STAND. COM. REP. NO. 1089

Honolulu, Hawaii

## MAR 2 4 2021

RE: H.B. No. 459

H.D. 2 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 459, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE DISQUALIFICATION FOR SEVERE FORMS OF TRAFFICKING IN PERSONS,"

begs leave to report as follows:

The purpose and intent of this measure is to add a permanent commercial driver's license disqualification for a holder of a commercial driver's license or commercial learner's permit who is convicted of a felony involving a severe form of trafficking in persons.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Strategic Highway Safety Plan, and Hawaii Transportation Association.

Your Committee finds that, in 2019, the Federal Motor Carrier Safety Administration amended certain regulations to permanently disqualify individuals convicted of a felony involving a severe form of trafficking in persons from driving a commercial motor vehicle. This amendment also mandates states to comply with the changes within three years to avoid forfeiting funds apportioned to states under the federal Highway Trust Fund. This measure puts the State in substantial compliance with the federal regulations and combats human trafficking and commercial and sexual

exploitation of children and other vulnerable populations by imposing this strict, lifetime revocation of commercial driver's licenses.

Your Committee has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 459, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 459, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Commerce and Consumer Protection,

ROSALYN H. BAKER, Chair

## The Senate Thirty-First Legislature State of Hawaiʻi

## Record of Votes Committee on Commerce and Consumer Protection CPN

Bill / Resolution No.:*	Committee Referral:			Date:		
HB459 HD2	CPN, JDC			03.17.2021		
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (W	R)	Nay	Excused
BAKER, Rosalyn H. (C)						
CHANG, Stanley (VC)		/				
MISALUCHA, Bennette E.						
NISHIHARA, Clarence K.						
RIVIERE, Gil		/				
SAN BUENAVENTURA, Joy	٨.	/				
FEVELLA, Kurt						
TOTAL	_	7		_	_	
Recommendation:  Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Office						

\*Only one measure per Record of Votes