***A note to readers: The Microsoft word version differs from the pdf version because it does not contain line numbers or material that was crossed out and deleted from the final version of the law. We have included a word version to provide greater access to the information. When you see material in all capital letters, it represents what was new when this particular bill was passed.***

HUMAN SERVICES

TITLE 7. INDIVIDUALS WITH DISABILITIES

SUBTITLE 7. BLIND, VISUALLY IMPAIRED, DEAF, HARD OF HEARING, AND MOBILITY IMPAIRED INDIVIDUALS

(Maryland White Cane Law)

§ 7-704. Rights of individuals with disabilities.

 (a)  Public places.- Blind, visually impaired, deaf, and hard of hearing individuals have the same right as individuals without those disabilities to the full and free use of the roads, sidewalks, public buildings, public facilities, and other public places.

 (b)  Public accommodations and conveyances.-

 (1) Blind, visually impaired, deaf, and hard of hearing individuals are entitled to full and equal rights and privileges with respect to common carriers and other public conveyances or modes of transportation, places of public accommodations, and other places to which the general public is invited, subject only to any conditions and limitations of general application established by law.

 (2) The failure of a blind or visually impaired pedestrian to carry a cane predominantly white or metallic in color, with or without a red tip, or a deaf or hard of hearing pedestrian to use a service animal wearing an orange license tag or orange collar and on a leash, or to use a service animal in a place, accommodation, or conveyance listed in paragraph (1) of this subsection does not constitute contributory negligence per se.

 (c)  Housing accommodations.-

  (1) This subsection does not apply to any accommodations or single family residence in which the occupants offer for compensation not more than one room.

 (2) A blind or visually impaired individual is entitled to the same access as other members of the general public to housing accommodations in the State, subject to any conditions and limitations of general application established by law.

 (3) A blind, visually impaired, deaf, or hard of hearing individual who has, obtains, or may wish to obtain a service animal is entitled to full and equal access to housing accommodations.

 (4) A blind, visually impaired, deaf, or hard of hearing individual who is accompanied by a service animal may not be required to pay extra compensation for the service animal, but the individual may be liable for damages to the premises or facilities that the service animal causes.
[An. Code 1957, art. 30, § 33(c), (d)(1), (3), (i)(1), (2), (4); 2007, ch. 3, § 2; ch. 241.]

Section 7-705 is the service animal law.
§ 7-705. Service animals.

(a)  In general.- The following individuals have all the same rights and privileges conferred by law on other individuals:

 (1) a blind or visually impaired pedestrian using a service animal and not carrying a cane predominantly white or metallic in color, with or without a red tip;

  (2) a deaf or hard of hearing pedestrian using a service animal not wearing an orange license tag or orange collar and on a leash;

 (3) a blind, visually impaired, deaf, or hard of hearing pedestrian using a service animal in a place, accommodation, or conveyance listed in § 7-704(b) of this subtitle; and

 (4) a service animal trainer who is accompanied by an animal that is being trained as a service animal.

 (b)  Mobility impaired individual accompanied by service animal.-

 (1) A mobility impaired individual may be accompanied by a service animal specially trained for that purpose in any place where a blind, visually impaired, deaf, or hard of hearing individual has the right to be accompanied by a service animal.

 (2) This subsection does not require a physical modification of any place or vehicle in order to admit a mobility impaired individual who is accompanied by a service animal.

 (c)  Rights of service animal trainer; exception.-

 (1) Except as provided in paragraph (2) of this subsection, a service animal trainer may be accompanied by an animal that is being trained as a service animal in any place where a blind, visually impaired, deaf, hard of hearing, or mobility impaired individual has the right to be accompanied by a service animal.

 (2) An animal being trained as a service animal and accompanied by a service animal trainer may be excluded from a place described in paragraph (1) of this subsection if admitting the animal would create a clear danger of a disturbance or physical harm to an individual in the place.

 (d)  Extra compensation prohibited; liability.-

 (1) A blind, visually impaired, deaf, hard of hearing, or mobility impaired individual who is accompanied by a service animal specially trained for that purpose in a place, accommodation, or conveyance listed in § 7-704(b) of this subtitle may not be required to pay extra compensation for the service animal, but the individual may be liable for any damages to the premises or facilities caused by the service animal.
 (2) A service animal trainer who is accompanied by an animal that is being trained as a service animal may not be required to pay extra compensation for the animal, but the service animal trainer organization that certifies the service animal may be liable for any personal injuries or damages to the premises or facilities caused by the service animal.

 (e)  Violations; penalties.-

 (1) (i) A person may not deny or interfere with the admittance of a service animal that accompanies a blind, visually impaired, deaf, hard of hearing, or mobility impaired individual in violation of this section.

 (ii) A person who violates subparagraph (i) of this paragraph is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $500 for each offense.

 (2) (i) A person may not deny or interfere with the admittance of an animal being trained as a service animal that accompanies a service animal trainer.

 (ii) Subject to subsection (c)(2) of this section, a person who violates subparagraph (i) of this paragraph is subject to a fine not exceeding $25 for each offense.

 [An. Code 1957, art. 30, § 33(d)(2), (f), (j)(2)-(4), k(2)-(4), (l); 2007, ch. 3, § 2; ch. 241.]

§ 7-706. Construction.

 (a)  Pedestrian's right-of-way.- This subtitle does not affect § 21-511 of the Transportation Article as to the right-of-way of a blind, deaf, or hard of hearing pedestrian crossing a highway.

 (b)  Housing accommodations.- This subtitle does not require a person who rents or leases housing accommodations to modify the person's property or provide a higher degree of care for a blind or visually impaired individual than for an individual without those disabilities.

 § 7-707. Violations; injunction.

 (a)  Violations.-

 (1) A person may not deny or interfere with admittance to or enjoyment of a public place, accommodation, or conveyance described in § 7-704 of this subtitle or otherwise interfere with the rights of a blind, visually impaired, deaf, or hard of hearing individual under this subtitle.

 (2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $500> for each offense.

 (b)  Injunction.- In addition to any other remedy provided under the Code for a violation of this subtitle, a person may maintain a civil action for injunctive relief against another person who denies or interferes with admittance to or enjoyment of a public place, accommodation, or conveyance described in § 7-704 of this subtitle or otherwise interferes with the rights of a blind, visually impaired, deaf, or hard of hearing individual under this subtitle.

 [An. Code 1957, art. 30, § 33(g); 2007, ch. 3, § 2; ch. 241.]

 § 7-708. Training requirements.

 Any organization or agency that requires a professional training program for the following individuals shall include a segment concerning the rights of individuals with disabilities who are accompanied by service animals:

 (1) first responders;

 (2) emergency shelter operators; and

 (3) 9-1-1 operators.

 [2007, ch. 241.]

§ 7-709. White Cane Safety Day.

 The Governor shall take suitable public notice of each October 15 as White Cane Safety Day by issuing a proclamation that:

 (1) comments on the significance of the white cane;

 (2) calls on the public to observe the White Cane Law under §§ 7-704 through 7-707 of this subtitle and to take precautions necessary for the safety of blind and visually impaired individuals;

 (3) reminds the public of the policies with respect to blind and visually impaired individuals and urges cooperation with the policies;

 (4) emphasizes the need for awareness of the presence of blind and visually impaired individuals in the community and the need to keep roads, sidewalks, public accommodations, public buildings, public facilities, other public places, and other places to which the public is invited safe and functional for those individuals; and

 (5) offers assistance to blind and visually impaired individuals on appropriate occasions.

 [An. Code 1957, art. 30, § 33(h); 2007, ch. 3, § 2; ch. 241.]