

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 1096 (as enrolled)
Sponsor: Senator Bev Hammerstrom
Committee: Transportation and Tourism

Date Completed: 2-25-02

RATIONALE

Public Act 10 of 1937, sometimes referred to as the "white cane" statute, regulates drivers of vehicles, requiring any driver who approaches a blind pedestrian who is carrying a white cane or being led by a guide dog at a crosswalk or any other pedestrian crossing, to stop and take all necessary precautions to avoid accidents or injury to the blind person. A driver who violates this provision is guilty of a misdemeanor punishable by up to 90 days' imprisonment, a maximum fine of \$100, or both, and is liable for injuries to the pedestrian. Many contend that a blind pedestrian using an identifiable walker also should be afforded the same protections as those blind pedestrians using a cane or a guide dog.

CONTENT

The bill would amend Public Act 10 of 1937 to make it a misdemeanor for a driver to approach a crosswalk or any other pedestrian crossing without taking all necessary precautions to avoid accident or injury to a blind pedestrian using a walker. A driver who violated this provision also would be liable in damages for any injuries caused to the pedestrian.

("Walker" would mean an aid used by a blind pedestrian for travel and identification purposes that was white in color or had white legs with or without a red tip.)

MCL 752.51a & 752.52

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would provide blind pedestrians who use walkers for aid in mobility the same protections and considerations as blind pedestrians carrying a white cane or being led by a guide dog. It would remind drivers to be careful and courteous, and to take necessary precautions to ensure the safety of blind pedestrians.

The bill also would have the additional, positive effect of heightening public awareness of the travel aids blind and visually impaired persons customarily use.

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

The bill would have an indeterminate impact on the number of violations under MCL 752.53.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.