

STAND. COM. REP. NO. **1792**

Honolulu, Hawaii  
**APR 09**, 2021

RE: S.B. No. 764  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 764, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING,"

begs leave to report as follows:

The purpose 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 while operating a commercial motor vehicle for which a commercial driver's license or permit is required.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, and four individuals.

Your Committee finds that on July 23, 2019, the Federal Motor Carrier Safety Administration of the United States Department of Transportation issued a final rule that provides that drivers who are convicted of a felony involving a severe form of trafficking in persons while operating a commercial motor vehicle for which a commercial driver's license or commercial learner's permit is required, are permanently banned from holding the license or permit without the possibility of reinstatement. Your Committee

further finds that the final rule requires states to achieve substantial compliance with the federal Act within three years of the final rule's effective date of September 23, 2019. This measure will bring the State into compliance with the federal rule.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 764, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

  
MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HS CR 1792

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

<b>Bill/Resolution No.:</b> SB 764, SDI, HDI	<b>Committee Referral:</b> CPC, JHA	<b>Date:</b> 3-30-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris				✓
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	11	0	0	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				