

IC 16-32-3

Chapter 3. Rights of Blind and Other Physically Disabled Persons

IC 16-32-3-1

Public policy

Sec. 1. It is the policy of this state to encourage and enable individuals who are blind, individuals with a visual disability, and other individuals with a physical or mental disability to participate fully in the social and economic life of the state and to engage in remunerative employment.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.65; P.L.99-2007, SEC.155; P.L.155-2009, SEC.1.

IC 16-32-3-1.5

Service animals

Sec. 1.5. As used in this chapter, "service animal" refers to an animal trained as:

- (1) a hearing animal;
- (2) a guide animal;
- (3) an assistance animal;
- (4) a seizure alert animal;
- (5) a mobility animal;
- (6) a psychiatric service animal; or
- (7) an autism service animal.

As added by P.L.155-2009, SEC.2.

IC 16-32-3-2

Public accommodations; service animals

Sec. 2. (a) As used in this section, "public accommodation" means an establishment that caters or offers services, facilities, or goods to the general public. The term includes the following educational facilities:

- (1) A nursery school.
- (2) An elementary school.
- (3) A secondary school.
- (4) An undergraduate or postgraduate public or private institution.
- (5) Other places of education.

(b) A person who:

- (1) is totally or partially blind;
- (2) is hearing impaired; or
- (3) has a physical or mental disability;

is entitled to be accompanied by a service animal, especially trained for the purpose, in any public accommodation without being required to pay an extra charge for the service animal. However, the person is liable for any damage done to the accommodation by the service animal.

(c) A person who:

- (1) refuses access to a public accommodation; or
- (2) charges a fee for access to a public accommodation;

to a person who is totally or partially blind, who has a hearing impairment, or who has a physical or mental disability, because that person is accompanied by a service animal commits a Class C infraction.

(d) A service animal trainer, while engaged in the training process of a service animal, is entitled to access to any public accommodation granted by this section.

As added by P.L.2-1993, SEC.15. Amended by P.L.99-2007, SEC.156; P.L.155-2009, SEC.3.

IC 16-32-3-3

Offenses; failure to take precautions to avoid injury to blind pedestrian; unauthorized carrying of cane

Sec. 3. (a) A person not totally blind who:

(1) approaches a totally or partially blind pedestrian carrying a cane predominantly white or metallic in color, with or without a red tip, or using a service animal; and

(2) fails to take all necessary precautions to avoid injury to the blind pedestrian;

commits a Class C infraction.

(b) A person not totally or partially blind who carries, in a public place, a cane or walking stick that is white and tipped with red commits a Class C infraction.

As added by P.L.2-1993, SEC.15. Amended by P.L.155-2009, SEC.4.

IC 16-32-3-4

White Cane Safety Day

Sec. 4. Each year the governor shall take suitable public notice of October 15 as "White Cane Safety Day". The governor shall issue a proclamation in which the governor does the following:

(1) Comments upon the significance of the white cane.

(2) Calls upon the citizens of Indiana to observe the provisions of the white cane law and to take precautions necessary to the safety of individuals with a disability.

(3) Reminds the citizens of Indiana of the policies with respect to individuals with a disability and urges the citizens to cooperate in giving effect to the policies.

(4) Emphasizes the need of the citizens to do the following:

(A) Be aware of the presence of individuals with a disability in the community.

(B) Keep safe and functional for individuals with a disability 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.

(C) Offer assistance to individuals with a disability upon appropriate occasions.

As added by P.L.2-1993, SEC.15. Amended by P.L.99-2007, SEC.157.

IC 16-32-3-5

Public employment; terms and conditions

Sec. 5. It is the policy of this state that individuals who are blind, individuals with a visual disability, and other individuals with a physical or mental disability shall be employed in:

- (1) the state service;
- (2) the service of the political subdivisions of the state;
- (3) the public schools; and
- (4) 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.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.66; P.L.99-2007, SEC.158; P.L.155-2009, SEC.5.