

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 759

By Senators Rucker, Chapman, Karnes, and Woelfel

[Introduced February 12, 2024; referred
to the Committee on Health and Human Resources;
and then to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17-31-1, relating to requiring taxi companies and network transportation
 3 companies to provide human trafficking awareness training to employees; and providing
 4 for enforcement and rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 31. PROFESSIONAL DRIVER TRAININGS.

§17-31-1. Human trafficking awareness training and policies for taxi drivers and transportation network companies; enforcement.

- 1 (a) All taxi companies and transportation network companies shall:
- 2 (1) Provide annual training regarding human trafficking awareness to drivers and
 3 dispatchers of the taxi company or drivers of transportation network companies. Such training
 4 must also be provided for new employees and independent contractors within 60 days after they
 5 begin their employment in those roles, or by January 1, 2025, whichever occurs later. Each
 6 employee and independent contractor must submit to the hiring taxi company or network
 7 transportation company a signed and dated acknowledgement of having received the training,
 8 which taxi company or network transportation company must provide to the Department of Health
 9 upon request.
- 10 (2) By January 1, 2025, implement a procedure for the reporting of suspected human
 11 trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.
- 12 (3) Network transportation companies shall accept the certification of annual training
 13 regarding human trafficking awareness provided by other network transportation companies for
 14 drivers who contract to work for multiple network transportation companies. The drivers must
 15 provide this documentation to every network transportation company for which the driver accepts
 16 work.
- 17 (b) The human trafficking awareness training required under this section must be
 18 submitted to and approved by the Department of Health or by a local or state law enforcement

19 agency, and must include all of the following:

20 (1) The definition of human trafficking and the difference between the two forms of human
21 trafficking: sex trafficking and labor trafficking;

22 (2) Guidance specific to the taxi or network transportation industry concerning how to
23 identify individuals who may be victims of human trafficking; and

24 (3) Guidance concerning the role of the drivers in reporting and responding to suspected
25 human trafficking.

26 (c) (1) For a violation committed on or after July 1, 2026, the Department of Health shall
27 impose an administrative fine of \$1,000 per day on a taxi company or network transportation
28 company that is not in compliance with this section, unless the Department of Health receives
29 adequate written documentation from the taxi company or network transportation company which
30 provides assurance that each deficiency will be corrected within 45 days after the Department of
31 Health provided the taxi company or network transportation company with notice of its violation.

32 For a second or subsequent violation of this section committed on or after July 1, 2026, the
33 Department of Health may not provide a correction period to a taxi company or network
34 transportation company and must impose and collect the applicable administrative fines.

35 (2) In the event that the network transportation company can establish that the drivers who
36 have not completed their annual training have also not been driving for that company, no fine shall
37 be assessed.

38 (d) This section does not establish a private cause of action. This section does not alter or
39 limit any other existing remedies available to survivors of human trafficking.

40 (e) The Department of Health shall make such rules and regulations, not inconsistent with
41 law, as in their judgment are necessary to carry out the provisions of this section.

NOTE: The purpose of this bill is to require a taxi company or network transportation company to provide annual training regarding human trafficking awareness to employees, and to provide for enforcement and rulemaking.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.