

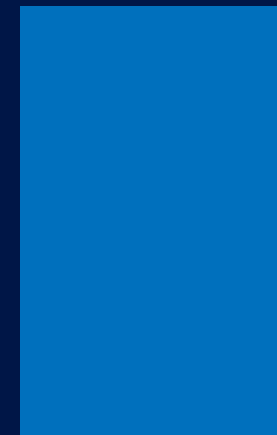
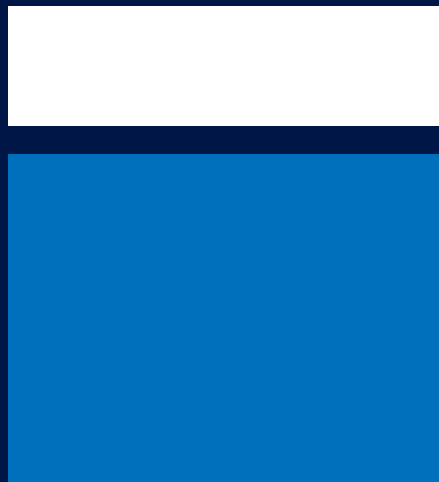
FMCSA COMBATS HUMAN TRAFFICKING

Presented by Isabella Marra, Transportation Specialist



U.S. Department of Transportation

Federal Motor Carrier Safety Administration



AGENDA

- Federal Government Action
 - Combating Human Trafficking in Commercial Vehicles Act ([Public Law No: 115-99](#))
 - No Human Trafficking On Our Roads Act ([Public Law No: 115-106](#))
 - Infrastructure Investment and Jobs Act ([Public Law No: 117-58](#))
- USDOT Initiative
 - Transportation Leaders Against Human Trafficking (TLAHT)
- FMCSA Combating Human Trafficking
 - Regulatory Action
 - Grant Opportunities

WHAT IS HUMAN TRAFFICKING?

According to the [Trafficking Victims Protection Act of 2000](#), a severe form of tracking in persons is defined as:

- (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Combating Human Trafficking in Commercial Vehicles Act

[Public Law No: 115-99](#), published by congress on January 3, 2018, allowed FMCSA to coordinate human trafficking prevention with others modes of DOT, to expand its outreach and education efforts, and to expand the CDL financial assistance.

131 STAT. 2242

PUBLIC LAW 115-99—JAN. 3, 2018

Public Law 115-99 115th Congress

An Act

To designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Combating Human Trafficking in Commercial Vehicles Act”.

SEC. 2. HUMAN TRAFFICKING PREVENTION COORDINATOR.

The Secretary of Transportation shall designate an official within the Department of Transportation who shall—

(1) coordinate human trafficking prevention efforts across modal administrations in the Department of Transportation and with other departments and agencies of the Federal Government; and

(2) in coordinating such efforts, take into account the unique challenges of combating human trafficking within different transportation modes.

SEC. 3. EXPANSION OF OUTREACH AND EDUCATION PROGRAM.

Section 31110(c)(1) of title 49, United States Code, is amended by adding at the end the following: “The program authorized under this subsection may support, in addition to funds otherwise available for such purposes, the recognition, prevention, and reporting of human trafficking, while deferring to existing resources, as practicable.”.

SEC. 4. EXPANSION OF COMMERCIAL DRIVER'S LICENSE FINANCIAL ASSISTANCE PROGRAM.

Section 31313(a)(3) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking “or” at the end;

(2) by redesignating subparagraph (E) as subparagraph (F); and

(3) by inserting after subparagraph (D) the following:

“(E) support, in addition to funds otherwise available for such purposes, the recognition, prevention, and reporting of human trafficking; or”.

Jan. 3, 2018
[S. 1536]

Combating
Human
Trafficking in
Commercial
Vehicles Act.
49 USC 30101
note.
49 USC 102 note.

Public Law 115–106
115th Congress

An Act

To disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

Jan. 8, 2018
[S. 1532]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “No Human Trafficking on Our Roads Act”.

No Human
Trafficking on
Our Roads Act.
49 USC 30101
note.

SEC. 2. LIFETIME DISQUALIFICATION WITHOUT REINSTATEMENT.

Section 31310(d) of title 49, United States Code, is amended—

(1) in the heading, by striking “CONTROLLED SUBSTANCE VIOLATIONS” and inserting “LIFETIME DISQUALIFICATION WITHOUT REINSTATEMENT”;

(2) by striking “The Secretary” and inserting “(1) CONTROLLED SUBSTANCE VIOLATIONS.—The Secretary”; and

(3) by adding at the end the following:

“(2) HUMAN TRAFFICKING VIOLATIONS.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving an act or practice described in paragraph (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).”.

Approved January 8, 2018.

LEGISLATIVE HISTORY—S. 1532 (H.R. 3814):

SENATE REPORTS: No. 115–188 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 163 (2017):

Sept. 14, considered and passed Senate.
Dec. 19, 21, considered and passed House.

No Human Trafficking On Our Roads Act

According to [Public Law No: 115-106](#), published by congress on January 8, 2018, when a CDL holder is convicted of human trafficking violations he/she will be disqualified from operating a CMV for life without the possibility of reinstatement.

Public Law 117–58 117th Congress	
An Act	
To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	Nov. 15, 2021 [H.R. 3684]
<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i>	
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.	Infrastructure Investment and Jobs Act.
(a) SHORT TITLE.—This Act may be cited as the “Infrastructure Investment and Jobs Act”.	23 USC 101 note.
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:	
Sec. 1. Short title; table of contents.	
Sec. 2. References.	
DIVISION A—SURFACE TRANSPORTATION	
Sec. 10001. Short title.	
Sec. 10002. Definitions.	
Sec. 10003. Effective date.	
TITLE I—FEDERAL-AID HIGHWAYS	
Subtitle A—Authorizations and Programs	
Sec. 11101. Authorization of appropriations.	
Sec. 11102. Obligation ceiling.	
Sec. 11103. Definitions.	
Sec. 11104. Apportionment.	
Sec. 11105. National highway performance program.	
Sec. 11106. Emergency relief.	
Sec. 11107. Federal share payable.	
Sec. 11108. Railway-highway grade crossings.	
Sec. 11109. Surface transportation block grant program.	
Sec. 11110. Nationally significant freight and highway projects.	
Sec. 11111. Highway safety improvement program.	
Sec. 11112. Federal lands transportation program.	
Sec. 11113. Federal lands access program.	
Sec. 11114. National highway freight program.	
Sec. 11115. Congestion mitigation and air quality improvement program.	
Sec. 11116. Alaska Highway.	
Sec. 11117. Toll roads, bridges, tunnels, and ferries.	
Sec. 11118. Bridge investment program.	
Sec. 11119. Safe routes to school.	
Sec. 11120. Highway use tax evasion projects.	
Sec. 11121. Construction of ferry boats and ferry terminal facilities.	
Sec. 11122. Vulnerable road user research.	
Sec. 11123. Wildlife crossing safety.	
Sec. 11124. Consolidation of programs.	
Sec. 11125. GAO report.	
Sec. 11126. Territorial and Puerto Rico highway program.	
Sec. 11127. Nationally significant Federal lands and Tribal projects program.	
Sec. 11128. Tribal high priority projects program.	
Sec. 11129. Standards.	
Sec. 11130. Public transportation.	

Infrastructure Investment and Jobs Act

In accordance with [Public Law No: 117-58](#), also known as the Bipartisan Infrastructure Law, published by congress on November 15, 2021, FMCSA will be increasing emphasis on the prevention and detection of human trafficking as a priority for the High Priority (HP) CMV grant program. FMCSA is required to report to congress every 3 years on human trafficking violations involving CMVs and provide recommendations for countering human trafficking, in coordination with the U.S. Department of Justice.

Transportation Leaders Against Human Trafficking (TLAHT)



TRANSPORTATION LEADERS AGAINST HUMAN TRAFFICKING

DOT's [Transportation Leaders Against Human Trafficking \(TLAHT\)](#) initiative was formed in 2012 for transportation and travel industry stakeholders to maximize the transportation industry's collective impact in combating human trafficking. TLAHT's focus areas are leadership, training and education, policy development, public awareness, and information sharing and analysis.

TLAHT's 500+ [partners](#) take action to combat human trafficking by issuing leadership [statements](#), signing [pledges](#), developing reporting protocols, [training](#) over 1.3 million employees, and conducting [public awareness](#) campaigns.

TLAHT partners include airports and airlines, urban and rural transit agencies, trucking and bus companies, railways, ports, state departments of transportation, states, and cities.





Join the Effort &
Sign the Pledge



Issue a Leader
Statement



Train
Employees



Raise
Awareness

Take the first step. Sign the pledge at
www.transportation.gov/TLAHT/Pledge.

FMCSA's Combating Human Trafficking Activities



FMCSA REGULATORY ACTION

TABLE 1 TO § 383.51

If a driver operates a motor vehicle and is convicted of:	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials as defined in § 383.5, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *
[*] (10) Using a CMV in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined and described in 22 U.S.C. 7102(11).	[*] Life—not eligible for 10-year reinstatement.	[*] Not applicable	[*] Life—not eligible for 10-year reinstatement.	[*] Life—not eligible for 10-year reinstatement.	[*] Not applicable.

Final Rule Published: July 23, 2019

Effective Date: September 23, 2019

Compliance Date: September 23, 2022

Find more information [here](https://www.federalregister.gov/documents/2019/07/23/2019-15611/lifetime-disqualification-for-human-trafficking).
(<https://www.federalregister.gov/documents/2019/07/23/2019-15611/lifetime-disqualification-for-human-trafficking>)

GRANT OPPORTUNITIES

The Federal Motor Carrier Safety Administration (FMCSA) offers funding for human trafficking awareness and training under two grant opportunities.

- [Commercial Driver's License Program Implementation \(CDLPI\)](#)
- [High Priority – Commercial Motor Vehicle \(HP-CMV\)](#)



GRANT OPPORTUNITIES

Commercial Driver's License Program Implementation (CDLPI)

The CDLPI grant program's primary goal is to increase compliance with the Federal requirements of 49 CFR parts 383 and 384. State Drivers Licensing Agencies (SDLAs), and other entities capable of executing national projects that aid States in their compliance efforts and improvement of the national Commercial Driver's License (CDL) program, are eligible to apply. FMCSA is prioritizing applications that include human trafficking outreach and training projects. In addition, FMCSA encourages SDLAs to apply for funding to update their IT systems to accept the new human trafficking lifetime disqualification code.

High Priority – Commercial Motor Vehicle (HP-CMV)

The goal of the national HP-CMV grant program is to support enforcement projects that improve safety and compliance with commercial motor vehicle (CMV) regulations for projects that are national in scope, increase public awareness and education, demonstrate new While a stand-alone human trafficking project is not eligible for the HP-CMV grant program, it may be included as part of an inspection completed to the North American Standard (NAS). Grant applicants should include a detailed description of the proposal with performance metrics related to the State's NAS inspection goals. In addition, human trafficking awareness training for enforcement and safety personnel is an eligible expense when supported with sufficient justification.

FMCSA PARTNERSHIPS

In addition to requiring State's disqualify a CDL holder for life when convicted of human trafficking violations and offering grant opportunities, FMCSA is committed to collaborating with public and private sector stakeholders to combat human trafficking.

FMCSA has participated in human trafficking awareness coalition boards, advocated for information sharing between public and private sector stakeholders, and has been trained on how to recognize and report the signs of human trafficking.

Should you be interesting in collaborating with FMCSA on possible outreach opportunities please contact Isabella Marra at Isabella.Marra@dot.gov.



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