

VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

CHAPTER 88

An Act to amend and reenact § 51.5-60 of the Code of Virginia, relating to definition of blind person.

[H 1938]

Approved February 21, 2019

Be it enacted by the General Assembly of Virginia:

1. That § 51.5-60 of the Code of Virginia is amended and reenacted as follows:

§ 51.5-60. Definitions.

~~The following terms whenever~~ As used in this chapter, shall have the meanings respectively set forth unless the context requires a different meaning is clearly required by the context:

"Blind person" means a person ~~having not better than 20/200 who has~~ central visual acuity of 20/200 or less in the better eye, as measured at twenty feet with correcting lenses or having visual acuity greater than 20/200 but with best correction, or a limitation in the field of vision of the better eye, such that the widest diameter of the visual field in the better eye subtending subtends an angle of no greater than twenty 20 degrees; measured at a distance of thirty-three centimeters using a three-millimeter white test object, or a Goldman III-4e target, or other equivalent equipment. Such blindness shall be certified by a duly licensed physician or optometrist or less.

"Board" means the Board for the Blind and Vision Impaired.

"Business enterprise" means any business other than a vending stand.

"Commissioner" means the Commissioner of the Department for the Blind and Vision Impaired.

"Custodian" means any person or group of persons having the authority to grant permission for the installation and operation of vending stands and other business enterprises.

"Department" means the Department for the Blind and Vision Impaired.

"Direct labor" means all work required for the preparation, processing and assembling of goods or articles including the packaging and packing thereof, but not including time spent in the supervision, administration, inspection and shipping of such operations, or in the production of component materials by other than blind persons.

"Goods or articles made by blind persons" means goods or articles in the manufacture of which not less than seventy-five percent of the total hours of direct labor is performed by a blind person or persons.

"Nominee" means any nonprofit corporation familiar with work for the blind and in the placement of the blind.

"Public and private buildings and other properties throughout the Commonwealth" means (i) buildings, land, or other property owned by or leased to the Commonwealth other than rights-of-way for interstate highways or (ii) buildings, land, or other property owned by or leased to a political subdivision, including a municipality, or a corporation or individual.

"Vending machine" means a coin or currency operated machine that dispenses articles or services, except that those machines operated by the United States Postal Service for the sale of postage stamps or other postal products and services, machines providing services of a recreational nature, and telephones shall not be considered to be vending machines.

"Vending stand" means an installation in any public or private building for the sale of newspapers, periodicals, confections, tobacco products, soft drinks, ice cream, wrapped foods and such other articles as may be approved by the custodian thereof and the Department.