

Manitou and Pikes Peak Cog Railway – Service Animal Policy

This policy describes how we accommodate service animals on the Manitou and Pikes Peak Cog Railway, and also includes common questions our riders may have. If you have further questions after reading this policy, please contact us at info@cograilway.com. This policy was last updated on March 4, 2021 and it is subject to change from time to time.

1. What does Cog Railway consider to be a “service animal?”

- a. We use the definition of service animals provided by the Americans with Disabilities Act (ADA). **The ADA defines a service animal as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the disability of the owner/handler** (referred to in this policy as the “owner”). **Please note: Cog Railway staff may ask what task(s) the service animal performs in order to verify that it is a service animal.**
- b. Dogs or other animals which provide solely emotional support or which are needed for therapy, are not considered service animals, and are not protected by Title III of the ADA, unless they also meet the ADA service animal definition and are trained to perform tasks directly related to the disability of the owner.
- c. Businesses and organizations that serve the public are prohibited from discriminating against individuals with disabilities. Cog Railway welcomes visitors with service animals consistent with applicable laws and regulations, and subject to space limitations and other details described in this policy, we permit service animals in areas where passengers are allowed. **Only dogs that are trained service animals will be admitted to board the Cog Railway train. Pets and other animals not considered service animals will not be allowed to board the Cog Railway train.**
- d. The following list contains examples of certain animals we do not consider to be service animals (this list is not complete):
 - i. Comfort Animals: Animals not trained to perform a specific task, but which are said to provide emotional support or to relieve anxiety simply by their presence (for example, by the passenger holding or stroking the animal).
 - ii. Search and Rescue Dogs: Animals that are trained generally, but not to assist one particular passenger.
 - iii. Police Dogs: Other than pre-approved dogs brought on trains by local police departments.

2. Are service animals allowed on the Cog Railway?

- a. Cog Railway does accommodate service animals on the train. While we do not discourage passengers with service animals from coming on the train, passengers must be aware that there are several factors to consider before deciding to ride with their service animal:
 - i. The motion of the train, and the unnatural, high-pitched metallic sounds that the train makes as it goes over joints in the tracks may make some animals very uncomfortable.

- ii. The train is narrow, and a walkway runs through it. Animals that are not accustomed to heavy and frequent foot traffic may be very uncomfortable.
 - iii. Service animals must not sit or lay down in a walkway as this presents a hazard to other guests and the animal. The service animal will not be permitted to sit on any of the seats but will be required to sit under the passenger's seat, on the passenger's lap or at his or her feet.
 - iv. Cog Railway staff have been directed not to touch the service animal, but other customers may not understand the role of a service animal and may want to touch the service animal.
 - v. Any food or water which the animal requires, and appropriate containers for serving food and water to the animal, should be provided by the owner.
 - vi. Owners will be responsible for all actions of the service animal including the clean-up of all defecation from the service animal. Sanitary toilet arrangements must be made by the owner of the animal, and, in the interest of the health and safety of our guests, the staff of the train will not handle or dispose of animal droppings or urine for the owner.
- b. Under the ADA, all service animals must be under the control of its owner. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective means. The care and supervision of the service animal is the sole responsibility of his or her owner.

3. Are there any other service animal requirements?

- a. Guests with service animals will:
 - i. Agree to notify a Cog Railway Ticket Agent or Conductor before purchasing a ticket or boarding the train, as the service animal may require special seating areas. Cog Railway staff may ask if the animal is a service animal and what task(s) the service animal performs.
 - ii. Owners will cooperate with and follow instructions of Cog Railway Staff to be sure that the animal is not blocking aisles, doors, etc. We reserve the right to relocate you and your service animal to a less crowded area or a different train, if we determine this is necessary.
 - iii. Owners will be held responsible for any damages or injury caused by their service animal.
- b. Service animals may be excluded from a Cog Railway train or boarding areas for various reasons including the following:
 - i. Aggressive behavior by a service animal toward any other person.
 - ii. An animal that is not being controlled by its owner.
 - iii. An animal that is not housebroken.
 - iv. An animal that poses a direct threat to the health or safety of others.
 - v. An animal whose behavior (e.g., barking) fundamentally alters/disrupts the experience for other guests and the owner does not take effective action.

- vi. An animal who is showing signs of severe illness creating health issues or direct threat issues to the health and safety of others that cannot be eliminated by reasonable accommodation (e.g., severe diarrhea, vomiting, bleeding).
- c. If a service animal is not permitted to board the train, Cog Railway will refund the cost of the owner's purchased tickets. Animals must be in the presence of the owner at all times. Cog Railway will not provide animal accommodations if the owner wishes to board the train without the animal.