMPLY WITH LICENSURE PROVISIONS. CONSISTENT WITH SECTION 201(c) OF THE ACT (3 P.S. § 459-201(c)), AN INDIVIDUAL WHO VIOLATES SECTION 201 OF THE ACT (3 P.S. § 459-201) COMMITS A SUMMARY OFFENSE AND, UPON CONVICTION, SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$25 NOR MORE THAN \$300 FOR EACH UNLICENSED DOG.

(3) FAILURE OF A KENNEL TO COMPLY WITH LICENSURE PROVISIONS. CONSISTENT WITH SECTION 207(a.1) OF THE ACT (3 P.S. § 459-207(a.1)), IT IS UNLAWFUL FOR A KENNEL TO OPERATE WITHOUT FIRST OBTAINING A LICENSE. THE SECRETARY MAY FILE SUIT IN COMMONWEALTH COURT TO ENJOIN THE OPERATION OF A KENNEL THAT VIOLATES ANY OF THE PROVISIONS OF THE ACT OR THE REGULATIONS PROMULGATED THEREUNDER AND MAY SEEK THE IMPOSITION OF A FINE OF NOT LESS THAN \$100 NOR MORE THAN \$500 FOR EVERY DAY THE KENNEL HAS OPERATED IN VIOLATION OF THE ACT OR REGULATIONS.

(4) REVOCATION, SUSPENSION OR DENIAL OF A KENNEL LICENSE. CONSISTENT WITH SECTION 211 OF THE ACT (3 P.S. § 459-211), THE SECRETARY MAY REVOKE, SUSPEND OR REFUSE TO ISSUE A KENNEL LICENSE OR AN OUT-OF-STATE DEALER LICENSE IF THE PERSON HOLDING OR APPLYING FOR A LICENSE HAS DONE ANY OF THE FOLLOWING:

(i) MADE A MATERIAL MISSTATEMENT OR MISREPRESENTATION IN THE LICENSE APPLICATION;

(ii) MADE A MATERIAL MISSTATEMENT OR MISREPRESENTATION TO THE DEPARTMENT OR ITS PERSONNEL REGARDING A MATTER RELEVANT TO THE LICENSE;

(iii) HAS BEEN CONVICTED OF ANY VIOLATION OF THE ACT;

(iv) FAILED TO COMPLY WITH ANY REGULATION PROMULGATED UNDER THE ACT; OR

(v) HAS BEEN CONVICTED OF ANY LAW RELATING TO CRUELTY TO ANIMALS.

(5) SEIZURE OF DOGS. CONSISTENT WITH SECTION 211(c) OF THE ACT (3 P.S. § 459-211(c)), THE DEPARTMENT MAY SEIZE AND IMPOUND, AND DIRECT FORFEITURE OF OWNERSHIP OF A DOG FOR THE FOLLOWING REASONS:

(i) UPON REVOCATION, SUSPENSION OR DENIAL OF A KENNEL LICENSE OR AN OUT-OF-STATE DEALER LICENSE, THE DEPARTMENT MAY SEIZE AND IMPOUND ANY DOG IN THE POSSESSION, CUSTODY OR CARE OF THE PERSON WHOSE LICENSE IS REVOKED, SUSPENDED OR DENIED IF THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE DOG'S HEALTH, SAFETY OR WELFARE IS ENDANGERED. THE PERSON FROM WHOM THE DOG WAS SEIZED AND IMPOUNDED SHALL PAY FOR REASONABLE COSTS OF TRANSPORTATION, CARE AND FEEDING OF THE DOG.

(ii) THE DEPARTMENT SHALL NOT TAKE PHYSICAL POSSESSION OR CUSTODY OF THE DOG WHERE THERE ARE NO REASONABLE GROUNDS TO SUPPORT THE BELIEF THAT THE HEALTH, SAFETY OR WELFARE OF THE DOG IS ENDANGERED OR WHERE THE PERSON WHOSE LICENSE IS REVOKED, SUSPENDED OR DENIED HAS PROVIDED SATISFACTORY EVIDENCE OR ASSURANCES THE DOG WILL RECEIVE ADEQUATE CARE.

(iii) UPON PROPER NOTICE AND OPPORTUNITY FOR AN ADMINISTRATIVE HEARING, AS SET FORTH IN SECTION 211(c)(5) OF THE ACT (3 P.S. § 459-211(c)(5)), THE SECRETARY MAY DIRECT THE FORFEITURE OF OWNERSHIP OF A DOG WHICH HAS BEEN SEIZED AND IMPOUNDED.

(B) ARTICLE V PENALTY PROVISIONS. ARTICLE V OF THE ACT (3 P.S. §§ 459-501 – 459-507-A) CONTAINS PROVISIONS REGARDING OFFENSES OF DOGS AND PROVIDES THE FOLLOWING PENALTIES:

(1) HARBORING A DANGEROUS DOG. A PERSON FOUND GUILTY OF HARBORING A DANGEROUS DOG, AS SET FORTH AT SECTION 502-A OF THE ACT (3 P.S. § 459-502-A), SHALL BE GUILTY OF A SUMMARY OFFENSE.

(2) CONTROL OF DOG DURING DANGEROUS DOG COURT PROCEEDINGS. A PERSON THAT VIOLATES THE PROVISIONS OF

SECTION 502-A(d) OF THE ACT (RELATING TO DISPOSITION OF A DOG DURING COURT PROCEEDINGS) (3 P.S. § 459-502-A(d)), SHALL BE GUILTY OF A SUMMARY OFFENSE AND SHALL PAY A FINE OF NOT LESS THAN \$200.

(3) FAILURE TO REGISTER AND RESTRAIN A DANGEROUS DOG. CONSISTENT WITH SECTION 505-A(a) OF THE ACT (3 P.S. § 459-505-A(a)), A PERSON THAT FAILS TO PROPERLY REGISTER A DANGEROUS DOG, SECURE AND MAINTAIN THE LIABILITY INSURANCE COVERAGE REQUIRED UNDER SECTION 503-A OF THE ACT (3 P.S. § 459-503-A), MAINTAIN THE DOG IN THE PROPER ENCLOSURE OR FAILS TO HAVE THE DOG UNDER PROPER PHYSICAL RESTRAINT WHEN THE DOG IS OUTSIDE THE ENCLOSURE OR DWELLING OF THE OWNER SHALL BE GUILTY OF A MISDEMEANOR OF THE THIRD DEGREE. IN ADDITION, THE STATE DOG WARDEN OR A POLICE OFFICER SHALL IMMEDIATELY CONFISCATE A DANGEROUS DOG UPON THE OCCURRENCE OF ANY OF THESE VIOLATIONS.

(4) ATTACKS BY A DANGEROUS DOG. CONSISTENT WITH SECTION 505-A(b) OF THE ACT (3 P.S. § 459-505-A(b)), WHERE IT IS FOUND THAT A DANGEROUS DOG, THROUGH THE INTENTIONAL, RECKLESS OR NEGLIGENT CONDUCT OF THE DOG'S OWNER, ATTACKED A HUMAN OR A DOMESTIC ANIMAL, THE DOG'S OWNER SHALL BE GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE AND THE DANGEROUS DOG SHALL BE IMMEDIATELY CONFISCATED BY A STATE DOG WARDEN OR POLICE OFFICER, PLACED IN QUARANTINE FOR THE PROPER LENGTH OF TIME AND THEREAFTER HUMANELY KILLED. THE COSTS OF QUARANTINE AND DESTRUCTION SHALL BE BORNE BY THE DOG'S OWNER.

(5) ATTACKS BY A DANGEROUS DOG CAUSING SEVERE INJURY OR DEATH. CONSISTENT WITH SECTION 505-A(c) OF THE ACT (3 P.S. § 459-505-A(c)), WHERE IT IS FOUND THAT A DANGEROUS DOG, THROUGH THE INTENTIONAL, RECKLESS OR NEGLIGENT CONDUCT OF THE DOG'S OWNER, AGGRESSIVELY ATTACKED AND CAUSED SEVERE INJURY TO OR DEATH OF A HUMAN, THE DOG'S OWNER SHALL BE GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE. THE DANGEROUS DOG SHALL BE IMMEDIATELY CONFISCATED BY A STATE DOG WARDEN OR A POLICE OFFICER, PLACED IN QUARANTINE FOR THE PROPER LENGTH OF TIME AND THEREAFTER HUMANELY KILLED. THE COSTS OF QUARANTINE AND DESTRUCTION SHALL BE BORNE BY THE DOG'S OWNER.

(C) ARTICLE VI PENALTY PROVISIONS. ARTICLE VI OF THE ACT (3 P.S. §§ 459-601 – 459-603) CONTAINS PROVISIONS REGARDING INJURY TO DOGS AND PROVIDES THE FOLLOWING PENALTIES:

(1) POISONING OF A DOG. CONSISTENT WITH SECTION 601(b) OF THE ACT (3 P.S. § 459-601(b)), ANY PERSON CONVICTED OF PLACING POISON OR A HARMFUL SUBSTANCE OF ANY DESCRIPTION IN ANY PLACE, ON HIS OWN PREMISES OR ELSEWHERE, WHERE IT

MAY BE EASILY FOUND AND EATEN BY A DOG, SHALL BE GUILTY OF A SUMMARY OFFENSE.

(2) INTENTIONAL POISONING OF A DOG. CONSISTENT WITH SECTION 601(b.1) OF THE ACT (3 P.S. § 459-601(b.1)), ANY PERSON CONVICTED OF PLACING POISON OR A HARMFUL SUBSTANCE OF ANY DESCRIPTION IN ANY PLACE, ON HIS OWN PREMISES OR ELSEWHERE, WITH THE INTENT THAT THE POISON OR SUBSTANCE BE EATEN BY A DOG, SHALL BE GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE AND SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$1000 NOR MORE THAN \$2000 OR IMPRISONMENT FOR NOT MORE THAN TWO YEARS, OR BOTH. A SUBSEQUENT CONVICTION UNDER THIS SUBSECTION SHALL CONSTITUTE A FELONY OF THE THIRD DEGREE.

(3) ABANDONMENT OF A DOG. CONSISTENT WITH SECTION 601(c) OF THE ACT (3 P.S. § 459-601(c)), ANY PERSON CONVICTED OF ABANDONING OR ATTEMPTING TO ABANDON A DOG WITHIN THE COMMONWEALTH SHALL PAY A FINE OF NOT LESS THAN \$300 DOLLARS AND NOT MORE THAN \$1000, PLUS COSTS.

(4) TAUNTING LAW ENFORCEMENT DOGS. CONSISTENT WITH SECTION 602(a) OF THE ACT (3 P.S. § 459-602(a)), IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY AND MALICIOUSLY TAUNT, TORMENT, TEASE, BEAT, KICK OR STRIKE ANY DOG, INCLUDING ANY SEARCH AND RESCUE OR ACCELERANT DETECTION DOG, USED BY ANY MUNICIPAL, COUNTY OR STATE POLICE OR SHERIFF'S DEPARTMENT OR AGENCY, FIRE DEPARTMENT OR AGENCY OR HANDLER UNDER THE SUPERVISION OF SUCH DEPARTMENT OR AGENCY, IN THE PERFORMANCE OF THE FUNCTIONS OR DUTIES OF SUCH DEPARTMENT OR AGENCY OR TO COMMIT ANY OF THE STATED ACTS IN THE COURSE OF INTERFERING WITH ANY SUCH DOG USED BY THE DEPARTMENT OR AGENCY OR ANY MEMBER OR SUPERVISED HANDLER THEREOF IN THE PERFORMANCE OF THE FUNCTIONS OR DUTIES OF THE DEPARTMENT OR AGENCY OR SUCH OFFICER OR MEMBER OR SUPERVISED HANDLER. A PERSON CONVICTED OF VIOLATING ANY OF THE PROVISIONS OF THIS SUBSECTION SHALL BE GUILTY OF A FELONY OF THE THIRD DEGREE.

(5) TORTURING CERTAIN DOGS. CONSISTENT WITH SECTION 602(b) OF THE ACT (3 P.S. § 459-602(b)), IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY AND MALICIOUSLY TORTURE, MUTILATE, INJURE, DISABLE, POISON OR KILL ANY DOG, INCLUDING ANY SEARCH AND RESCUE OR ACCELERANT DETECTION DOG, USED BY ANY MUNICIPAL, COUNTY OR STATE POLICE OR SHERIFF'S DEPARTMENT OR AGENCY, FIRE DEPARTMENT OR AGENCY OR HANDLER UNDER THE SUPERVISION OF SUCH DEPARTMENT OR AGENCY, IN THE PERFORMANCE OF THE FUNCTIONS OR DUTIES OF SUCH DEPARTMENT OR AGENCY OR TO COMMIT ANY OF THE

STATED ACTS IN THE COURSE OF INTERFERING WITH ANY SUCH DOG USED BY THE DEPARTMENT OR AGENCY OR ANY MEMBER OR SUPERVISED HANDLER THEREOF IN THE PERFORMANCE OF THE FUNCTIONS OR DUTIES OF THE DEPARTMENT OR AGENCY OR SUCH OFFICER OR MEMBER OR SUPERVISED HANDLER. A PERSON CONVICTED OF VIOLATING ANY OF THE PROVISIONS OF THIS SUBSECTION SHALL BE GUILTY OF A FELONY OF THE THIRD DEGREE.

(6) DENIAL OF FACILITIES OR SERVICE DUE TO POLICE DOG USE. CONSISTENT WITH SECTION 602(c) OF THE ACT (3 P.S. § 459-602(c)), IT SHALL BE UNLAWFUL FOR THE PROPRIETOR, MANAGER OR EMPLOYEE OF A THEATRE, HOTEL, MOTEL, RESTAURANT OR OTHER PLACE OF ENTERTAINMENT, AMUSEMENT OR ACCOMMODATION TO, EITHER DIRECTLY OR INDIRECTLY, REFUSE, WITHHOLD FROM OR DENY, ANY OF THE ACCOMMODATIONS, ADVANTAGES, FACILITIES OR PRIVILEGES OF SUCH PLACES TO ANY PERSON DUE TO THE USE OF A WORKING POLICE DOG USED BY ANY STATE OR COUNTY OR MUNICIPAL POLICE OR SHERIFF'S DEPARTMENT OR AGENCY. A PERSON CONVICTED OF VIOLATING ANY OF THE PROVISIONS OF THIS SUBSECTION SHALL BE GUILTY OF A MISDEMEANOR OF THE THIRD DEGREE.

(D) ARTICLE VII PENALTY PROVISIONS. ARTICLE VII OF THE ACT (3 P.S. §§ 459-701 – 459-706) CONTAINS PROVISIONS REGARDING DOG CAUSED DAMAGES. SECTION 704 OF THE ACT (3 P.S. § 459-704) PROVIDES THAT THE OWNER OR KEEPER OF A DOG FOUND TO BE CAUSING DAMAGES AND WHICH IS THE SUBJECT OF AN ORDER FROM THE SECRETARY SHALL HAVE TEN DAYS TO COMPLY WITH SUCH ORDER. FAILURE OF SUCH OWNER OR KEEPER TO COMPLY WITH THE ORDER, UPON SUMMARY CONVICTION, SHALL RESULT IN A FINE OF NOT LESS THAN \$100 AND NOT MORE THAN \$500.

(E) ARTICLE IX PENALTY PROVISIONS. ARTICLE IX OF THE AC (3 P.S. §§ 459-901 – 459-907) CONTAINS GENERAL ENFORCEMENT AND PENALTY PROVISIONS AND PROVIDES THE FOLLOWING PENALTIES:

(1) CATCH ALL CRIMINAL PENALTY PROVISION. CONSISTENT WITH SECTION 903 OF THE ACT (3 P.S. § 459-903), UNLESS HERETOFORE SPECIFICALLY PROVIDED FOR, ANY PERSON FOUND TO BE IN VIOLATION OF ANY PROVISION OF ARTICLE II THROUGH ARTICLE VIII OF THE ACT (3 P.S. §§ 459-201-459-802), OR THESE REGULATIONS SHALL BE GUILTY OF A SUMMARY OFFENSE FOR THE FIRST VIOLATION AND FOR A SECOND AND SUBSEQUENT VIOLATION, OF ANY PROVISION, WHICH OCCURS WITHIN ONE YEAR OF SENTENCING FOR THE FIRST VIOLATION SHALL BE GUILTY OF A MISDEMEANOR OF THE THIRD DEGREE.

(2) ALTERATION OF PERMANENT IDENTIFICATION. CONSISTENT WITH SECTION 904 OF THE ACT (3 P.S. § 904), ANY PERSON CONVICTED OF DEFACING OR ALTERING ANY FORM OF

PERMANENT IDENTIFICATION OF A DOG SHALL BE GUILTY OF A SUMMARY OFFENSE AND UPON CONVICTION THEREOF SHALL BE SENTENCED TO PAY A FINE OF \$300 OR TO IMPRISONMENT FOR NOT LESS THAN 90 DAYS, OR BOTH.

(F) ARTICLE IX-A PENALTY PROVISIONS. ARTICLE IX-A OF THE ACT (3 P.S. §§ 459-901-A-459-911-A) RELATES TO THE STERILIZATION OF DOGS AND CATS. FAILURE TO COMPLY WITH THE PROVISIONS OF ARTICLE IX-A OR THE RELATED REGULATIONS SHALL, CONSISTENT WITH SECTION 911-A OF THE ACT (3 P.S. § 459-911-A), CONSTITUTE A SUMMARY OFFENSE.

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KENNELS-PRIMARY ENCLOSURES

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KENNELS-PRIMARY CONVEYANCES

* * *

KENNELS-RECORDS

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LICENSURE

§ 21.51. Lifetime dog license issuance.

[(a) The applicant shall complete a lifetime dog license application and present it and the appropriate fee to the County Treasurer or his agent in the applicant's county of residence, either in person or by mailing an application and including a self-addressed stamped envelope.

(b) The County Treasurer or his agent shall assign a tattoo-license number and place the number on a tattoo certificate. The number shall be at least six digits, the first two digits designating the county. For example, Adams County numbers shall begin with 01; York County, with 67. The county number shall be followed by at least four digits assigned by the County Treasurer or his agent. For example, the first tattoo number assigned by Lehigh County will be 390001. The dog owner may have the letters "PA" tattooed on the dog immediately preceding the assigned number issued by the County Treasurer or his agent.

(c) The tattoo-license number and all other information except the part to be filled in by the tattooist shall be completed by the County Treasurer or his agent on the tattooing certificate before the certificate is given to the applicant. The lifetime license shall also be completed by the County Treasurer or his agent from information on the lifetime application at that time. The County Treasurer or his agent shall collect the applicable fee for the lifetime license before issuing the tattoo certificate to the applicant.

(d) The owner shall arrange to have the dog tattooed at the owner's expense with the number assigned by the County Treasurer in the manner prescribed by subsection (b). The dog shall be tattooed on the right hind leg on the inner part of the upper thigh. The tattooist shall complete the tattooing certificate.

(e) The County Treasurer or his agent shall hold the lifetime license and the accompanying tag until the applicant returns the completed tattooing certificate. The County Treasurer then shall issue the license and tag. If the applicant has not returned the completed tattooing certificate to the County Treasurer or his agent within 60 days, the license fee shall be refunded to the applicant by the County Treasurer or his agent. The 50¢ issuance fee shall be retained by the County Treasurer for his service in forwarding the refund to the applicant. The tattoo-license number shall not be reissued to future applicants other than the original applicant. If the applicant has not reapplied for a lifetime license within 30 days of the date of the refund, the lifetime license shall be voided.

(f) Copies of the lifetime license form and tattooing certificate shall be distributed as indicated on the copies with the County Treasurer's copy being filed in sequence.]

~~(a) The applicant shall complete a lifetime dog license application and present it and the appropriate fee to the County Treasurer or his agent in the applicant's county of residence, either in person or by mailing an application.~~

~~(b) Upon receipt of a lifetime dog license application, the County Treasurer shall complete the lifetime license from information on the lifetime dog license application. The County Treasurer or his agent shall assign a tattoo license number or a microchip license number and place the number on a tattoo/microchip license certificate. The tattoo/microchip license certificate shall identify the dog by breed, date of birth, sex, color and markings, shall contain the name, address and phone number of the dog's owner and the year of licensure and shall set forth the tattoo license or microchip license number that was issued. The tattoo license number or the microchip license number and all other information except the part to be filled in by the tattooist or the person implanting the microchip shall be completed by the County Treasurer or his agent on the tattoo/microchip certificate before the certificate is given to the applicant. The County Treasurer or his agent shall collect the applicable fee for the lifetime license before issuing the tattoo/microchip certificate to the applicant. The County Treasurer or his agent shall hold the lifetime license and the accompanying tag until the applicant returns the completed tattoo/microchip certificate. The tattoo license number or microchip license number issued by the County Treasurer shall be at least six digits, the first two digits designating the county. For example, Adams County numbers shall begin with 01; York County, with 67. The county number shall be followed by at least four digits assigned by the County Treasurer or his agent. For example, the first tattoo number or microchip number assigned by Lehigh County will be 390001.~~

~~(c) The owner shall arrange to have the dog tattooed or a microchip implanted at the owner's expense with the number assigned by the County Treasurer in the manner prescribed by subsection (b). The tattooist or the person implanting the microchip shall complete the tattoo/microchip certificate. The number tattooed on the dog shall be the same number as the assigned tattoo license number set forth on the tattoo/microchip license certificate. Where the dog owner is seeking a tattoo license, the dog owner may~~

~~have the letters "PA" tattooed on the dog immediately preceding the assigned number issued by the County Treasurer or his agent. The tattoo shall be on the right hind leg on the inner part of the upper thigh. When a microchip license number is issued the person implanting the microchip shall record the identifying number on the microchip on the tattoo/microchip license certificate. The microchip implanted shall be of a type consistent with section 21.1 of this chapter (relating to the definition of "microchip") and shall be implanted in accordance with the manufacturer's specifications.~~

~~(d) Upon receipt of the properly completed tattoo/microchip certificate, the County Treasurer shall issue the lifetime license and tag to the dog owner. The number on the tag that is issued shall be the same number as the assigned tattoo license number or microchip license number set forth on the tattoo/microchip license certificate. Upon issuing the lifetime license to the applicant the County Treasurer shall record the microchip license number and the corresponding microchip identification number. If the applicant has not returned the completed tattoo/microchip certificate to the County Treasurer or his agent within 60 days, the license fee shall be refunded to the applicant by the County Treasurer or his agent. The 50¢ issuance fee shall be retained by the County Treasurer for his service in forwarding the refund to the applicant. The tattoo license number or microchip license number shall not be reissued to future applicants other than the original applicant. If the applicant has not reapplied for a lifetime license within 30 days of the date of the refund, the lifetime license shall be voided.~~

~~(e) Copies of the lifetime application shall be distributed as indicated on the application, with the County Treasurer's copy behind filed in sequence. A monthly record of lifetime license information shall be mailed or electronically transmitted to the Department.~~

(A) ELIGIBILITY. - THE OWNER OF ANY DOG THREE MONTHS OF AGE OR OLDER MAY APPLY TO THE COUNTY TREASURER OR APPROPRIATE AGENT, ON A FORM PRESCRIBED BY THE DEPARTMENT FOR A LIFETIME LICENSE.

(B) LIFETIME LICENSE REQUIREMENT. - A LIFETIME LICENSE SHALL CONSIST OF THE FOLLOWING:

(1) A LIFETIME LICENSE NUMBER AND TAG ISSUED BY THE COUNTY TREASURER OR AGENT; AND

(2) A TATTOO OR MICROCHIP PERMANENTLY IDENTIFYING THE DOG.

(C) PERMANENT IDENTIFICATION REQUIREMENT. - A PERSON APPLYING FOR A LIFETIME LICENSE SHALL CHOOSE EITHER A TATTOO OR THE IMPLANTATION OF A MICROCHIP AS THE MEANS OF PERMANENT IDENTIFICATION FOR THE DOG. THE PERSON APPLYING FOR A LIFETIME LICENSE IS RESPONSIBLE FOR HAVING THE DOG TATTOOED OR A MICROCHIP IMPLANTED IN ORDER TO PERMANENTLY IDENTIFY THE DOG.

(D) TATTOO AS PERMANENT IDENTIFICATION. - WHERE THE APPLICANT CHOOSES TO HAVE THE DOG TATTOOED AS A MEANS OF PERMANENT IDENTIFICATION, THE FOLLOWING RULES AND PROCEDURES SHALL APPLY:

(1) PRIOR TO HAVING THE DOG TATTOOED, THE DOG OWNER SHALL OBTAIN AND COMPLETE A LIFETIME LICENSE APPLICATION FROM THE COUNTY TREASURER OR AGENT OF HIS RESPECTIVE COUNTY. THE DOG OWNER MAY OBTAIN AND COMPLETE THE LIFETIME LICENSE APPLICATION IN PERSON OR BY MAIL AND SHALL RETURN THE COMPLETED LIFETIME LICENSE APPLICATION TO THE COUNTY TREASURER OR AGENT. THE DOG OWNER MUST INCLUDE THE APPROPRIATE FEES, SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), WITH THE COMPLETED LIFETIME LICENSE APPLICATION.

(2) UPON RECEIPT OF A COMPLETED LIFETIME LICENSE APPLICATION THE COUNTY TREASURER OR AGENT SHALL FOLLOW THE PROCEDURES SET FORTH IN SUBSECTION 21.51(g) OF THIS CHAPTER. WHERE THE LIFETIME LICENSE APPLICATION IS DETERMINED TO BE COMPLETE, THE COUNTY TREASURER OR AGENT SHALL ISSUE A LIFETIME LICENSE NUMBER AS SET FORTH IN SUBSECTION 21.51(g) OF THIS CHAPTER AND ISSUE A VERIFICATION OF TATTOO FORM, PRESCRIBED BY THE DEPARTMENT.

(3) UPON RECEIVING THE LIFETIME LICENSE NUMBER AND VERIFICATION OF TATTOO FORM ISSUED BY THE COUNTY TREASURER OR AGENT, THE DOG OWNER SHALL HAVE THE DOG TATTOOED IN ACCORDANCE WITH THIS CHAPTER.

(4) THE TATTOO NUMBER APPLIED TO THE DOG SHALL BE THE SAME NUMBER AS THE LIFETIME LICENSE NUMBER ISSUED BY THE COUNTY TREASURER OR AGENT.

(5) THE TATTOO SHALL BE APPLIED BY A LICENSED VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT AND SHALL BE ON THE RIGHT HIND LEG ON THE INNER PART OF THE UPPER THIGH OF THE DOG. THE DOG OWNER MAY HAVE THE LETTERS "PA" TATTOOED ON THE DOG IMMEDIATELY PRECEDING THE TATTOO NUMBER.

(6) THE DOG OWNER AND THE PERSON APPLYING THE TATTOO SHALL COMPLETE, DATE AND SIGN THE VERIFICATION OF TATTOO FORM FOR THE DOG RECEIVING THE TATTOO AND RETURN IT TO THE COUNTY TREASURER OR AGENT THAT ISSUED THE LIFETIME LICENSE NUMBER AND TAG. 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. IN ADDITION, IT SHALL CONTAIN THE NAME, ADDRESS AND PHONE NUMBER OF THE DOG'S OWNER AND THE NAME, BUSINESS ADDRESS AND

PHONE NUMBER OF THE PERSON APPLYING THE TATTOO. WHERE A VETERINARIAN APPLIES THE TATTOO, THE VETERINARIAN SHALL SET FORTH HIS VETERINARY PRACTICE LICENSE NUMBER ON THE FORM.

(7) THE DOG OWNER SHALL HAVE 10 DAYS FROM RECEIPT OF A LIFETIME LICENSE NUMBER AND VERIFICATION OF TATTOO FORM TO HAVE THE DOG TATTOOED AND RETURN THE VERIFICATION OF TATTOO FORM TO THE COUNTY TREASURER OR AGENT WHICH ISSUED THE LIFETIME LICENSE NUMBER AND TAG.

(8) UPON RECEIVING THE COMPLETED VERIFICATION OF TATTOO FORM, THE COUNTY TREASURER OR AGENT SHALL ISSUE THE LIFETIME LICENSE AND TAG TO THE DOG OWNER.

(9) A DOG OWNER WHO FAILS TO HAVE THE DOG TATTOOED AND RETURN THE COMPLETED VERIFICATION OF TATTOO FORM TO THE ISSUING COUNTY TREASURER OR AGENT WITHIN 10 DAYS AFTER RECEIVING A LIFETIME LICENSE NUMBER AND VERIFICATION OF TATTOO FORM SHALL BE IN VIOLATION OF THE ACT AND THESE REGULATIONS AND SUBJECT TO THE PENALTIES PRESCRIBED THEREIN. IN ADDITION, THE LIFETIME LICENSE NUMBER AND TAG SHALL BE VOID. 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 AS SET FORTH AT SUBSECTION 21.52 OF THIS CHAPTER.

(E) MICROCHIP AS PERMANENT IDENTIFICATION. - WHERE THE APPLICANT CHOOSES TO HAVE A MICROCHIP IMPLANTED IN THE DOG AS A MEANS OF PERMANENT IDENTIFICATION, THE FOLLOWING RULES AND PROCEDURES SHALL APPLY:

(1) THE DOG OWNER SHALL HAVE A MICROCHIP IMPLANTED IN THE DOG BY A LICENSED VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT. THE MICROCHIP IMPLANTED SHALL BE OF A TYPE CONSISTENT WITH SECTION 21.1 OF THIS CHAPTER (RELATING TO THE DEFINITION OF "MICROCHIP" AND SHALL BE IMPLANTED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.

(2) THE DOG OWNER SHALL OBTAIN AND COMPLETE BOTH A LIFETIME LICENSE APPLICATION AND A VERIFICATION OF MICROCHIP FORM PRESCRIBED BY THE DEPARTMENT.

(3) THE DOG OWNER SHALL OBTAIN A LIFETIME LICENSE APPLICATION FROM THE COUNTY TREASURER OR AGENT OF HIS RESPECTIVE COUNTY. THE DOG OWNER MAY OBTAIN THE LIFETIME LICENSE APPLICATION IN PERSON OR BY MAIL.

(4) THE LIFETIME LICENSE APPLICATION MAY BE OBTAINED AND COMPLETED EITHER PRIOR TO OR AFTER IMPLANTATION OF A MICROCHIP IN THE DOG. THE APPLICATION AND A VERIFICATION OF MICROCHIP FORM, HOWEVER, MUST BE COMPLETED AND

SIGNED PRIOR TO THE ISSUANCE OF A LIFETIME LICENSE AND TAG. THE FINAL PACKET SUBMITTED BY THE DOG OWNER TO THE COUNTY TREASURER OR AGENT SHALL CONTAIN THE PROPERLY COMPLETED LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM AND THE APPROPRIATE FEES, SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)).

(5) WHERE THE DOG OWNER OBTAINS A LIFETIME LICENSE APPLICATION PRIOR TO HAVING A MICROCHIP IMPLANTED IN THE DOG, THE DOG OWNER MAY REQUEST AND THE COUNTY TREASURER OR AGENT SHALL ISSUE A VERIFICATION OF MICROCHIP FORM ALONG WITH THE LIFETIME LICENSE APPLICATION; OR WHERE THE DOG OWNER HAS NOT YET APPLIED FOR A LIFETIME LICENSE PRIOR TO IMPLANTATION OF THE MICROCHIP, THE LICENSED VETERINARIAN OR DEPARTMENT APPROVED PERSON IMPLANTING THE MICROCHIP SHALL SUPPLY THE VERIFICATION OF MICROCHIP FORM. A LICENSED VETERINARIAN OR OTHER PERSON AUTHORIZED BY THE DEPARTMENT TO IMPLANT A MICROCHIP SHALL OBTAIN SUCH FORM FROM THE DEPARTMENT.

(6) THE DOG OWNER AND THE PERSON IMPLANTING THE MICROCHIP SHALL COMPLETE, DATE AND SIGN THE VERIFICATION OF MICROCHIP FORM FOR THE DOG IN WHICH THE MICROCHIP IS IMPLANTED. THE COMPLETED VERIFICATION OF MICROCHIP FORM SHALL SET FORTH THE IDENTIFYING NUMBER OF THE MICROCHIP IMPLANTED, IDENTIFY THE DOG BY BREED AND DELINEATE THE DOG'S DATE OF BIRTH, SEX, COLOR AND MARKINGS. IN ADDITION, IT SHALL CONTAIN THE NAME, ADDRESS AND PHONE NUMBER OF THE DOG'S OWNER AND THE NAME, BUSINESS ADDRESS AND PHONE NUMBER OF THE PERSON IMPLANTING THE MICROCHIP. WHERE A VETERINARIAN IMPLANTS THE MICROCHIP, THE VETERINARIAN SHALL SET FORTH HIS VETERINARY PRACTICE LICENSE NUMBER.

(7) THE DOG OWNER SHALL COMPLETE THE LIFETIME LICENSE APPLICATION AND TAKE OR MAIL THE COMPLETED LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM TO THE COUNTY TREASURER OR AGENT OF HIS RESPECTIVE COUNTY.

(8) UPON RECEIVING A PROPERLY COMPLETED LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM, AS WELL AS THE APPROPRIATE FEES, AS SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), THE COUNTY TREASURER OR AGENT SHALL ISSUE A LIFETIME LICENSE NUMBER AND TAG AS SET FORTH AT SUBSECTION 21.51(g) OF THIS CHAPTER.

(F) DOG PREVIOUSLY MICROCHIPPED. - WHERE A PERSON HAS ALREADY HAD A MICROCHIP IMPLANTED IN THEIR DOG AND SEEKS TO OBTAIN A LIFETIME LICENSE FOR THE DOG, THE APPLICANT IS NOT REQUIRED TO HAVE A NEW MICROCHIP IMPLANTED IN THE DOG AS A MEANS OF PERMANENT IDENTIFICATION. INSTEAD THE PERSON SHALL:

(1) OBTAIN AND COMPLETE BOTH A LIFETIME LICENSE APPLICATION AND A VERIFICATION OF MICROCHIP FORM PRESCRIBED BY THE DEPARTMENT. THE LIFETIME LICENSE APPLICATION MAY BE OBTAINED AND COMPLETED EITHER PRIOR OR SUBSEQUENT TO HAVING THE DOG SCANNED FOR A MICROCHIP AS SET FORTH BELOW. THE VERIFICATION OF MICROCHIP FORM SHALL BE FILLED OUT AT THE SAME TIME THE DOG IS SCANNED.

(2) HAVE A LICENSED VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT TO IMPLANT A MICROCHIP, SCAN THE DOG TO ASSURE THE MICROCHIP HAS BEEN PROPERLY IMPLANTED AND TO OBTAIN THE IDENTIFYING NUMBER OF THE MICROCHIP.

(3) THE DOG OWNER AND THE VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT TO IMPLANT A MICROCHIP, SHALL COMPLETE, DATE AND SIGN THE VERIFICATION OF MICROCHIP FORM FOR THE DOG IN WHICH THE MICROCHIP WAS IMPLANTED. THE VERIFICATION OF MICROCHIP FORM SHALL SET FORTH THE IDENTIFYING NUMBER OF THE MICROCHIP IMPLANTED, IDENTIFY THE DOG BY BREED AND DELINEATE THE DOG'S DATE OF BIRTH, SEX, COLOR AND MARKINGS. IN ADDITION, IT SHALL CONTAIN THE NAME, ADDRESS AND PHONE NUMBER OF THE DOG'S OWNER AND THE NAME, BUSINESS ADDRESS AND PHONE NUMBER OF THE PERSON IMPLANTING THE MICROCHIP NUMBER. WHERE A VETERINARIAN IS INVOLVED, THE VETERINARIAN SHALL SET FORTH HIS VETERINARY PRACTICE LICENSE NUMBER ON THE VERIFICATION OF MICROCHIP FORM.

(4) THE DOG OWNER OR A PERSON APPROVED BY THE DEPARTMENT TO IMPLANT A MICROCHIP MAY OBTAIN A VERIFICATION OF MICROCHIP FORM.

(i) THE DOG OWNER MAY OBTAIN A VERIFICATION OF MICROCHIP FORM, ALONG WITH A LIFETIME LICENSE APPLICATION, FROM THE COUNTY TREASURER OR AGENT IN HIS RESPECTIVE COUNTY OF RESIDENCE PRIOR TO SCANNING OF THE DOG FOR AN EXISTING MICROCHIP; OR WHERE THE DOG OWNER HAS NOT YET APPLIED FOR A LIFETIME LICENSE, THE LICENSED VETERINARIAN OR OTHER PERSON AUTHORIZED BY THE DEPARTMENT TO IMPLANT A MICROCHIP SHALL SUPPLY THE VERIFICATION OF MICROCHIP FORM.

(ii) A LICENSED VETERINARIAN OR OTHER PERSON APPROVED BY THE DEPARTMENT TO IMPLANT A MICROCHIP SHALL OBTAIN VERIFICATION OF MICROCHIP FORMS FROM THE DEPARTMENT.

(5) THE DOG OWNER SHALL DELIVER TO THE COUNTY TREASURER OR AGENT, IN PERSON OR BY MAIL, THE PROPERLY COMPLETED LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM AND THE APPROPRIATE FEES, AS SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)).

(6) UPON RECEIVING A PROPERLY COMPLETED LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM, AS WELL AS THE APPROPRIATE FEES, AS SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), THE COUNTY TREASURER OR AGENT SHALL ISSUE A LIFETIME LICENSE NUMBER AND TAG AS SET FORTH AT SUBSECTION 21.51(g) OF THIS CHAPTER.

(G) COUNTY TREASURER OR AGENT PROCEDURE FOR ISSUANCE OF LIFETIME LICENSE.

1. GENERAL.

(i) ONE LIFETIME LICENSE PER LIFETIME LICENSE APPLICATION. - A LIFETIME LICENSE APPLICATION MUST BE COMPLETED FOR EACH DOG FOR WHICH A LIFETIME LICENSE IS REQUESTED. THE COUNTY TREASURER OR AGENT SHALL ISSUE ONLY ONE LIFETIME LICENSE AND TAG FOR EACH PROPERLY COMPLETED LIFETIME LICENSE APPLICATION. THE COUNTY TREASURER OR AGENT SHALL COLLECT THE APPLICABLE FEES, AS SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), FOR THE LIFETIME LICENSE BEFORE ISSUING THE LIFETIME LICENSE AND TAG.

(ii) ASSIGNATION OF LIFETIME LICENSE NUMBER. - THE LIFETIME LICENSE SHALL LIST A NUMBER. THE COUNTY TREASURER OR AGENT SHALL ASSIGN A LIFETIME LICENSE NUMBER FOR EACH DOG FOR WHICH A PROPERLY COMPLETED LIFETIME LICENSE APPLICATION HAS BEEN SUBMITTED AND APPROVED. THE LIFETIME LICENSE NUMBER SHALL BE ON THE LIFETIME LICENSE CERTIFICATE AND TAG ISSUED BY THE COUNTY TREASURER OR AGENT. THE NUMBER SHALL BE AT LEAST SIX DIGITS WITH THE FIRST TWO DIGITS DESIGNATING THE COUNTY. FOR EXAMPLE, ADAMS COUNTY NUMBER SHALL BEGIN WITH 01; YORK COUNTY, WITH 67. THE COUNTY NUMBER SHALL BE FOLLOWED BY AT LEAST FOUR DIGITS ASSIGNED BY THE COUNTY TREASURER OR HIS AGENT. FOR EXAMPLE, THE

LIFETIME LICENSE NUMBER ASSIGNED BY YORK COUNTY FOR THE FIRST DOG LICENSED WOULD BE 670001.

(2) TATTOO PROCEDURE. - WHERE THE DOG OWNER INTENDS TO TATTOO THE DOG AS THE MEANS OF PERMANENT IDENTIFICATION THE DOG OWNER SHALL COMPLETE A LIFETIME LICENSE APPLICATION AND PAY THE APPLICABLE FEES, AS SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), PRIOR TO THE COUNTY TREASURER OR AGENT ISSUING A LIFETIME LICENSE AND TAG. THE COUNTY TREASURER OR AGENT, UPON RECEIPT OF A PROPERLY COMPLETED LIFETIME LICENSE APPLICATION AND THE APPLICABLE FEES, SHALL COMPLETE THE LIFETIME LICENSE FROM INFORMATION ON THE LIFETIME LICENSE APPLICATION. THE COUNTY TREASURER OR AGENT SHALL ASSIGN A LIFETIME LICENSE NUMBER AS SET FORTH IN SUBSECTION 21.51(g)(1)(ii) OF THIS CHAPTER AND SHALL ISSUE A VERIFICATION OF TATTOO FORM, PRESCRIBED BY THE DEPARTMENT, TO THE DOG OWNER. THE DOG OWNER SHALL HAVE 10 DAYS FROM RECEIPT OF A LIFETIME LICENSE NUMBER AND VERIFICATION OF TATTOO FORM TO HAVE THE DOG TATTOOED AND RETURN A COMPLETED VERIFICATION OF TATTOO FORM TO THE ISSUING COUNTY TREASURER OR AGENT. WHERE THE DOG OWNER FAILS TO RETURN THE VERIFICATION OF TATTOO FORM WITHIN THE 10 DAY TIME PERIOD, THE ISSUING COUNTY TREASURER OR AGENT SHALL VOID THE LIFETIME LICENSE, REFUND THE LIFETIME LICENSE FEES, RECORD AND DESIGNATE THE LIFETIME LICENSE NUMBER AS VOID AND NOTIFY THE DEPARTMENT OF THE VIOLATION. THE ISSUING COUNTY TREASURER AND, WHERE APPLICABLE, THE AGENT SHALL RETAIN THE APPLICABLE ISSUANCE FEES, SET FORTH AT SECTION 200(b) OF THE ACT (3 P.S. §§ 459-200(b)). THE LIFETIME LICENSE NUMBER SHALL NOT BE REISSUED TO FUTURE APPLICANTS OTHER THAN THE ORIGINAL APPLICANT.

(3) MICROCHIP PROCEDURE. - WHERE THE DOG OWNER INTENDS TO USE A MICROCHIP AS THE MEANS OF PERMANENT IDENTIFICATION, THE DOG OWNER MAY HAVE A MICROCHIP IMPLANTED IN THE DOG PRIOR TO COMPLETING AN APPLICATION FOR A LIFETIME LICENSE. THE DOG OWNER MUST COMPLETE A LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM AND PAY THE APPLICABLE FEES, SET FORTH ON THE LIFETIME LICENSE APPLICATION AND AT SECTIONS 200(b) AND 201(b) OF THE ACT (3 P.S. §§ 459-200(b) and 459-201(b)), PRIOR TO THE COUNTY TREASURER OR AGENT ISSUING THE LIFETIME LICENSE AND TAG. THE COUNTY TREASURER OR AGENT SHALL, UPON REQUEST OF THE DOG OWNER, ISSUE A LIFETIME LICENSE APPLICATION AND A VERIFICATION OF MICROCHIP FORM. UPON RECEIVING A COMPLETED LIFETIME LICENSE APPLICATION, VERIFICATION OF

MICROCHIP FORM AND THE APPLICABLE FEES, THE COUNTY TREASURER OR AGENT SHALL COMPLETE THE LIFETIME LICENSE FROM INFORMATION ON THE LIFETIME LICENSE APPLICATION AND VERIFICATION OF MICROCHIP FORM, ASSIGN A LIFETIME LICENSE NUMBER AS SET FORTH IN SUBSECTION 21.51(g)(1)(ii) AND ISSUE THE LIFETIME LICENSE AND TAG. THE COUNTY TREASURER OR AGENT MAY NOT ISSUE A LIFETIME LICENSE AND TAG UNTIL THE DOG OWNER HAS PROPERLY COMPLETED BOTH THE LIFETIME LICENSE APPLICATION AND THE VERIFICATION OF MICROCHIP FORM. THE COUNTY TREASURER OR AGENT SHALL RECORD BOTH THE LIFETIME LICENSE NUMBER ISSUED AND THE MICROCHIP NUMBER SET FORTH ON THE VERIFICATION OF MICROCHIP FORM.

§ 21.52. Recordkeeping for lifetime dog licenses.

THE COUNTY TREASURER OR AGENT SHALL RECORD EACH LIFETIME LICENSE ISSUED OR VOIDED. The County Treasurer or Agent shall mail or electronically transmit a monthly record of lifetime licenses information to the Department. The County Treasurer or Agent shall keep a record of all lifetime dog licenses issued OR VOIDED for [15] 20 years.

§ 21.53. Transfer of lifetime dog licenses.

(A) GENERAL. –

(1) CHANGE OF ADDRESS OR OWNERSHIP WITHIN THE ISSUING COUNTY. The issuance of a new LIFETIME license and tag is not required when transferring a lifetime dog license to a new owner WITHIN THE SAME COUNTY or when the owner changes his residence ~~to another~~ WITHIN THE SAME county. WHERE THE CHANGE OF ADDRESS OR TRANSFER OF POSSESSION OR OWNERSHIP OF THE DOG IS WITHIN THE COUNTY WHERE THE LIFETIME LICENSE WAS ISSUED AND IS PERMANENT, THE DOG OWNER SHALL NOTIFY THE COUNTY TREASURER OR AGENT OF THE CHANGE OF ADDRESS OR OWNERSHIP. SUCH NOTICE SHALL BE GIVEN EITHER PRIOR TO OR WITHIN 10 DAYS OF THE ACTUAL CHANGE OF ADDRESS OR TRANSFER OF OWNERSHIP OF THE DOG. THE COUNTY TREASURER OR AGENT SHALL RECORD, IN ACCORDANCE WITH SECTION 21.52 OF THIS CHAPTER, THE CHANGE OF ADDRESS OR TRANSFER OF OWNERSHIP OR BOTH. THE ISSUING COUNTY TREASURER OR AGENT MAY CHARGE AND RETAIN \$1 FOR RECORDING SUCH CHANGE OF ADDRESS OR TRANSFER.

(2) CHANGE OF ADDRESS OR OWNERSHIP OUTSIDE THE ISSUING COUNTY. WHERE THE CHANGE OF RESIDENCE OR TRANSFER OF OWNERSHIP OR POSSESSION OF THE DOG IS PERMANENT AND OUTSIDE THE COUNTY IN WHICH THE LIFETIME LICENSE WAS ISSUED the transfer or change in residence shall be recorded by THE DOG OWNER WITH the issuing County Treasurer OR AGENT and, ~~when~~ applicable by the County Treasurer OR AGENT in the county to which the dog

~~has been~~ IS BEING moved OR TRANSFERRED. SUCH NOTICE SHALL BE GIVEN BY THE DOG OWNER EITHER PRIOR TO OR WITHIN 10 DAYS OF THE ACTUAL CHANGE OF ADDRESS OR TRANSFER OF OWNERSHIP OF THE DOG. THE COUNTY TREASURER OR AGENT THAT ISSUED THE ORIGINAL LIFETIME LICENSE MAY CHARGE AND RETAIN \$1 FOR SUCH TRANSFER. THE COUNTY TREASURER OR AGENT ISSUING THE NEW LIFETIME LICENSE IN THE COUNTY TO WHICH THE DOG IS MOVED SHALL, UPON PAYMENT OF A \$1 FEE BY THE DOG OWNER, ISSUE A NEW LIFETIME LICENSE NUMBER AND TAG FOR THAT COUNTY AND RECORD THE LIFETIME LICENSE NUMBER AND TATTOO OR MICROCHIP NUMBER IN ACCORDANCE WITH SECTION 21.52 OF THIS CHAPTER.

(3) TEMPORARY CHANGE OF ADDRESS OR POSSESSION. WHEN THE POSSESSION OF A DOG IS TEMPORARILY TRANSFERRED FOR THE PURPOSE OF HUNTING GAME, OR FOR BREEDING, BOARDING AND TRAINING, TRIAL OR SHOW IN THIS COMMONWEALTH, NEITHER NOTICE NOR A NEW LIFETIME LICENSE, OR THE TRANSFER OF A LIFETIME LICENSE ALREADY SECURED, IS REQUIRED.

B. TRANSFER PROCESS AND INFORMATION REQUIRED.

(1) TRANSFER OF OWNERSHIP OR POSSESSION WITHIN THE ISSUING COUNTY. - WHENEVER THE OWNERSHIP OR POSSESSION OF A DOG IS PERMANENTLY TRANSFERRED FROM ONE PERSON TO ANOTHER WITHIN THE SAME COUNTY, THE LIFETIME LICENSE OF SUCH DOG SHALL BE TRANSFERRED. THE DOG OWNER SHALL MAKE APPLICATION TO THE ISSUING COUNTY TREASURER OR AGENT. SUCH APPLICATION SHALL BE ACCOMPANIED BY A BILL OF SALE OR AFFIDAVIT FROM THE DOG OWNER STATING THAT OWNERSHIP OF THE DOG IS TO BE TRANSFERRED. THE BILL OF SALE OR AFFIDAVIT SHALL SET FORTH THE BREED, SEX, AGE, COLOR AND MARKINGS OF THE DOG BEING TRANSFERRED, THE LIFETIME LICENSE NUMBER AND MICROCHIP OR TATTOO NUMBER OF THE DOG, YEAR OF ISSUANCE OF THE LIFETIME LICENSE, AND THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PERSON TRANSFERRING OWNERSHIP OF THE DOG AND THE PERSON TO WHICH OWNERSHIP OF THE DOG IS BEING TRANSFERRED.

(2) TRANSFER OF OWNERSHIP OR POSSESSION OUTSIDE THE ISSUING COUNTY. - WHENEVER THE OWNERSHIP OR POSSESSION OF A DOG IS PERMANENTLY TRANSFERRED FROM ON PERSON TO ANOTHER OUTSIDE THE ISSUING COUNTY, THE LIFETIME LICENSE NUMBER OF SUCH DOG SHALL BE VOIDED IN THE ISSUING COUNTY AND A NEW LIFETIME LICENSE NUMBER AND TAG ISSUED BY THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH THE DOG IS MOVED. THE DOG OWNER SHALL MAKE APPLICATION TO THE ISSUING COUNTY TREASURER OR AGENT. THE APPLICATION SHALL BE ACCOMPANIED BY A BILL OF SALE OR AFFIDAVIT FROM

THE DOG OWNER STATING THAT OWNERSHIP OR POSSESSION OF THE DOG IS TO BE TRANSFERRED. THE BILL OF SALE OR AFFIDAVIT SHALL SET FORTH THE BREED, SEX, AGE, COLOR AND MARKINGS OF THE DOG BEING TRANSFERRED, THE LIFETIME LICENSE NUMBER AND MICROCHIP OR TATTOO NUMBER OF THE DOG, THE YEAR OF ISSUANCE OF THE LIFETIME LICENSE, AND THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PERSON TRANSFERRING OWNERSHIP OF THE DOG AND THE PERSON TO WHICH OWNERSHIP OF THE DOG IS BEING TRANSFERRED. UPON RECEIVING SUCH APPLICATION THE ISSUING COUNTY TREASURER OR AGENT SHALL CERTIFY SUCH LIFETIME LICENSE TO THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH THE DOG IS BEING MOVED AND SHALL VOID THE LIFETIME LICENSE NUMBER ORIGINALLY ISSUED. THE ORIGINAL LIFETIME LICENSE NUMBER SHALL NOT BE REISSUED TO FUTURE APPLICANTS. THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH THE DOG IS BEING MOVED, UPON RECEIVING CERTIFICATION FROM THE COUNTY TREASURER OR AGENT OF THE ISSUING COUNTY AND PAYMENT OF A FEE OF \$1 FROM THE OWNER OF THE DOG, SHALL ISSUE A NEW LIFETIME LICENSE NUMBER AND TAG, FOR THAT COUNTY, IN THE MANNER SET FORTH IN SUBSECTION 21.51(g) OF THIS CHAPTER.

(3) CHANGE OF RESIDENCE WITHIN THE SAME COUNTY. - WHENEVER, THE OWNER OF A DOG WITH A LIFETIME LICENSE CHANGES RESIDENCE WITHIN THE COUNTY WHICH ISSUED THE LIFETIME LICENSE, THE DOG OWNER SHALL MAKE APPLICATION TO THE ISSUING COUNTY TREASURER OR AGENT. SUCH APPLICATION SHALL BE ACCOMPANIED BY AN AFFIDAVIT FROM THE DOG OWNER STATING THE DOG WILL BE MOVED TO A NEW RESIDENCE AND SETTING FORTH THE ADDRESS OF THE NEW RESIDENCE. THE AFFIDAVIT SHALL IDENTIFY THE BREED, SEX, AGE, COLOR AND MARKINGS OF THE DOG AND THE LIFETIME LICENSE NUMBER AND MICROCHIP OR TATTOO NUMBER.

(4) CHANGE OF RESIDENCE TO ANOTHER COUNTY. - WHENEVER, A DOG LICENSED IN ONE COUNTY IS PERMANENTLY MOVED TO ANOTHER COUNTY, THE DOG OWNER SHALL MAKE APPLICATION TO THE COUNTY TREASURER OR AGENT WHERE THE DOG LICENSE WAS ISSUED. THE APPLICATION SHALL SET FORTH THE NAME AND ADDRESS OF THE DOG OWNER AND THE ADDRESS OF THE RESIDENCE TO WHICH THE DOG WILL BE MOVED. UPON RECEIVING SUCH APPLICATION THE ISSUING COUNTY TREASURER OR AGENT SHALL CERTIFY SUCH LIFETIME LICENSE TO THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH THE DOG IS BEING MOVED AND SHALL VOID THE LIFETIME LICENSE NUMBER ORIGINALLY ISSUED. THE ORIGINAL LIFETIME LICENSE NUMBER SHALL NOT BE REISSUED TO FUTURE APPLICANTS. THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH THE

DOG IS BEING MOVED, UPON RECEIVING CERTIFICATION FROM THE COUNTY TREASURER OR AGENT OF THE ISSUING COUNTY AND PAYMENT OF A \$1 FEE FROM THE OWNER OF THE DOG, SHALL ISSUE A NEW LIFETIME LICENSE NUMBER AND TAG, FOR THAT COUNTY, IN THE MANNER SET FORTH IN SUBSECTION 21.51(g) OF THIS CHAPTER.

(C) RECORDKEEPING AND REPORTING. - The ISSUING County Treasurer OR AGENT SHALL RECORD THE TRANSFER OF OWNERSHIP OR CHANGE IN RESIDENCE AND WHERE APPLICABLE THE VOIDING OF THE LIFETIME LICENSE NUMBER. THE COUNTY TREASURER OR AGENT IN THE COUNTY TO WHICH A DOG IS BEING TRANSFERRED SHALL, UPON RECEIPT OF THE PROPER CERTIFICATION OF TRANSFER FROM THE COUNTY TREASURER OR AGENT OF THE ISSUING COUNTY AND PAYMENT OF A \$1 FEE FROM THE OWNER OF THE DOG, ISSUE A NEW LIFETIME LICENSE NUMBER AND TAG, FOR THAT COUNTY, IN THE MANNER SET FORTH IN SUBSECTION 21.51 OF THIS CHAPTER, AND RECORD THE NEW LIFETIME LICENSE NUMBER ISSUED AND THE TATTOO OR MICROCHIP NUMBER OF THE DOG, IN THE MANNER SET FORTH IN SUBSECTION 21.52 OF THIS CHAPTER. THE COUNTY TREASURER OR AGENT IN BOTH COUNTIES shall mail or electronically transmit a record of the transfer or change in residence, AND WHERE APPLICABLE THE NEW LIFETIME LICENSE NUMBER ISSUED AND CORRESPONDING TATTOO OR MICROCHIP NUMBER OF THE DOG, to the Department. BOTH COUNTY TREASURERS AND AGENTS SHALL KEEP A RECORD OF SUCH TRANSFER OR CHANGE IN RESIDENCE FOR 20 YEARS.

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[§ 21.55. Breeding kennel license.

For the purposes of enforcing the act, when it is not apparent whether a kennel should be licensed as a private kennel or breeding kennel, the kennel shall be licensed as a breeding kennel if the owner or operator keeps, harbors, shelters, sells, gives away or transfers a cumulative total of 101 or more dogs in the preceding calendar year.]

Reserved

§ 21.57. Kennel tags.

The [County Treasurer] Department shall issue a maximum of ten kennel tags to [the] a kennel owner or operator unless [authorization is provided by] the State Warden for the county recommends that a higher quantity is required.

DOG-CAUSED DAMAGES

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