

THE WHITE HOUSE

WHITE CANE SAFETY DAY, 1969

May 20, 1969

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

That blindness is a tragedy is known to all men. That courage and determination can help the blind to transcend that tragedy is not nearly as well known.

A symbol of the blind person's determination to help himself and to live a normal life is the white cane. More than a traveling aid for blind people, the familiar white cane has become—to those who can see—a reminder of the tremendous strides which have been made by the blind in adjusting to the world of sight.

A blind man or woman using a white cane can travel with greater confidence and safety on the Nation's streets. This confidence is reflected in other activities, such as education and employment, where the blind can make needed and highly valued contributions. Thus, the white cane helps the blind person to help himself by increasing the range of his activities.

To make our citizens more fully aware of the significance of the white cane, and of the need for motorists to exercise caution and courtesy when approaching its bearer, the Congress, by a joint resolution, approved October 6, 1964 (78 Stat. 1003), has authorized the President to issue annually a proclamation designating October 15 as White Cane Safety Day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim October 15, 1969, as White Cane Safety Day.

I urge all Americans to observe this day by increasing their understanding of the problems of the blind, learning more about the accomplishments of the blind, and seeking ways in which the blind may add even more than they already have to their own personal fulfillment and to the progress of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of May, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-third.

RICHARD NIXON

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### MODEL WHITE CANE LAW

[Note: This draft proposal was prepared by an experienced legal practitioner and by Professor Jacobus tenBroek, an experienced law teacher and writer. Both are blind. They performed the work on behalf of the National Federation of the Blind, the nationwide organization of blind men and women.

This draft is distributed in the hope that it will commend itself to the legislatures of the various States and that they will enact it into law.

The draft is an outgrowth of an article by Professor tenBroek published in the May 1966 issue of the *California Law Review* entitled "The Right to Live in the World--the Disabled in the Law of Torts." Copies of that article may be secured gratis from the Berkeley office of the National Federation of the Blind, 2652 Shasta Road, Berkeley, California 94708. The article contains a detailed analysis of existing white cane laws and other relevant legislation and judicial decisions. It provides support for the enactment of the model law.]

### MODEL WHITE CANE LAW

- 1: 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.
- 2(a): 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;
- 2(b): The blind, the visually handicapped, and the 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;
- 2(c): Every totally or partially blind person shall have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in section 2(b) 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.
- 3: The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color (with or without a red tip) or using a guide dog shall take all necessary precautions to avoid injury to such blind pedestrian, and any driver who fails to take such precautions shall be liable in

damages for any injury caused such pedestrian; provided that a totally or partially blind pedestrian not carrying such a cane or using a guide dog in any of the places, accommodations or conveyances listed in section 2, shall have all of the rights and privileges conferred by law upon other persons, and the failure of a totally or partially blind pedestrian to carry such a cane or to use a guide dog in any such places, accommodations or conveyances shall not be held to constitute nor be evidence of contributory negligence.

- 4: Any person or persons, firm or corporation, or the agent of any person or persons, firm or corporation who denies or interferes with admittance to or enjoyment of the public facilities enumerated in section 2 or otherwise interferes with the rights of a totally or partially blind or otherwise disabled person under section 2 shall be guilty of a misdemeanor.
- 5: Each year, the Governor shall take suitable public notice of October 15 as White Cane Safety Day. He shall issue a proclamation in which:
  - (a) he comments upon the significance of the white cane;
  - (b) he calls upon the citizens of the State to observe the provisions of the White Cane Law and to take precautions necessary to the safety of the disabled;
  - (c) he reminds the citizens of the State of the policies with respect to the disabled herein declared and urges the citizens to cooperate in giving effect to them;
  - (d) he emphasizes the need of the citizens to be aware of the presence of disabled persons in the community and to keep safe and functional for the disabled the streets, highways, sidewalks, walkways, public buildings, public facilities, other public places, places of public accommodation, amusement and resort, and other places to which the public is invited, and to offer assistance to disabled persons upon appropriate occasions.
- 6: 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, 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 terms and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved.

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In some States blind and otherwise disabled persons have been having difficulty renting, leasing, or buying suitable housing. Another section (Section 7) is herewith set forth for those States which have no protection for disabled people in the housing area.

- 7(a): Blind persons, visually handicapped persons, and other physically disabled persons shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this State, subject to the conditions and limitations established by law and applicable alike to all persons.
- 7(b): "Housing accommodations" means any real property, or portion thereof, which is used or occupied or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more human beings, but shall not include any accommodations included within sub-section (a) or any single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.
- 7(c): Nothing in this section shall require any person renting, leasing, or providing for compensation real property to modify his property in any way or provide a higher degree of care for a blind person, visually handicapped person, or other physically disabled person than for a person who is not physically disabled.
- 7(d): Every totally or partially blind person who has a guide dog, or who obtains a guide dog, shall be entitled to full and equal access to all housing accommodations provided for in this section, and he shall not be required to pay extra compensation for such guide dog but shall be liable for any damage done to the premises by such a guide dog.

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