

SENATE BILL 153

R2
SB 203/23 – JPR

(PRE-FILED)

4lr0788

By: **Senator Jackson**

Requested: September 29, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Transportation – Child Exploitation and Human**
3 **Trafficking Awareness, Training, and Response**

4 FOR the purpose of requiring the Maryland Department of Transportation to develop or
5 identify and implement a certain training program for certain transportation–sector
6 employees, taxicab drivers, and transportation network operators on the
7 identification and reporting of suspected child exploitation and human trafficking
8 victims; prohibiting the Public Service Commission from issuing or renewing a
9 taxicab driver’s license or issuing a transportation network operator’s license unless
10 the applicant has completed the training program; requiring a holder of a
11 transportation network operator’s license on a certain date to complete the training
12 program by a certain date, subject to license suspension; requiring certain
13 transportation–sector employers to certify that certain employees have completed
14 the training program; requiring certain transportation–sector employers to establish
15 procedures for reporting suspected child exploitation and human trafficking to
16 certain entities and to implement a certain child exploitation and human trafficking
17 prevention policy; prohibiting certain employers, employees, taxicab drivers, or
18 transportation network operators from being held civilly or criminally liable for
19 reporting or responding to in good faith a suspected incident of child exploitation or
20 human trafficking; requiring the Department to develop a sign displaying
21 information and resources for child exploitation and human trafficking victims and
22 requiring the sign to be displayed at certain locations; requiring the Department to
23 require frequent public service announcements with safety information for child
24 exploitation and human trafficking victims at certain locations; and generally
25 relating to child exploitation and human trafficking awareness, training, and
26 response.

27 BY adding to
28 Article – Public Utilities
29 Section 10–208.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 10–404(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY adding to
Article – Transportation
Section 2–113
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Utilities

10–208.1.

THE COMMISSION MAY NOT ISSUE OR RENEW A TAXICAB DRIVER’S LICENSE UNLESS THE APPLICANT HAS COMPLETED THE TRAINING PROGRAM ON THE IDENTIFICATION AND REPORTING OF SUSPECTED CHILD EXPLOITATION AND HUMAN TRAFFICKING PROVIDED BY THE DEPARTMENT OF TRANSPORTATION UNDER § 2–113 OF THE TRANSPORTATION ARTICLE.

10–404.

(a) (1) An operator may not provide transportation network services unless the Commission has authorized the operator to operate on a provisional basis or has issued a valid temporary or permanent transportation network operator’s license to provide transportation network services.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COMMISSION MAY NOT ISSUE A TEMPORARY OR PERMANENT TRANSPORTATION NETWORK OPERATOR’S LICENSE OR AUTHORIZE OPERATION ON A PROVISIONAL BASIS UNLESS THE APPLICANT HAS COMPLETED THE TRAINING PROGRAM ON THE IDENTIFICATION AND REPORTING OF SUSPECTED CHILD EXPLOITATION AND HUMAN TRAFFICKING PROVIDED BY THE DEPARTMENT OF TRANSPORTATION UNDER § 2–113 OF THE TRANSPORTATION ARTICLE.

Article – Transportation

2–113.

1 (A) IN THIS SECTION, “TRANSIT SERVICE” AND “TRANSIT STATION” HAVE
2 THE MEANINGS STATED IN § 7–101 OF THIS ARTICLE.

3 (B) THIS SECTION APPLIES ONLY TO:

4 (1) AN EMPLOYEE WHO IS:

5 (I) A STATE EMPLOYEE WHO WORKS AT A TRANSIT STATION,
6 AIRPORT, PORT FACILITY, OR HIGHWAY REST STOP;

7 (II) EMPLOYED UNDER A CONTRACT WITH THE STATE,
8 INCLUDING A HOSPITALITY EMPLOYEE, WHO WORKS AT A TRANSIT STATION,
9 AIRPORT, PORT FACILITY, OR HIGHWAY REST STOP;

10 (III) A STATE EMPLOYEE WHO PROVIDES TRANSIT SERVICE; OR

11 (IV) EMPLOYED UNDER A CONTRACT WITH THE STATE TO
12 PROVIDE TRANSIT SERVICE;

13 (2) AN EMPLOYER OF AN EMPLOYEE DESCRIBED IN ITEM (1) OF THIS
14 SUBSECTION;

15 (3) A TAXICAB DRIVER; AND

16 (4) A TRANSPORTATION NETWORK OPERATOR.

17 (C) (1) THE DEPARTMENT SHALL:

18 (I) IN CONJUNCTION WITH HUMAN TRAFFICKING SURVIVORS
19 AND ADVOCATES, DEVELOP OR IDENTIFY AND IMPLEMENT A TRAINING PROGRAM,
20 INCLUDING A CURRICULUM, ON THE IDENTIFICATION AND REPORTING OF
21 SUSPECTED CHILD EXPLOITATION AND HUMAN TRAFFICKING; AND

22 (II) ADMINISTER THE TRAINING PROGRAM TO ALL EMPLOYEES
23 AND CONTRACT EMPLOYEES OF THE DEPARTMENT, TAXICAB DRIVERS, AND
24 TRANSPORTATION NETWORK OPERATORS.

25 (2) THE TRAINING PROGRAM SHALL INCLUDE A VIDEO
26 PRESENTATION THAT:

27 (I) IS PROVIDED IN A DIGITAL VIDEO OR INTERNET–BASED
28 VIDEO FORMAT;

(II) IS NOT LESS THAN 15 MINUTES IN LENGTH; AND

(III) INCLUDES:

1. AN OVERVIEW OF HUMAN TRAFFICKING, INCLUDING THE DEFINITION OF HUMAN TRAFFICKING UNDER STATE AND FEDERAL LAW;

2. EXPERIENCES OF HUMAN TRAFFICKING VICTIMS;

3. DISCUSSION OF HOW AND WHY HUMAN TRAFFICKING OCCURS IN THE TRANSPORTATION INDUSTRY;

4. GUIDANCE ON HOW TO IDENTIFY INDIVIDUALS WHO ARE MOST AT RISK OF HUMAN TRAFFICKING;

5. GUIDANCE ON THE ROLE OF THE EMPLOYEE, TAXICAB DRIVER, OR TRANSPORTATION NETWORK OPERATOR IN REPORTING AND RESPONDING TO HUMAN TRAFFICKING; AND

6. CONTACT INFORMATION, INCLUDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE TOLL-FREE NUMBER AND TEXT LINE AND APPROPRIATE LAW ENFORCEMENT AGENCIES, THAT THE EMPLOYEE, TAXICAB DRIVER, OR TRANSPORTATION NETWORK OPERATOR CAN USE TO REPORT HUMAN TRAFFICKING.

(3) TRAINING MATERIALS, INCLUDING THE VIDEO REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, SHALL BE PROVIDED IN ENGLISH AND SPANISH.

(4) A TRANSPORTATION NETWORK COMPANY MAY OFFER THE TRAINING PROVIDED UNDER THIS SECTION THROUGH THE TRANSPORTATION NETWORK COMPANY'S ONLINE PLATFORM.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE OCTOBER 1, 2025, AND EACH OCTOBER 1 THEREAFTER, EACH EMPLOYER SHALL CERTIFY TO THE DEPARTMENT THAT ALL THE EMPLOYER'S EMPLOYEES HAVE COMPLETED THE TRAINING PROGRAM.

(2) AN EMPLOYER SHALL PROVIDE A NEW EMPLOYEE WITH THE TRAINING REQUIRED UNDER THIS SECTION PRIOR TO THE EMPLOYEE'S FIRST DAY OF EMPLOYMENT.

(E) EACH EMPLOYER, IN CONSULTATION WITH THE DEPARTMENT, SHALL:

(1) ESTABLISH A PROCEDURE FOR EMPLOYEES, CONTRACT EMPLOYEES, TAXICAB DRIVERS, AND TRANSPORTATION NETWORK OPERATORS TO REPORT SUSPECTED INCIDENTS OF CHILD EXPLOITATION OR HUMAN TRAFFICKING TO APPROPRIATE SECURITY STAFF, LAW ENFORCEMENT, OR THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE; AND

(2) IMPLEMENT A CHILD EXPLOITATION AND HUMAN TRAFFICKING PREVENTION POLICY FOR EMPLOYEES, CONTRACT EMPLOYEES, TAXICAB DRIVERS, AND TRANSPORTATION NETWORK OPERATORS BY PROVIDING INFORMATION ON HOW TO:

(I) RECOGNIZE POTENTIAL VICTIMS OF HUMAN TRAFFICKING;

(II) RESPOND TO AN INDIVIDUAL WHO MAY BE OR IS A VICTIM OF CHILD EXPLOITATION OR HUMAN TRAFFICKING; AND

(III) CONNECT AN INDIVIDUAL WHO MAY BE OR IS A VICTIM OF CHILD EXPLOITATION OR HUMAN TRAFFICKING WITH AVAILABLE RESOURCES.

(F) AN EMPLOYER, AN EMPLOYEE, A CONTRACT EMPLOYEE, A TAXICAB DRIVER, OR A TRANSPORTATION NETWORK OPERATOR MAY NOT BE HELD CIVILLY OR CRIMINALLY LIABLE FOR REPORTING OR RESPONDING IN GOOD FAITH TO A SUSPECTED INCIDENT OF CHILD EXPLOITATION OR HUMAN TRAFFICKING.

(G) THE DEPARTMENT SHALL DEVELOP A SIGN DISPLAYING INFORMATION AND RESOURCES FOR CHILD EXPLOITATION AND HUMAN TRAFFICKING VICTIMS AND REQUIRE THE SIGN TO BE DISPLAYED AT TRANSIT STATIONS, AIRPORTS, PORT FACILITIES, AND HIGHWAY REST STOPS.

(H) THE DEPARTMENT SHALL REQUIRE FREQUENT PUBLIC SERVICE ANNOUNCEMENTS WITH SAFETY INFORMATION FOR CHILD EXPLOITATION AND HUMAN TRAFFICKING VICTIMS TO BE MADE, IN BOTH ENGLISH AND SPANISH, AT TRANSIT STATIONS, AIRPORTS, PORT FACILITIES, AND HIGHWAY REST STOPS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.