

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 493
HOUSE BILL 522

AN ACT TO PROVIDE FOR TREATMENT OF HANDICAPPED AND DISABLED
PERSONS EQUAL TO THAT AFFORDED OTHER PERSONS.

The General Assembly of North Carolina enacts:

Section 1. A new Chapter is hereby added immediately following Chapter 167 of the General Statutes of North Carolina to be numbered Chapter 168, and to read as follows: "Chapter 168.

"Article 1.

"Rights of Handicapped Persons.

"§ 168-1. **Purpose and definition.** — The State shall encourage and enable handicapped persons to participate fully in the social and economic life of the State and to engage in remunerative employment. The definition of 'handicapped persons' shall include those individuals with physical, mental and visual disabilities. For the purposes of this Article the definition of 'visually handicapped' in G.S. 111-11 shall apply.

"§ 168-2. **Right of access to and use of public places.** — Handicapped persons 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 all other buildings and facilities, both publicly and privately owned, which serve the public.

"§ 168-3. **Right to use of public conveyances, accommodations, etc.** — The handicapped and physically disabled are entitled to accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, streetcars, boats, or any other public conveyances or modes of transportation; hotels, lodging places, places of public accommodation, amusement or resort to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

"§ 168-4. **May be accompanied by guide dog.** — Every visually handicapped person shall have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in G.S. 168-3 provided that he shall be liable for any damage done to the premises or facilities by such dog.

"§ 168-5. **Traffic and other rights of persons using certain canes.** — The driver of a vehicle approaching a visually handicapped pedestrian who is carrying a cane predominantly white or silver in color (with or without a red tip) or using a guide dog shall take all necessary precautions to avoid injury to such pedestrian.

"§ 168-6. **Right to employment.** — Handicapped persons 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, both public and private, on the same terms and conditions as the able-bodied, unless it is shown that the particular disability impairs the performance of the work involved.

"§ 168-7. **Guide dogs.** — Every visually handicapped person who has a guide dog, or who obtains a guide dog, shall be entitled to keep the guide dog on the premises leased, rented or used by such handicapped person. 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.

"§ 168-8. **Right to habilitation and rehabilitation services.** — Handicapped persons shall be entitled to such habilitation and rehabilitation services as available and needed for the development or restoration of their capabilities to the fullest extent possible. Such services shall include, but not be limited to, education, training, treatment and other services to provide for adequate food, clothing, housing and transportation during the course of education, training and treatment. Handicapped persons shall be entitled to these rights subject only to the conditions and limitations established by law and applicable alike to all persons."

Sec. 2. G.S. 67-29, as it appears in Volume 2C of the General Statutes, is hereby repealed.

Sec. 3. This act shall become effective July 1, 1973.

In the General Assembly read three times and ratified, this the 14th day of May, 1973.