

STAND. COM. REP. NO. 1089

Honolulu, Hawaii

MAR 24 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



