

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 148

(Delegate Ebersole, *et al.*)

Environment and Transportation

Judicial Proceedings

Department of Transportation - Human Trafficking Awareness, Training, and Response (See Someone, Save Someone Act)

This bill requires the Maryland Department of Transportation (MDOT), in consultation with stakeholders, to develop or identify and implement a training program, including a curriculum, on the identification and reporting of suspected human trafficking. MDOT must administer the training program to specified MDOT employees (including employees under contract). Each employer of an affected employee must (1) certify to MDOT that its employees have completed the training program by January 1 annually beginning in 2025; (2) provide the training to a new employee within 90 days after the date of hire; (3) establish a human trafficking reporting procedure, as specified; and (4) implement a human trafficking prevention policy, as specified. Finally, to the extent practicable, MDOT must require frequent public service announcements with safety information for human trafficking victims, as specified.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase in FY 2025 for costs associated with implementing the training; although a reliable estimate cannot be made, TTF expenditures may exceed \$100,000, as discussed below. In future years, TTF expenditures are not anticipated to be materially affected. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Applicability and Program Requirements

The bill applies to an employee who is (1) a State employee who works at a transit station, airport, port facility, or highway rest stop; (2) a State employee who provides transit service; or (3) employed under a contract with the State to provide transit service. It also applies to the employer of one of those employees.

The training program developed or identified by MDOT must (1) include a definition of human trafficking and (2) offer guidance to employees and contract employees on the identification of potential victims of human trafficking and protocols for reporting suspected human trafficking.

Requirements for Employers

Generally, by January 1, 2025, and each January 1 thereafter, each employer must certify to MDOT that their employees have completed the training program. An employer must provide a new employee with the required training within 90 days after the date of hire.

Each employer, in consultation with MDOT, must (1) establish a procedure for employees and contract employees to report suspected incidents of human trafficking to the appropriate local agencies, including the designated regional navigator, and (2) implement a human trafficking prevention policy for employees and contract employees by providing information on how to recognize potential victims, respond to an individual who may be or is a victim, and connect an individual who may be or is a victim with available resources.

Limitations on Liability

An employer, employee, or contract employee may not be held civilly or criminally liable for reporting or responding in good faith to a suspected incident of human trafficking.

Public Service Announcements

To the extent practicable, MDOT must require frequent public service announcements with safety information for human trafficking victims to be made, in both English and Spanish, at transit stations, airports, port facilities, and highway rest stops.

Current Law: Numerous government entities and licensed businesses in the State are required to provide, approve, and/or receive training on the identification and reporting of human trafficking. For example:

- the Maryland State Department of Education is required to collaborate with the Maryland Department of Health to provide awareness and training for Directors of Student Services in local education agencies on human trafficking, including strategies for the prevention of trafficking of children;
- a commercial driver’s license training school is required to include, as part of its curriculum, education and training on the recognition, prevention, and effective reporting of human trafficking; and
- each innkeeper must provide a new employee with an annual training for the accurate and prompt identification and reporting of suspected human trafficking (any such training program must be approved by the Governor’s Office of Crime Prevention and Policy (GOCPP) and the Maryland Department of Labor).

Chapter 559 of 2019 established the Safe Harbor Regional Navigator Grant Program to support services for youth victims of sex trafficking. GOCPP must provide grant funding for services provided by the program; the Governor may annually appropriate up to \$3.0 million for grant funding. Services coordinated and provided by a grantee must include safety planning, emergency response, basic living needs, trauma counseling and mental health services, drug and alcohol abuse treatment, legal services, victim advocacy, case management, and designation of regional navigators. A “regional navigator” is a provider of services designated by a grantee of the program.

State Expenditures:

Maryland Department of Transportation

MDOT can likely develop and implement the reporting procedure, the prevention policy, and public service announcements using existing resources.

In addition, MDOT can likely develop a training program for its employees and contractors in-house using existing resources or at minimal cost. To implement the program, training for *new* employees can be added to existing trainings and orientations at no additional cost; however, TTF expenditures increase in fiscal 2025 as a result of additional overtime needed for MDOT to conduct the training for hundreds, if not thousands, of *existing* employees and contractors. This is in large part due to the fact that the bill requires affected existing employees and contractors to complete the training by January 1, 2025, just three months after the bill’s October 1, 2024 effective date. Although a reliable estimate of the increase in costs depends on the training program ultimately implemented by MDOT, TTF expenditures may exceed \$100,000 in fiscal 2025.

MDOT advises that the Maryland Aviation Administration currently provides human trafficking training for its employees through a partnership with the Department of Homeland Security and its [Blue Lightning Initiative](#). However, it is unclear if this training can be used to meet the bill's requirements for other affected employees.

Other Agencies

The University System of Maryland advises that some of its universities have localized transit services for students; the bill could be interpreted to require training for these employees. However, any such impact, if realized, is anticipated to be minimal and absorbable with existing budgeted resources due to the relatively small number of affected employees. Other institutions of higher education that provide transit service could likewise be affected.

Additional Comments: The bill requires MDOT to administer the training program to its employees and contract employees. However, the bill also requires an employer of such a contract employee to provide the training to a new employee within 90 days after the date of hire. Accordingly, it is unclear if MDOT or an employer is required to provide the training to a new contract employee of the department.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 203 and HB 1053 of 2023.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Public Service Commission; Baltimore City Community College; University System of Maryland; St. Mary's College of Maryland; Department of Homeland Security; Department of Legislative Services

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