


ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 521, "An Act to add Sections 54.2, 54.3, 54.4, 54.5, 54.6, 54.7 and 54.8 to the Civil Code of Guam, concerning blind persons", was on the 7th day of October, 1971, duly and regularly passed.



F. T. RAMIREZ
Speaker

ATTESTED:



G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 19th day
of Oct., 1971 at 3:00 o'clock P. M.

/s/ VINCENT I. PEREZ

VINCENT T. PEREZ
Attorney General of Guam

APPROVED:

/s/ Carlos G. Camacho

CARLOS G. CAMACHO
Governor of Guam
DATED: OCT 29 1971

2:15 P.M.

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ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

Bill No. 521

Introduced by _____

V. D. Ada
P. M. Calvo
P. D. Perez
T. R. Santos
T. S. Tanaka

AN ACT TO ADD SECTIONS 54.2, 54.3, 54.4, 54.5,
54.6, 54.7 AND 54.8 TO THE CIVIL CODE OF GUAM,
CONCERNING BLIND PERSONS.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Sections 54.2, 54.3, 54.4, 54.5, 54.6, 54.7 and
3 54.8 are hereby added to the Civil Code of Guam to read as
4 follows:

5 "Section 54.2. Blind persons; public use of
6 facilities. Blind persons, visually handicapped persons,
7 and other physically disabled persons shall have the
8 same right as the able-bodied to the full and free use
9 of the streets, highways, sidewalks, walkways, public
10 buildings, public facilities, and other public places.

11 Section 54.3. Same: rights. (a) Blind persons,
12 visually handicapped persons, and other physically dis-
13 abled persons shall be entitled to full and equal access,
14 as other members of the general public, to accommodations,
15 advantages, facilities, and privileges of all common
16 carriers, airplanes, motor vehicles, motor buses, boats
17 or any other public conveyances or modes of transporta-
18 tion, hotels, lodging places, places of public accom-
19 modation, amusement or resort, and other places to which
20 the general public is invited, subject only to the
21 conditions and limitations established by law, or state
22 or Federal regulation, and applicable alike to all persons.

23 (b) Blind persons, visually handicapped persons,
24 and other physically disabled persons shall be entitled
25 to full and equal access, as other members of the general

1 public, to all housing accommodations offered for rent,
2 lease, or compensation in Guam, subject to the conditions
3 and limitations established by law, or Federal regulations,
4 and applicable alike to all persons.

5 'Housing accommodations' means any real property,
6 or portion thereof, which is used or occupied, or is
7 intended, arranged, or designed to be used or occupied,
8 as the home, residence, or sleeping place of one or more
9 human beings, but shall not include any accommodations
10 included within subdivision (a) or any single family
11 residence the occupants of which rent, lease, or
12 furnish for compensation not more than one room therein.

13 Nothing in this section shall require any person
14 renting, leasing or providing for compensation real property
15 to modify his property in any way or provide a higher degree
16 of care for a blind person, visually handicapped person,
17 or other physically disabled person than for a person
18 who is not physically disabled..

19 Nothing in this part shall require any person renting,
20 leasing, or providing for compensation real property, if
21 such person refuses to accept tenants who have dogs, to
22 accept as a tenant a blind person, visually handicapped
23 person, or other physically disabled person who has a
24 dog, including a guide dog.

25 Section 54.4. Same: guide dog. Every totally or
26 partially blind person shall have the right to be
27 accompanied by a guide dog, especially trained for the
28 purpose, in any of the places specified in Section 54.3
29 without being required to pay extra charge for the guide
30 dog; provided he shall be liable for any damage done to
31 the premises or facilities by such dog.

1 Section 54.5. Same: penalty for interference with
2 blind. Any person or persons, firm or corporation who
3 denies or interferes with admittance to or enjoyment of
4 the public facilities as specified in Sections 54.2 and
5 54.3 or otherwise interferes with the rights of a totally
6 or partially blind person or other disabled person under
7 Sections 54.2, 54.3 and 54.4 shall be guilty of a
8 misdemeanor.

9 Section 54.6. Same: negligence. A totally or
10 partially blind pedestrian shall have all of the rights
11 and privileges conferred by law upon other persons in any
12 of the places, accommodations or conveyances specified in
13 Sections 54.2 and 54.3 notwithstanding the fact that such
14 person is not carrying a predominantly white cane (with
15 or without a red tip), or using a guide dog. The failure
16 of a totally or partially blind person to carry such a cane
17 or to use such a guide dog shall not constitute negligence
18 per se.

19 Section 54.7. Same: White Cane Day. Each year, the
20 Governor shall publicly proclaim the second Saturday and
21 Sunday of April as white cane safety days. He shall issue
22 a proclamation in which:

23 (a) Comments shall be made upon the significance
24 of white cane safety days.

25 (b) Residents of Guam are called upon to observe
26 the provisions of this Act and to take precautions
27 necessary to the safety of disabled persons.

28 (c) Residents of Guam are reminded of the policies
29 with respect to disabled persons declared in this Act
30 and he urges the residents to cooperate in giving effect
31 to them.

1 (d) Emphasis shall be made on the need of the
2 residents to be aware of the presence of disabled persons
3 in the community and to keep safe and functional for the
4 disabled the streets, highways, sidewalks, walkways,
5 public buildings, public facilities, other public
6 places, places of public accommodation, amusement and
7 resort, and other places to which the public is invited,
8 and to offer assistance to disabled persons upon
9 appropriate occasions.

10 (e) It is the policy of the territory to encourage
11 and enable blind persons, visually handicapped persons,
12 and other physically disabled persons to participate
13 fully in the social and economic life of the territory
14 and to engaged in remunerative employment.

15 Section 54.8. Same: definition. As used in this
16 part, 'blind,' 'totally blind,' 'visually handicapped,'
17 and 'partially blind' means having central visual acuity
18 not to exceed 20/200 in the better eye, with corrected
19 lenses, as measured by the Snellen test, or visual
20 acuity greater than 20/200, but with a limitation in the
21 field of vision such that the widest diameter of the visual
22 field subtends an angle not greater than 20 degrees."