

UPCOMING TRAININGS & CONFERENCES

A full list of NDAA's virtual learning sessions is available at
learn.ndaa.org

**NDAA's Mastering Masking Digital Course/
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learn.ndaa.org/products/mastering-masking

**NDAA's Human Trafficking and the Impact on
Commercial Driver's Licenses/On Demand Training**

learn.ndaa.org/products/human-trafficking-and-the-impact-on-commercial-drivers-licenses

**NDAA's Prosecuting DUI Cases Online Course/
On Demand Training (CLE Available)**

learn.ndaa.org/products/prosecuting-dui-cases

**NDAA's Investigation and Prosecution of Drug-Impaired
Driving Cases Online Course/On Demand Training
(CLE Available)**

learn.ndaa.org/products/investigation-and-prosecution-of-drug-impaired-driving-cases

**NDAA's Trial Advocacy Academy 101 Series—
Trial Objections (Live Webinar)**

February 26, 2026 @ 2:00–3:00 p.m. ET

NDAA's 2026 Wellbeing Conference

April 28–30, 2026, Burlington, VT

NDAA's 2026 Complex and Organized Crimes Conference

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RESOURCES

Impaired Driving Resources

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CDL-Related Resources

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Human Trafficking and Commercial Drivers: A Primer for Practitioners on the Lifetime Disqualification

By Judge Gayle Williams-Byers, Retired

Introduction

Human trafficking is a global crisis that manifests in local communities, often in ways that escape public attention. While many associate trafficking with international borders or urban crime rings, one overlooked intersection is the commercial transportation industry. Truck stops and rest areas—remote, transient, and lightly monitored—have become hotspots for trafficking activity. Commercial drivers, who spend long hours on the road, are uniquely positioned to either perpetuate or prevent this crime.

Understanding Human Trafficking

The Trafficking Victims Protection Act (TVPA) defines “severe forms of trafficking in persons” 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 an 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.¹ For minors under 18, any involvement in commercial sex automatically qualifies as trafficking, regardless of coercion. Trafficking differs from smuggling, which involves consensual movement across borders. Trafficking is about exploitation, not transportation—it can occur entirely within U.S. borders.

The Scope of the Problem

Human trafficking generates \$150 billion annually worldwide, with sex trafficking accounting for \$99 billion.² In the U.S., three-quarters of victims are citizens, and the average age of entry into sex trafficking is 12–14 years old.³ Women make up 61% of victims globally, but men and boys are often exploited for labor.⁴ Sex trafficking thrives in industries and locations that offer anonymity and mobility—making truck stops a prime environment. Victims are often transported in commercial motor vehicles (CMVs), and traffickers exploit the isolation of these areas to avoid detection.

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Commercial Drivers: Risk and Responsibility

The trucking industry intersects with trafficking in two critical ways:

- **Risk Factor.** Truck stops are common meeting points for traffickers and buyers. Remote locations, cash transactions, and minimal oversight create conditions where exploitation can occur unnoticed.
- **Responsibility and Opportunity.** Drivers are uniquely positioned to disrupt trafficking. With constant presence at rest areas, they can observe patterns others miss—such as branding tattoos, restricted movement, or individuals lacking identification. Programs like TAT (tatonprofit.org, formerly known as Truckers Against Trafficking) empower drivers to report suspicious activity.

Signs and Indicators

Commercial drivers can help identify victims by watching for:

- Signs of malnutrition or abuse
- Individuals who appear fearful, exhausted, or disheveled
- Lack of personal belongings or identification
- Restricted movement or constant supervision
- Branding tattoos or scripted responses

¹ 22 U.S.C. § 7102(11)

² International Labour Organization (ILO), (2014). *Profits and Poverty: The Economics of Forced Labour*. www.ilo.org/publications/profits-and-poverty-economics-forced-labour-0

³ Baird, K & Connolly, J. (2023). Recruitment and Entrapment Pathways of Minors into Sex Trafficking in Canada and the United States: A Systematic Review. *The Trauma, Violence & Abuse Journal* (TVA), Volume 24, Issue 1.

⁴ United Nations Office on Drugs and Crime (UNODC), (2024). *Global Report on Trafficking in Persons 2024*. www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf

Questions that can uncover exploitation:

- Do you keep your own money?
- Does your family know where you are?
- Has anyone threatened you or your loved ones?

Why Awareness Matters

Trafficking thrives in secrecy. Many victims do not seek help due to fear, threats, or lack of documentation. Drivers who recognize and report suspicious activity can save lives. Education is the first step toward action.

A severe form of trafficking in persons conviction using a CMV results in a lifetime disqualification of a CDL without the ability to reinstate.

Legal Framework: No Human Trafficking on Our Roads Act

To deter trafficking in the transportation sector, Congress passed the “No Human Trafficking on Our Roads Act” in 2018.⁵ This law imposes lifetime disqualification of Commercial Driver’s Licenses (CDLs) for anyone convicted of a severe form of trafficking in persons in a CMV. Following the passage of the “No Human Trafficking on Our Roads Act,” FMCSA issued a rule revising the list of offenses found in 49 Code of Federal Regulations (CFR) Section 383.51 Table 1 to include the lifetime disqualification for a conviction of severe form of trafficking in persons using a CMV. Unlike other major offenses, there is no eligibility for reinstatement after 10 years. This zero-tolerance policy underscores the seriousness of trafficking and the expectation that drivers act as guardians, not perpetrators.

Primer for Adjudication of CDL/CMV Human Trafficking Cases

To assist practitioners, the National Traffic Law Center–National District Attorneys Association, Commercial Vehicle Safety Alliance, National Center for State Courts, American Association of Motor Vehicle Administrators, and National Judicial College partnered to create a primer addressing these types of cases: *Lifetime CDL Disqualification for a Conviction of Human Trafficking in a CMV*.

The FMCSA regulation is clear as to what is required for the lifetime disqualification without reinstatement. However, implementation necessitates that all stakeholders from roadside to record follow specific processes and procedures to ensure the CDL privilege is disqualified, withdrawn, or otherwise removed. Many safety stakeholders play an important part in adjudicating a human trafficking case involving a CDL holder and CMV through the court process.

The primer provides practical guidance for practitioners across the enforcement and adjudication continuum. It offers a roadmap for identifying relevant information to be communicated between organizations to ensure individuals who exploit their commercial driving privileges to commit trafficking are appropriately sanctioned. By following these strategies, practitioners can play a decisive role in removing dangerous actors from behind the wheel of CMVs and affirming that human trafficking has no place on our roads and highways.

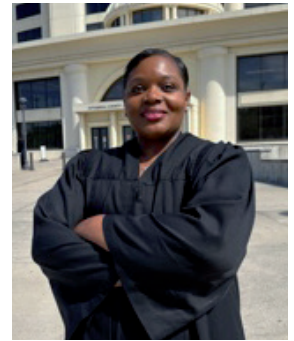


This new publication is available for enforcement and adjudication practitioners to download **HERE.**

⁵ 49 U.S.C. § 31310

About the Author

The Honorable Judge Gayle Williams-Byers formerly served as Administrative and Presiding Judge of the South Euclid Municipal Court in South Euclid, Ohio from January 1, 2012 until her retirement on July 31, 2022. During her tenure, she joined the American Judge's Association, one of the largest judges-only organizations in North America, which has a mission of providing quality education programs and high-level publications to its members. As a member of the organization, Judge Byers served as President-Elect and Chair of the Education, Domestic Violence, Diversity, Membership, Social Media and Technology and Judicial Wellness Committees.



Prior to joining the bench, Judge Byers served as an Assistant Cuyahoga County Prosecutor, ending her career as Supervisor of the Cuyahoga County Grand Jury. Additionally, she served as Adjunct Faculty at the Cuyahoga Community College in the Department of Law Enforcement where she taught courses in Juvenile, Constitutional and Criminal Law. Judge Byers has joined The National Judicial College (Reno, Nevada) as a Judicial Fellow where among her portfolio of courses, she has honed expert skills in the area of Commercial Drivers, licensing and federal penalties. She teaches courses to judges across the United States on a variety of topics, including but not limited to Judicial Wellbeing, Diversity, Equity and Inclusion and Ethically Handling Commercial Drivers in Criminal and Traffic courts.

Since retiring in 2022, Judge Byers has appeared as television host and jurist on A&E network's *Court Night Live!* where she adjudicated civil matters in a Chicago pop-up courtroom. As Municipal Judge in the City of South Euclid, she spearheaded several innovative advancements, including livestreaming court proceedings, creation of an IOS App to provide instant docket access, implementing a monthly Night Court docket to provide additional access to justice, and creation of the only suburban Specialized Mental Health Docket in Cuyahoga County. Judge Byers was also the catalyst in forming the first suburban Drug Court initiative in partnership with Cleveland Municipal Court, where inaugural funding in the amount of nearly \$2 million has helped to serve suburban communities throughout northeast Ohio.

Judge Byers received her B.A., M.N.O., and J.D. degrees from Case Western Reserve University in Cleveland, Ohio.

JANUARY IS NATIONAL HUMAN TRAFFICKING PREVENTION MONTH

