

ACT 75

H. B. NO. 498

A Bill for an Act Relating to the Blind.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that it is the policy of this State to encourage and enable the blind, the visually handicapped, and the otherwise physically disabled to participate fully in the social and economic life of the State and to engage in remunerative employment. The legislature also finds that the blind, the visually handicapped, and the otherwise physically disabled have the same right as the able-bodied to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places. The legislature declares that it is the policy of this State that the blind, the visually handicapped, and the otherwise physically disabled shall be employed in the state service, in the service of the political subdivisions of the State, in the public schools, and in all other employment supported in whole or in part by public funds on the same term and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved.

SECTION 2. Section 347-13, Hawaii Revised Statutes, is hereby amended to read as follows:

“Sec. 347-13 Blind, partially blind, physically handicapped; public places; public conveyances. (a) The blind, visually handicapped, and otherwise physically disabled are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats, or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

(b) Every blind or visually handicapped person shall have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in subsection (a) without being required to pay an extra charge for the guide dog; provided that he shall be liable for any damage done to the premises or facilities by such dog. No such dog shall be dangerous merely because it is unmuzzled.”

SECTION 3. Chapter 347, Hawaii Revised Statutes, is amended by adding the following new section to be appropriately designated and to read as follows:

“Sec. 347- Rights of blind; partially blind. A blind or visually handicapped person not carrying a cane or using a guide dog in any of the places, accommodations or conveyances listed in section 347-13, shall have all of the rights and privileges conferred by law upon other persons, and the failure of a blind or visually handicapped person to carry a cane or to use a guide dog in any such places, accommodations, or conveyances shall not constitute nor be evidence of negligence.”

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 5. This Act shall take effect upon its approval.

(Approved May 19, 1972.)

*Edited accordingly.