

Original sponsor: Health, Welfare and
Education Committee

Offered: 3/22/72
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 249

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND 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 AS 11.70.040 and AS 28.25.010 - 28.25.040 are repealed.

11 * Sec. 2. AS 18 is amended by adding a new chapter to read:

12 CHAPTER 6. RIGHTS OF BLIND AND

13 OTHERWISE PHYSICALLY DISABLED PERSONS.

14 Sec. 18.06.010. STATE POLICY. It is the policy of this state to
15 encourage and enable the blind, the visually handicapped, and the other-
16 wise physically disabled to participate fully in the social and
17 economic life of the state and to engage in remunerative employment.

18 Sec. 18.06.020. 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 pedestrian use of the streets, highways,
21 sidewalks, walkways, public buildings, public facilities, and other
22 public places.

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

1 conditions and limitations established by law and applicable alike to
2 all persons.

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

9 Sec. 18.06.030. RIGHTS AS PEDESTRIANS. The driver of a motor
10 vehicle approaching a totally or partially blind pedestrian who is
11 carrying a cane predominantly white or metallic in color, with or
12 without a red tip, or using a guide dog shall take all necessary pre-
13 cautions to avoid injury to the pedestrian, and a driver who fails
14 to take all necessary precautions and causes injury to the pedestrian
15 is liable in damages for the injury caused. A totally blind or
16 partially blind pedestrian not carrying a cane as described in this
17 section or using a guide dog in any of the places, accommodations or
18 conveyances set out under sec. 20 of this chapter has all of the rights
19 and privileges conferred by law upon other persons, and the failure
20 of a totally or partially blind pedestrian to carry a cane as described
21 in this section or to use a guide dog is not by itself evidence of
22 contributory negligence.

23 Sec. 18.06.040. PENALTY FOR DENYING RIGHTS. A person who denies
24 or interferes with admittance to or enjoyment of the public facilities
25 set out in sec. 20 of this chapter or otherwise interferes with the
26 rights of a totally or partially blind or otherwise disabled person is
27 guilty of a misdemeanor and upon conviction is punishable by a fine
28 not to exceed \$1,000, or by imprisonment not to exceed 60 days, or by
29 both.

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Sec. 18.06.050. DEFINITIONS. In this chapter "totally blind" or "partially blind" means a person whose visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose widest diameter of visual field subtends an angle no greater than 20 degrees.

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