STAND. COM. REP. NO.

114

Honolulu, Hawaii

FEB 1 0 2021

RE: S.B. No. 764 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 S.B. No. 764 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to add a lifetime commercial driver's license disqualification for a commercial driver's license or commercial learner's permit holder 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 Transportation Association, Hawaii Strategic Highway Safety Plan, and one individual.

Your Committee finds that recent Federal Motor Carrier Safety Administration rule changes permanently disqualify individuals who have been convicted of a felony involving severe forms of human trafficking from driving commercial motor vehicles. This measure further advances policies to combat human trafficking and will bring the State into substantial compliance with the federal regulations.

Your Committee has amended this measure by:

- (1) Clarifying that the examiner of drivers shall permanently disqualify any person from driving a commercial motor vehicle for life with the possibility of reinstatement, if the person uses a commercial motor vehicle in the commission of a felony involving a severe form of trafficking in persons; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 764, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 764, 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.:* SB 704	Committee CPN	Referral:	Da &	te: 2 <i>ー5ー</i>	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 (WR)	Nay	Excused
BAKER, Rosalyn H. (C)		/			
CHANG, Stanley (VC)		/			
MISALUCHA, Bennette E.					
NISHIHARA, Clarence K.		/		<u> </u>	
RIVIERE, Gil					
SAN BUENAVENTURA, Joy	A				
FEVELLA, Kurt		/			
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TOTAL		7			
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:  Clauence Le Keshéhoro					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes