



The House Committee on Transportation & Infrastructure

Chairman Peter A. DeFazio
Ranking Member Sam Graves

H.R. 5139 “Stop Sexual Assault and Harassment in Transportation Act” Introduced by Rep. Peter DeFazio

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The United States prides itself on being an innovator and leader in transportation. However, recent media reports have brought to light the often-untold stories of transportation personnel and travelers exposed to sexual assault and harassment in passenger transportation. The stories include women and children sexually assaulted on airplanes, women groped on crowded trains, and flight attendants facing sexual harassment daily in their workplaces. The reality is that passengers and personnel are in confined spaces moving at high speeds or with limited options to respond to sexual assault and harassment.

While it is estimated that 90 percent of companies currently have a sexual harassment policy in place, one in five companies does not offer training to prevent such incidents.¹ This can leave passengers vulnerable and personnel unequipped to adequately address incidents when they occur. Furthermore, there is no Federal clearinghouse for data on transportation-related sexual assault or harassment incidents, leaving members of the public completely unaware of how often these incidents may occur when they travel.

For this reason, a Federal response is necessary. It is critical that the United States maintain a safe transportation system for the traveling public, and that transportation providers enact strict policies to prevent sexual assault and harassment in transportation and adopt clear procedures to respond to such incidents.

H.R. 5139, THE “STOP SEXUAL ASSAULT AND HARASSMENT IN TRANSPORTATION ACT”

This legislation will help prevent sexual assaults and sexual harassment on airplanes, buses, passenger vessels, commuter and intercity passenger railroads, and ridesharing vehicles. To protect passengers and personnel from sexual assault and harassment in transportation, H.R. 5139:

- ***Formal Policies.*** Requires the above passenger transportation providers to:
 - Establish formal policies providing that sexual assault or harassment is unacceptable under any circumstance;
 - Facilitate the reporting of sexual assault and harassment incidents;
 - Develop procedures that limit or prohibit future travel for those who perpetrate such incidents;
 - Communicate to personnel and passengers the rights of individuals subjected to such incidents;
 - Train personnel to recognize and respond to such incidents; and
 - Ensure appropriate actions are undertaken to respond effectively to such incidents;
- ***Civil Penalty.*** Establishes a maximum civil penalty of \$35,000 for individuals who physically or sexually assault—or threaten to assault—transportation personnel. The penalty is increased to \$45,000 after 10 years.

¹ Annie Nova, *Office Sexual Harassment Policies Lag Behind the #MeToo Movement*, CNBC, April 19, 2018, available at <https://www.cnbc.com/2018/04/19/office-sexual-harassment-policies-lag-behind-the-metoo-movement.html>.

- ***Data Collection Program.*** Establishes a data collection program regarding the number of incidents of sexual assault or harassment reported by transportation personnel and passengers each year. This data will be collected and reported to DOT by the entities covered under this bill and be made publicly available to help inform the traveling public of the potential risks they face during travel.
- ***Streamlined Reporting Process:*** Provides a streamlined reporting process for individuals involved in transportation sexual assault or harassment incidents by offering an avenue to report allegations to law enforcement in a confidential manner and separate from the one offered by the transportation provider.
- ***Video Requirements for Passenger Vessels:*** Enhances video surveillance on large passenger vessels (i.e., cruise ships) and requires owners of passenger vessels to provide records of video surveillance to law enforcement and individuals involved in civil litigation. The bill also establishes new standards for the retention of video surveillance to ensure owners of passenger vessels can provide law enforcement and future litigants with access to these records.