

HOUSE BILL NO. 4527

June 03, 2025, Introduced by Reps. VanderWall, Tisdell and Paiz and referred to Committee on Health Policy.

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, 2, and 3 (MCL 752.51a, 752.52, and 752.53), sections 1a and 2 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:

(a) "Blind" means ~~a person~~ **an individual** who has a visual acuity of 20/200 or less in the better eye with correction, or has limitation of ~~his or her~~ **the individual's** field of vision such that the widest diameter of the visual field subtends an angular distance not greater than 20 degrees.

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

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

~~(d) "Dog guide" means a dog, in harness, that has been formally trained and that is used by a blind person as a travel aid.~~ **"Service animal" means that term as defined in section 50a of the Michigan penal code, 1931 PA 328, MCL 750.50a.**

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

Sec. 2. (1) A driver of a vehicle shall not approach a crosswalk or any other pedestrian crossing without taking all necessary precautions to avoid accident or injury to a blind pedestrian carrying a cane or using a ~~dog guide~~ **service animal** or walker.

(2) A driver who approaches a crosswalk or any other pedestrian crossing without taking all necessary precautions to avoid accident or injury to a blind pedestrian carrying a cane or using a ~~dog guide~~ **service animal** or walker is liable in damages for any injuries caused **to** the blind pedestrian. A blind pedestrian who does not carry a cane or use a ~~dog guide~~ **service animal** or walker has all of the rights and privileges conferred upon any other

pedestrian by the laws of this state. The failure of a blind pedestrian to carry a cane or use a ~~dog guide~~ **service animal** or walker ~~shall~~ **must** not be treated as evidence of negligence in a civil action for injury to the blind pedestrian or for the blind pedestrian's wrongful death. **A driver who approaches a crosswalk or any other pedestrian crossing without taking all necessary precautions to avoid accident or injury to a blind pedestrian carrying a cane or using a service animal or walker is subject to criminal penalties as provided under section 3.**

(3) If a person alleges to a peace officer a violation of subsection (1), the peace officer shall investigate the alleged violation. The prosecuting attorney shall review the peace officer's investigative report to determine whether a violation of subsection (1) has occurred and whether to issue charges. Upon the request of the blind pedestrian and after reviewing the investigative report, a prosecuting attorney shall inform the blind pedestrian of ~~his or her~~ **the prosecuting attorney's** decision and the reason or reasons supporting that decision.

Sec. 3. (1) ~~A~~ **Except as otherwise provided in subsections (2), (3), and (4), a person who** ~~that~~ violates section 2(1) is guilty of a misdemeanor ~~—~~ punishable by imprisonment for not more than 90 days, ~~or by a~~ fine of not ~~more~~ **less** than \$100.00 **and not more than** \$500.00, or both.

(2) **A person that violates section 2(1) in a grossly negligent manner causing injury to a blind pedestrian, or the blind pedestrian's service animal, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, a fine of not more than \$1,000.00, or both.**

(3) **A person that violates section 2(1) in a grossly negligent**

1 manner causing the death of a blind pedestrian is guilty of a
2 felony punishable by imprisonment for not more than 10 years, a
3 fine of not more than \$7,500.00, or both.

4 (4) A person that violates section 2(1) in a grossly negligent
5 manner causing the death of a blind pedestrian's service animal is
6 guilty of a felony punishable by imprisonment for not more than 5
7 years, a fine of not more than \$7,500.00, or both.