

The Paws Report

(570) 458-5517

1-800-262-8495

215 STATE STREET

MILLVILLE, PA 17846

www.millvillemutual.com

Dog Ownership: Keeping Liability on a Short Leash

A dog really can be man's (and woman's) best friend. Yet, many owners do not understand the laws and the risks that come with a canine. When you own a dog, the messes you have to clean up can extend beyond unwelcome carpet deposits; you also own your dog's behavior.

According to Centers for Disease Control and Prevention (CDC), 4.5 million Americans sustain dogs bites annually, with nearly 900,000 victims (around 50% of them children) requiring medical attention. In 2006, there were more than 31,000 patients who underwent reconstructive surgery as a result.¹

Beyond human suffering, dog bites account for one-third of all property liability costs, and costs are rising rapidly. For 2007 to 2008, the number of liability claims increased nearly 9% to 15,823 claims. Overall dog bite liability costs increased to \$387.2 million in that period, up 8.7% from the previous year. Average cost per incident was \$24,461 in 2008.²



Here in Pennsylvania

Pennsylvania is one of two states that have a state-wide "leash law" (3 P.S. § 459-305). Yet, this has been the source of some legal debate. The leash statute requires that the dog be confined within the premises of the owner, on a leash, or *under the reasonable control of some person, or when engaged in lawful hunting, exhibition or field training.*

While the specifics of the actual meaning of the leash law remain under legal debate, issues of owner liability are clear... "Any cost to the victim for medical treatment resulting from an attacking or biting dog must be paid fully by the owner or

keeper of the dog" (PA ST 3 P.S. § 459-502. (b1) 1). While there are some legal exceptions (like unlawful trespass, or taunting/tormenting the dog), ownership of the dog's behavior is defined in law. Liability likely could include lost wages, pain and suffering, and legal costs.

In the state of Pennsylvania, policyholders can be exposed to excess judgment over and above your insurance policy limit of coverage if injuries are excessive and the policyholder is found negligent. Contact your Millville Mutual agent to customize a policy to fit your individual needs.

CANINE Quick Facts

The Biggest Biters

Stats are unclear which dogs bite the most

- The most popular breeds inflict more bites because there are simply a lot more of them.
- Many dogs are mixed breeds, creating classification inaccuracy.
- Physically large dogs have bigger, stronger mouths that inflict greater damage.
- Small dogs can be vicious.
- Any breed can become a risk around newborn pups, food, or perceived threats to their territory.

Unneutered Males: Be Aware and Beware

- Unneutered male dogs are involved in more than 70% of dog bite incidents.
- They make up 80% of dogs seen by veterinary behaviorists for “dominance aggression.”

The Most Bitten

Children, particularly between ages 5 - 9 are at highest risk.

Family Members Who Own Dogs

Adults owning 2 or more dogs are 5 times more likely to be bitten than adults in a dogless household.

Adult Males are bitten more than females with male dogs doing more of the biting than female dogs.

SOURCES

1. Centers for Disease Control and Prevention, www.cdc.gov
2. Insurance Information Institute, www.iii.org

Planning for Your Family Dog

The prettiest, fluffiest, or fastest dog may not have a personality that will fit well in your home.

- Consult with a professional (trainer, veterinarian, behaviorist) to discuss breeds that fit your situation. Mixed breeds can be great and loyal pets.
- If you have children, wait until they are not frightened of dogs before buying or adopting.
- Spend time (preferably in your home) with a dog before making a final decision.
- Avoid dogs with aggressive histories, particularly if you have children.
- If you already own a pet, bring the potential new family member into the home to get acquainted. Check out temperament and territorial issues before they become a permanent family member.

Making a Dog in the Home a Sweet Experience

After the decision to bring a dog into your home:

- Spay/neuter the dog to limit unwanted additions and reduce aggressive behavior.
- Train the dog to be submissive (rolling over to expose the abdomen) or surrender food without aggressiveness.
- Teach your children to care for and respect their pet.
- Avoid aggressive games like wrestling or “tug of war.”
- Consider taking classes to assist with training.
- Never leave children alone with the dog.
- Professional help is available if the dog becomes aggressive.



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