

## USE OF TRAVEL AIDS BY BLIND PERSONS (EXCERPT)

### Act 10 of 1937

#### **752.52 Blind pedestrian carrying cane or using dog guide or walker; duty of driver; liability; failure to carry cane or use dog guide or walker; investigation of alleged violation; review of investigative report; informing blind pedestrian of decision.**

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 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 or walker is liable in damages for any injuries caused the blind pedestrian. A blind pedestrian who does not carry a cane or use a dog guide 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 or walker shall 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.

(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 decision and the reason or reasons supporting that decision.

**History:** 1937, Act 10, Imd. Eff. Apr. 16, 1937;—CL 1948, 752.52;—Am. 1952, Act 249, Eff. Sept. 18, 1952;—Am. 1986, Act 62, Eff. Jan. 1, 1987;—Am. 2002, Act 401, Imd. Eff. June 3, 2002.