

Chapter 5

Blind Persons Operating Vending Stands - Food Services

55-5-1 Blind persons -- Operation of vending stands or enterprise in public buildings and on public property.

For the purpose of providing blind persons with an opportunity to become self-supporting, enlarging the economic opportunities of the blind and stimulating the blind to greater efforts in striving to make them self-supporting, blind persons under the provisions of this act shall be authorized to operate vending stands or other enterprises in state, county, or municipal buildings, parks or other property owned by the state of Utah, where in the discretion of the head of the department or agency in charge of the maintenance of the building, park or other property owned by the state of Utah or political subdivisions thereof such vending stands or other enterprises may be properly and satisfactorily operated by blind persons.

No Change Since 1953

55-5-2 Licensing agency -- Duties of the Utah State Office of Rehabilitation.

- (1) The Utah State Office of Rehabilitation created in Section 35A-1-202 is designated as the licensing agency for the purpose of carrying out this chapter.
- (2) The Utah State Office of Rehabilitation shall:
 - (a) take necessary steps to carry out the provisions of this chapter;
 - (b) with the approval of the custodian having charge of the building, park or other property in which the vending stand or other enterprise is to be located, select a location for such stand or enterprise and the type of equipment to be provided;
 - (c) construct and equip stands where blind persons may be trained under the supervision of the Utah State Office of Rehabilitation to carry on a business as a vending stand operator;
 - (d) provide adequate supervision of each person licensed to operate vending stands or other enterprises to ensure efficient and orderly management; and
 - (e) make rules necessary for the proper operation of vending stands or other enterprises.

Amended by Chapter 271, 2016 General Session

55-5-3 Issuance of licenses -- Preference to blind persons -- Duration and termination of license.

The state licensing agency shall, in issuing each such license for the operation of a vending stand or other enterprise, give preference to blind persons who are in need of employment and who have resided for at least one year in the state of Utah. Each such license shall be issued for an indefinite period but may be terminated by the licensing agency if it is satisfied that the stand or enterprise is not being operated in accordance with the rules and regulations prescribed by such licensing agency.

No Change Since 1953

55-5-4 "Blind person" defined -- Certification of blindness.

As used in this act the term "blind person" means a person who is blind according to the definitions prescribed by the Division of Vocational Rehabilitation and expressed in

terms of ophthalmic measurements. Such blindness shall be certified by duly state licensed ophthalmologist.

No Change Since 1953

55-5-5 State policy -- Construction of provisions.

It is the policy of this state to provide maximum opportunities for training blind or visually impaired persons, helping them to become self-supporting and demonstrating their capabilities. This act shall be construed to carry out this policy.

Amended by Chapter 73, 2001 General Session

55-5-6 Definitions.

As used in this chapter:

- (1) "Food service" includes restaurant, cafeteria, snack bar, vending machines for food and beverages, and goods and services customarily offered in connection with them.
- (2)
 - (a) "Public office building" means all county courthouses, all city or town halls, and all buildings used primarily for governmental offices of the state or any county, city, or town.
 - (b) "Public office building" does not include capitol hill facilities as defined in Section 63C-9-102, public schools, state colleges, or state universities.

Amended by Chapter 9, 2001 General Session

55-5-7 Agencies to negotiate for food service with the Utah State Office of Rehabilitation -- Existing contracts.

- (1) A governmental agency that proposes to operate or continue a food service in a public office building shall first attempt in good faith to make an agreement with the Utah State Office of Rehabilitation created in Section 35A-1-202 to operate the food service without payment of rent.
- (2) The governmental agency may not offer or grant to any other party a contract or concession to operate the food service unless the governmental agency determines in good faith that the Utah State Office of Rehabilitation is not willing to or cannot satisfactorily provide the food service.
- (3) This act may not impair any valid contract existing on the effective date of this act, and does not preclude renegotiation of a valid contract on the same terms and with the same parties.

Amended by Chapter 271, 2016 General Session

55-5-8 Food service in exempt buildings.

With respect to all state, county, and municipal buildings that are not subject to Section 55-5-7, the governmental agency in charge of the building shall consider allowing the Utah State Office of Rehabilitation created in Section 35A-1-202 to operate any existing or proposed food service in the building, and shall discuss the operation with the division under Section 35A-13-402 upon its request.

Amended by Chapter 271, 2016 General Session

