

Superseded 5/14/2019

18-1-1 Liability of owners -- Scienter -- Dogs used in law enforcement.

- (1) Every person owning or keeping a dog is liable in damages for injury committed by the dog, and it is not necessary in the action brought therefor to allege or prove that the dog was of a vicious or mischievous disposition or that the owner or keeper of the dog knew that it was vicious or mischievous.
- (2) Notwithstanding Subsection (1), neither the state nor any county, city, or town in the state nor any peace officer employed by any of them shall be liable in damages for injury committed by a dog, if:
 - (a) the dog has been trained to assist in law enforcement; and
 - (b) the injury occurs while the dog is reasonably and carefully being used in the apprehension, arrest, or location of a suspected offender or in maintaining or controlling the public order.