

HOUSE BILL 1053

R2

3lr1460
CF SB 203

By: **Delegates Ebersole, Allen, Attar, McCaskill, McComas, and Woods**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Transportation – Child Exploitation and Human**
3 **Trafficking Awareness, Training, and Response**
4 **(See Someone, Save Someone Act)**

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

28 BY adding to
29 Article – Public Utilities
30 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 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 10–404(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2022 Supplement)

BY adding to
Article – Transportation
Section 2–113
Annotated Code of Maryland
(2020 Replacement Volume and 2022 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 HOSPITALITY EMPLOYEES, 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) DEVELOP OR IDENTIFY AND IMPLEMENT A TRAINING
19 PROGRAM, INCLUDING A CURRICULUM, ON THE IDENTIFICATION AND REPORTING
20 OF SUSPECTED CHILD EXPLOITATION AND HUMAN TRAFFICKING; AND

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

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

26 (I) DEFINES CHILD EXPLOITATION AND HUMAN TRAFFICKING;
27 AND

(II) OFFERS GUIDANCE TO EMPLOYEES, CONTRACT EMPLOYEES, TAXICAB DRIVERS, AND TRANSPORTATION NETWORK OPERATORS ON THE IDENTIFICATION OF POTENTIAL VICTIMS OF CHILD EXPLOITATION AND HUMAN TRAFFICKING AND PROTOCOLS FOR REPORTING SUSPECTED CHILD EXPLOITATION AND HUMAN TRAFFICKING.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE OCTOBER 1, 2024, AND EACH OCTOBER 1 THEREAFTER, EACH EMPLOYER SHALL CERTIFY TO THE DEPARTMENT THAT ALL THEIR EMPLOYEES HAVE COMPLETED THE TRAINING PROGRAM.

(2) AN EMPLOYER SHALL PROVIDE A NEW EMPLOYEE WITH THE TRAINING REQUIRED UNDER THIS SECTION WITHIN 90 DAYS AFTER THE DATE OF HIRE.

(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

1 AND REQUIRE THE SIGN TO BE DISPLAYED AT TRANSIT STATIONS, AIRPORTS, PORT
2 FACILITIES, AND HIGHWAY REST STOPS.

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2023.