



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF AGRICULTURE

235 Promenade Street, Room 370 Providence,
Rhode Island 02908

GUIDANCE FOR APPLICATION FOR VARIANCE FROM REQUIREMENT FOR RABIES VACCINATION

Pursuant to **RIGL § 4-13-31** entitled **Compulsory Rabies Vaccination** all dogs, cats, and ferrets over twelve (12) weeks of age must be maintained as currently vaccinated against rabies

Pursuant to **RIGL § 4-13-29.3** entitled **Regulations for the Suppression of Rabies** the Rabies Control Board may create regulations pertaining to the suppression, prevention, and control of rabies. **Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island** are promulgated under this authority.

Under **Section 2.5.F** of the **Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island**, entitled **Variations**, the regulations create a provision for which the owners of animals may seek a variance from the requirement that their animal is maintained as currently vaccinated against rabies.

In accordance with **Section 2.5.F** of the **Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island**, this guidance document was created. If you wish to request a variance from the requirements of RIGL § 4-13-31, please submit the following information to:

State Veterinarian c/o
RIDEM/Division of Agriculture
235 Promenade Street
Providence, RI 02908

1. A written request by the owner of the animal requesting the variance. The request must include the owner's name, address, telephone number, animal's name, age, species, breed, gender, and color. Also include the date of the most recent rabies vaccination and the reason that the owner is seeking the variance.
2. Any pertinent veterinary records that may support the decision to grant a variance. This may include but not be limited to confirmed diagnosis of a condition for which rabies vaccination is contraindicated, history of a previous adverse event associated with administration of a rabies vaccination, and any diagnostics or treatments associated with any previous adverse event that was associated with administration of a rabies vaccination. The entire medical history is not necessary.
3. A letter from your veterinarian that addresses his/her opinion as to why a variance should be granted.

The Rabies Control Board will meet from time-to-time, no less frequently than annually, to decide on applications for variances. All applicants will be notified by either telephone or by mail of the date, location, and time that the Board will be considering their variance. You are required to attend this meeting in person. You may also bring with you any subject matter expert who will support your request. The Board will also notify the Animal Control Officer ("ACO") with jurisdiction over the municipality where the animal is kept that a variance is being sought and of the time, date, and location of the meeting.

The Board, after hearing your testimony and the testimony of any subject matter experts speaking on your behalf, after reviewing all submitted documents, and after hearing testimony from the Animal Control Officer with jurisdiction over the municipality where the animal is kept will render an opinion. You will be notified of the opinion in writing. Upon notification of a decision to grant a variance you will be required to sign a **Rabies Variance Affidavit**. Your signed copy of this document, countersigned by the RI State Veterinarian, will be your proof that a variance has been granted. Additionally, the variance will contain stipulations and conditions that you must agree to. Your signature on this document will acknowledge that you understand and agree to the conditions set forth in the variance.

At a minimum, the following conditions will need to be agreed to for a variance to be granted:

1. Mandatory permanent identification of the animal via microchip.
2. Mandatory reporting of all incidents where the animal bites, scratches, or otherwise potentially exposes a person or another animal to rabies. All reports must be made within 24 hours to the ACO in the municipality where the animal is kept, or to the police in that municipality.
3. Mandatory reporting of all incidents where the animal has physical contact with any wild mammal. All reports must be made within 24 hours to the ACO in the municipality where the animal is kept, or to the police in that municipality.
4. Mandatory reporting of any incident that involves the escape of the animal, even if the animal was subsequently found. All reports must be made within 24 hours of the escape incident to the ACO in the municipality where the animal is kept, or to the police in that municipality.
5. Acknowledgements that the ACO with jurisdiction over the municipality where the animal is kept may conduct periodic unannounced visits to determine that the conditions set forth in the variance are being maintained.
6. Acknowledgement that the animal for which the variance is granted must not be allowed to run at-large. The animal must at all times be confined to a home, fenced yard, or other safe and appropriate enclosure, and must be walked on a leash if the animal is to be removed from an enclosure.
7. Acknowledgement that if the animal is moved to another town within the state of Rhode Island, that the State Veterinarian must be notified no later than fourteen (14) days prior to the move so that the ACO with jurisdiction over the municipality where the animal is now being kept can be notified.
8. Acknowledgement that this variance may be transferred to another owner if the ownership of the animal changes. The transfer of the variance must be approved by the State Veterinarian and the new owner must sign a **Rabies Variance Affidavit**.
9. Acknowledgement that this variance is not transferable across state lines due to the fact that each state has the authority to promulgate regulations and variance processes. Other states may honor a variance issued in Rhode Island, but are not obligated to do so.
10. Acknowledgement that the animal for which this variance is granted must not be exhibited in public or otherwise allowed public contact.
11. Acknowledgement that the owner of the animal for which this variance is granted must notify anyone providing care for the animal in the absence of the owner that this animal is not currently vaccinated against rabies. This includes but is not limited to notification of groomers, veterinarians, trainers, and boarding kennel workers.