



British Columbia's
Office of the Human Rights
Commissioner

October 31, 2024

Erinn Pinkerton, President & Chief Executive Officer
BC Transit
520 Gorge Road East
Victoria, BC V8W 9T5

Via email to: epinkerton@bctransit.com

Dear Erinn Pinkerton:

Re: Rights of guide and service dog users on transit

I write regarding the rights of people who use guide dogs and service dogs. I appreciate the progress that your organization has made towards ensuring that transit drivers understand and respect the rights of all transit users; I write today to discuss the next steps essential to full compliance with B.C.'s Human Rights Code (the Code).

As an independent officer of the Legislature, it is my statutory responsibility to act as an impartial, nonpartisan advocate for the promotion and protection of human rights in British Columbia. The powers of B.C.'s Human Rights Commissioner include examining and making recommendations on government policy, programs or legislation, as well as making recommendations to all employers, service providers and housing providers, and I believe this is accomplished most effectively through two-way, proactive engagement.

As part of a recent project to educate service providers (such as taxi drivers and restaurant servers) about their obligations to guide dog and service dog users, my team and I have heard repeatedly about concerns with access to transit services throughout British Columbia, particularly when attempting to enter buses. Some users have reported frequently being asked to present their certification on transit and routinely being refused entry or use of public space

when they cannot present certification. We have been told these experiences are very distressing, with lingering repercussions including fear of using transit and feeling a loss of independence and safety. Discrimination against guide and service dog users is causing harm by preventing some people with disabilities from having reliable access to transit. At its worst, inaccessibility of transit services can pose a serious threat to health and safety.

The practice of requiring people who use guide dogs and service dogs to present certification when accessing transit is a violation of the [BC Human Rights Code](#). Under section 8 of the Code, a person cannot be denied accommodation, service, or facility available to the public because of disability. It is important to remember that in these instances, it is a person, not a dog, who is actually being denied access to services and spaces. Persons with disabilities, including visitors from outside of the province, who rely on a guide dog or service dog, are protected from discrimination under the *BC Human Rights Code* and have an equal right to access and use of all public places and services.

Not all guide dogs and service dogs have formal certification. The [Guide Dog and Service Dog Act](#) (GDSDA) and regulation govern how guide dogs and service dogs and their handlers are certified. Certification under the GDSDA is voluntary and valid guide dogs and service dogs exist outside of the certification process. All people who use guide dogs or service dogs must be permitted entry or use of space and services, regardless of certification status.

Like many British Columbians, people who use guide dogs and service dogs rely on public transit to keep them connected to their communities and to access services and healthcare. It is crucial that public transit remains barrier-free and welcoming to everyone in the province.

I am pleased to see that the guidelines on your [website](#) were recently updated to highlight that people who use guide dogs and services dogs are not required to provide certification to access transit services. While this is a positive step, I remain concerned about the consistent application of this guideline in practice.

While legal accuracy in policy and public materials is essential, it is not enough. The policies must be understood and consistently applied by transit operators. If comprehensive training and educational opportunities are not already



available, I strongly encourage BC Transit to develop these resources, in consultation with people who use guide dogs and service dogs. Training should be provided for all bus drivers and transit employees to better educate staff about your guidelines, reduce the number of discriminatory requests for proof of certification, and reduce barriers experienced by people who use guide dogs and service dogs when accessing transit services. To this end, you may be interested in related educational resources developed by my office for taxi drivers and restaurant workers, available here: <https://bchumanrights.ca/guide-dogs/>.

Thank you for your attention to this important issue, and for ongoing developments to your services to improve accessibility. If you have any questions about this issue or these recommendations, please feel free to contact me at commissioner@bchumanrights.ca.

Sincerely,



Kasari Govender
Human Rights Commissioner

