

HOUSE BILL NO. 5405

January 23, 2024, Introduced by Reps. Paiz, Tsernoglou, Dievendorf, Glanville, Coffia and Miller and referred to the Committee on Judiciary.

A bill to amend 1937 PA 10, entitled

"An act to define the use of travel aids by blind persons; to provide protection against accidents to such persons; to require instruction and examination in certain circumstances; and to provide penalties for violation hereof,"

by amending sections 1a and 3 (MCL 752.51a and 752.53), section 1a as amended by 2002 PA 401 and section 3 as amended by 1986 PA 62.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1a. As used in this act:

2 (a) "Blind" means ~~a person~~ **an individual** who has a visual

1 acuity of 20/200 or less in the better eye with correction, or has
 2 limitation of ~~his or her~~ **the individual's** field of vision such that
 3 the widest diameter of the visual field subtends an angular
 4 distance not greater than 20 degrees.

5 (b) "Cane" means an aid used by a blind pedestrian for travel
 6 and identification purposes that is **predominantly white or metallic**
 7 in color with or without a red tip.

8 (c) "Crosswalk" means that term as defined in section 10 of
 9 the Michigan vehicle code, 1949 PA 300, MCL 257.10.

10 (d) "Dog guide" means a dog, in harness, that has been
 11 formally trained and that is used by a blind ~~person~~ **individual** as a
 12 travel aid.

13 (e) "Walker" means an aid used by a blind pedestrian for
 14 travel and identification purposes that is white in color or has
 15 white legs with or without a red tip.

16 Sec. 3. (1) ~~A~~ **Except as otherwise provided in subsections (2)**
 17 **and (3),** a person who violates section 2(1) is guilty of a
 18 misdemeanor ~~—~~ punishable by imprisonment for not more than 90 days
 19 ~~—~~ or by a fine of not ~~more~~ **less** than \$100.00 **and not more than**
 20 **\$500.00,** or both.

21 (2) **A person who violates section 2(1) causing injury to a**
 22 **blind individual, or the blind individual's dog guide, is guilty of**
 23 **a misdemeanor punishable by imprisonment for not more than 1 year**
 24 **or a fine of not more than \$1,000.00, or both.**

25 (3) **A person who violates section 2(1) causing the death of a**
 26 **blind individual, or the blind individual's dog guide, is guilty of**
 27 **a felony punishable by imprisonment for not more than 15 years or a**
 28 **fine of not more than \$7,500.00, or both.**