


Introduced: 3/3/71
Referred: Judiciary

1 IN THE HOUSE

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

2  HOUSE BILL NO. 249

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to rights of the blind and otherwise
7 physically disabled; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 28.25.010 - 28.25.040 are repealed.

11 * Sec. 2. AS 28.25 is amended by adding new sections to read:

12 CHAPTER 25. RIGHTS OF BLIND AND
13 OTHERWISE PHYSICALLY DISABLED PERSONS.

14 Sec. 28.25.011. STATE POLICY. It is the policy of this state
15 to encourage and enable the blind, the visually handicapped, and the
16 otherwise physically disabled to participate fully in the social and
17 economic life of the state and to engage in remunerative employment.

18 Sec. 28.25.021. RIGHTS. (a) The blind, the visually handicapped,
19 and the otherwise physically disabled have the same right as the able-
20 bodied to the full and free use of the streets, highways, sidewalks,
21 walkways, public buildings, public facilities, and other public places.

22 (b) The blind, the visually handicapped, and the otherwise
23 physically disabled are entitled to full and equal accommodations,
24 advantages, facilities, and privileges of all common carriers, airplanes
25 motor vehicles, railroad trains, motor buses, streetcars, boats or any
26 other public conveyances or modes of transportation, hotels, lodging
27 places, places of public accommodation, amusement or resort, and other
28 places to which the general public is invited, subject only to the
29 conditions and limitations established by law and applicable alike to



1 all persons.

2 (c) Totally or partially blind persons shall have the right to
3 be accompanied by a guide dog, especially trained for the purpose, in
4 any of the places listed in (b) of this section without being required
5 to pay an extra charge for the guide dog; however, the person with
6 the guide dog shall be liable for any damage done to the premises or
7 facilities by the dog.

8 Sec. 28.25.031. RIGHTS AS PEDESTRIANS. The driver of a motor
9 vehicle approaching a totally or partially blind pedestrian who is
10 carrying a cane predominantly white or metallic in color, with or
11 without a red tip, or using a guide dog shall take all necessary pre-
12 cautions to avoid injury to the pedestrian, and a driver who fails
13 to take all necessary precautions and causes injury to the pedestrian
14 is liable in damages for the injury caused. A totally blind or
15 partially blind pedestrian not carrying a cane as described in this
16 section or using a guide dog in any of the places, accommodations or
17 conveyances set out under sec. 20 of this chapter has all of the rights
18 and privileges conferred by law upon other persons, and the failure
19 of a totally or partially blind pedestrian to carry a cane as described
20 in this section or to use a guide dog is not by itself evidence of
21 contributory negligence.

22 Sec. 28.25.041. PENALTY FOR DENYING RIGHTS. A person who denies
23 or interferes with admittance to or enjoyment of the public facilities
24 set out in sec. 20 of this chapter or otherwise interferes with the
25 rights of a totally or partially blind or otherwise disabled person
26 is guilty of a misdemeanor and upon conviction is punishable by a
27 fine not to exceed \$1,000, or by imprisonment not to exceed 60 days,
28 or by both.

29 Sec. 28.25.051. DEFINITIONS. In this chapter "partially blind"

1 means a person who with the best correctable sight has less than
2 20/400 visual capabilities in both eyes.

3 * Sec. 2. This Act takes effect on the day after its passage and approv-
4 al or on the day it becomes law without approval.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29