

CHAPTER 256C

HANDICAPPED PERSONS

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BLIND PERSONS

256C.01 POSITION OF THE STATE WITH REGARD TO THE BLIND AND HANDICAPPED.

The state of Minnesota shall 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. The blind, the visually handicapped, and the otherwise physically disabled shall be employed by the state, its political subdivisions, 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.

History: 1969 c 900 s 1; 1971 c 70 s 3

256C.02 PUBLIC ACCOMMODATIONS.

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; and are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, 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.

Every totally or partially blind or deaf person shall have the right to be accompanied by a guide dog in any of the places listed in section 363.03, subdivision 10. The person shall be liable for any damage done to the premises or facilities by such dog.

History: 1969 c 900 s 2; 1977 c 247 s 1; 1984 c 655 art 1 s 42; 1986 c 444

256C.025 HOUSING ACCOMMODATIONS.

Subdivision 1. 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, subject to the conditions and limitations established by law and applicable alike to all persons.

Subd. 2. "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 single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.

Subd. 3. Nothing in this section shall require any person renting, leasing, or

providing for compensation real property to modify the 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.

Subd. 4. Every totally or partially blind or deaf 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 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 guide dog.

History: 1971 c 70 s 1; 1977 c 247 s 2; 1986 c 444

256C.03 BLIND OR DEAF PEDESTRIANS; CIVIL LIABILITY.

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, or totally or partially deaf person with a guide dog identified with a burnt orange collar or leash, shall bring such vehicle to a stop and give the right of way at any intersection of any street, avenue, alley or other public highway to such blind or deaf pedestrian.

History: 1969 c 900 s 3; 1971 c 70 s 4; 1977 c 247 s 3

256C.04 PROCLAMATION BY GOVERNOR.

Each year, the governor may take suitable public notice of October 15 as white cane safety day and may issue a proclamation in which the governor:

- (1) comments upon the significance of the white cane ,
- (2) 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,
- (3) 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, and
- (4) 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.

History: 1969 c 900 s 4; 1986 c 444

256C.05 CRIMINAL PENALTY.

Any person, or the agent of any person, firm, or corporation who denies or interferes with admittance to or enjoyment of the public facilities enumerated in section 256C.02 or housing accommodations contrary to section 256C.025, or otherwise interferes with the rights of a totally or partially blind or otherwise disabled person under section 256C.02 shall be guilty of a misdemeanor.

History: 1969 c 900 s 5; 1971 c 70 s 5

256C.06 CITATION.

Sections 256C.01 to 256C.06 shall be known and may be cited the "Minnesota white cane law."

History: 1969 c 900 s 6; 1971 c 70 s 6

HEARING IMPAIRED PERSONS

256C.21 HEARING IMPAIRED SERVICES ACT; CITATION.

Sections 256C.21 to 256C.27 may be cited as the "hearing impaired services act."

History: 1980 c 574 s 1

256C.22 PURPOSE.

It is the purpose of the "hearing impaired services act" to establish a statewide network of coordinated services to alleviate the developmental, social, educational and occupational deprivation of hearing impaired persons by establishing regional service centers and strengthening services delivered by state, local and regional agencies.

History: 1980 c 574 s 2

256C.23 DEFINITIONS.

Subdivision 1. For the purposes of sections 256C.21 to 256C.27 the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.

Subd. 2. "Hearing impaired person" means a person who has a loss of hearing in both ears and has difficulty hearing and understanding speech in the ear with better hearing.

Subd. 3. "Regional service center" means a facility designed to provide an entry point for hearing impaired persons of that region in need of human services.

Subd. 4. "Human services" means correctional, educational, occupational, health, mental health, financial and social services.

Subd. 5. "Human services agency" means a state, regional or local agency that provides human services.

History: 1980 c 574 s 3

256C.24 REGIONAL SERVICE CENTERS.

Subdivision 1. **Location.** The commissioner of human services shall establish up to eight regional service centers for hearing impaired persons. The centers shall be distributed regionally to provide access for hearing impaired persons in all parts of the state. The center shall maintain a current registry of those persons having or suspected of having a hearing impairment who live in that region. A special task of the registry is to assure that referrals and follow-up services are completed with respect to persons in the register.

Subd. 2. **Responsibilities.** The regional service center shall:

(a) serve as the central entry point for hearing impaired persons in need of human services and make referrals to the services needed;

(b) employ staff trained to work with hearing impaired persons;

(c) provide to all hearing impaired persons interpreter services which are necessary to help them obtain human services;

(d) serve as the regional interpreter referral center for hearing impaired persons and human services agencies;

(e) loan equipment and resource materials to hearing impaired persons; and

(f) cooperate with responsible departments and administrative authorities to provide access for hearing impaired persons to services provided by state, county and regional agencies.

Subd. 3. **Advisory committee.** The commissioner of human services shall appoint an advisory committee of eight persons for each regional service center. Members shall include four persons who are hearing impaired persons or who are the parents of a hearing impaired child and four representatives of county and regional human services, including representatives of private service providers. Members shall serve without payment by the state of per diem or expense. The commissioner of human services shall designate one member as chair. The commissioner of human services shall assign staff to serve as ex officio members of the committee.

History: 1980 c 574 s 4; 1984 c 654 art 5 s 58; 1Sp1985 c 14 art 9 s 24; 1986 c 444

256C.25 INTERPRETER SERVICES.

Subdivision 1. **Establishment.** The commissioner of human services shall supervise the development and implementation of a statewide interpreter referral service. The commissioner of human services shall contract with appropriate organizations to provide this centralized service.

Subd. 2. **Duties.** The central interpreter referral service shall:

(a) Establish and maintain a statewide directory of interpreters who have received appropriate training and certification;

(b) Provide technical assistance to the regional service centers in implementing the interpreter referral service; and

(c) Assess the present and projected supply and demand for interpreting services statewide.

History: 1980 c 574 s 5; 1Sp1985 c 14 art 9 s 25

256C.26 EMPLOYMENT SERVICES.

The commissioner of jobs and training shall include in the biennial plan submitted to the full productivity and opportunity coordinator a method to deal with the under-employment of hearing impaired persons. The plan shall provide for training regarding the nature of hearing handicaps for department staff who consult with prospective employers or who provide job placement services.

History: 1980 c 574 s 6; 1Sp1985 c 14 art 9 s 26

256C.27 DUTIES OF THE COMMISSIONER OF HUMAN SERVICES.

In order to ensure that hearing impaired persons have full access to all local, county and regional human service programs, the commissioner of human services shall:

(a) Provide training to the social service or income maintenance staff employed by counties or by organizations with whom counties contract for services to ensure that communication barriers which prevent hearing impaired persons from using services are removed;

(b) Assess the ongoing need and supply of services for hearing impaired persons in all parts of the state and cooperate with public and private service providers to develop these services;

(c) Provide training to state and regional human service agencies regarding program access for hearing impaired persons;

(d) Assist the regional service centers in the development of technical assistance and outreach programs; and

(e) Develop, where possible, innovative approaches to providing services to hearing impaired persons. The commissioner of health shall establish standards for screening for hearing impairments with special emphasis on screening of persons from birth through school age and persons over age 65.

History: 1980 c 574 s 7; 1984 c 654 art 5 s 58

256C.28 COUNCIL FOR THE HEARING IMPAIRED.

Subdivision 1. **Membership.** The Minnesota council for the hearing impaired consists of seven members appointed by the commissioner of human services and a member from each advisory council established under section 256C.24, subdivision 3. At least four of the members appointed by the commissioner must be hearing impaired. Council members appointed by the commissioner serve four-year terms, except for the members first appointed, of whom three are appointed for a term ending December 31, 1990, two for terms ending December 31, 1989, and two for terms ending December 31, 1988.

Subd. 2. **Removal; vacancies.** The compensation, removal of members, and filling of vacancies on the council are as provided in section 15.0575.

Subd. 3. **Duties.** The council shall:

(1) advise the commissioner on the development of policies, programs, and services affecting the hearing impaired, and on the use of appropriate federal and state money;

(2) create a public awareness of the special needs and potential of hearing impaired persons; and

(3) provide the commissioner with a review of ongoing services, programs, and proposed legislation affecting the hearing impaired.

History: *1Sp1985 c 14 art 9 s 27*