



Government of the Virgin Islands  
Of the United States

## Department of Licensing and Consumer Affairs

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MY NAME IS DEVIN CARRINGTON AND I AM THE COMMISSIONER DESIGNEE OF DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS. I AM HONORED TO BE HERE BEFORE THIS BODY AND LOOK FORWARD TO WORKING COOPERATIVELY WITH THE LEGISLATURE ON ISSUES UNDER THIS DEPARTMENT'S PURVIEW THAT EFFECT THE BUSINESS AND CONSUMER SECTORS OF THE VIRGIN ISLANDS.

THE DEPARTMENT IS A REGULATORY AND REVENUE GENERATING AGENCY WITH SEVEN SEPARATE DIVISIONS. THOSE DIVISIONS INCLUDE:

- *OFFICE OF THE COMMISSIONER:* RESPONSIBLE FOR THE OVERALL LEADERSHIP, MANAGEMENT, POLICY PLANNING AND SUPERVISION OF THE DEPARTMENT.
- *THE DIVISION OF ADMINISTRATION AND BUSINESS MANAGEMENT:* RESPONSIBLE FOR ALL BUDGETING ACCOUNTING, PAYROLL, PROCUREMENT AND PERSONNEL OPERATIONS. THE DIVISION MAINTAINS THE GENERAL FUND, CONSUMER PROTECTION, VENDORS' PLAZA, VIRGIN ISLANDS PUBLIC ACCOUNTANCY AND REAL ESTATE APPRAISERS FUNDS.
- *LEGAL DIVISION:* REPOSNSIBLE FOR PROVIDING IN-HOUSE LEGAL ADVICE TO THE COMMISSIONER AND THE DEPARTMENT. THIS INCLUDES PROMULGATING AND IMPLEMENTING RULES AND REGULATIONS, PROSECUTING VIOLATIONS VIA ADMINISTRATIVE HEARINGS, PROVIDING LEGAL ADVICE TO BOARDS AND COMMISSIONS, AND REPRESENTING THE DEPARTMENT ON CONSUMER MATTERS.
- *LICENSING DIVISION:* RESPONSIBLE FOR RECEIVING, REVIEWING, AND APPROVING APPLICATIONS FOR BUSINESS LICENSES. THE ELECTRONIC APPROVAL OF OTHER DEPARTMENTS IS INTEGRAL TO THIS PROCESS AND

MUST BE VERIFIED BEFORE A LICENSE IS ISSUED. ALL LICENSES ARE SUBMITTED AND APPROVED ONLINE.

- *BOARDS AND COMMISSIONS:* THIS DIVISION HAS OVERSIGHT RESPONSIBILITY FOR PROFESSIONS AND TRADES WHICH INCLUDES PROMULGATING RULES AND REGULATIONS FOR THE PROPER CONDUCT OF THE PROFESSIONS AND THE TESTING AND LICENSING OF INDIVIDUALS FOR THE FOLLOWING NINE BOARDS:
  - ARCHITECTS, ENGINEERS AND LAND SURVEYORS
  - BARBERS, BEAUTICIANS AND MANICURISTS
  - CERTIFIED PUBLIC ACCOUNTANTS
  - ELECTRICIANS
  - GENERAL CONTRACTORS
  - PLUMBERS
  - REAL ESTATE APPRAISERS
  - REAL ESTATE BROKERS AND SALESPERSONS
  - SOCIAL WORKERS
  
- *CONSUMER AFFAIRS:* REPONSIBLE FOR ASSSITING, EDUCATING, AND PROTECTING CONSUMERS AGAINST UNFAIR AND DECEPTIVE TRADE PRACTICES. FORMAL COMPLAINTS CAN BE FILED AGAINST BUSINESSES AND THE DIVISION MAKES ATTEMPTS TO RESOLVE THEM. IT ALSO ENSURES EQUITY IN THE MARKET PLACE THROUGH WEIGHTS AND MEASURES STANDARDS. THE DIVISION CONDUCTS MONTHLY FOOD BASKET SURVEYS, BI-MONTHLY GAS PROCE SURVEYS, PULL DATE INSPECTIONS AND OTHER IN STORE INSPECTIONS. THE DIVISION HAS WITHIN IT THE WEICHTS AND MEASURES UNIT AND THE CONSUMER PROTECTION SERVICES UNIT.

- *ENFORCEMENT*: THE ENFORCEMENT DIVISION IS THE POLICE/PEACE OFFICER COMPONENT WITHIN THE DEPARTMENT. IT INSPECTS ALL LICENSEES TO ENSURE COMPLIANCE WITH THE SPECIFICS OF THEIR LICENSE. THE DIVISION PARTICIPATES WITH OTHER GOVERNMENTAL PEACE OFFICER PERSONNEL IN VARIOUS TASK FORCE AND JOINT INITIATIVES. IN THE ABSENCE OF ALCOHOL INSPECTOR POSITIONS ON BOTH ISLAND DISTRICTS, THE DIVISION HAS TAKEN ON REGULATORY RESPONSIBILITIES INCLUDING WEEKLY INSPECTION OF BULK RUM SHIPMENTS PRODUCED IN THE VIRGIN ISLANDS BEING EXPORTED TO THE UNITED STATES. THE DIVISION'S ENFORCEMENT OFFICERS ARE ALSO TASKED WITH DAY AND NIGHT TIME COMPLIANCE MONITORING OF BARS, NIGHTCLUBS AND RESTAURANTS AS WELL AS OTHER RETAIL OUTLETS.

UPON ASSUMING THIS POSITION, I WAS GIVEN A COMPREHENSIVE BRIEFING ON THE WORKINGS OF THE DEPARTMENT BY FORMER COMMISSIONER WAYNE BIGGS. I WANT TO PUBLICLY THANK FORMER COMMISSIONER BIGGS FOR HIS COMPLETE AND OPEN COOPERATION REGARDING BRINGING ME UP TO SPEED ON THE OPERATIONS OF THE AGENCY. HIS HELP WAS INVALUABLE.

MR. BIGGS' TENURE WAS MARKED BY TECHNOLOGICAL ADVANCEMENTS IN THE AGENCY'S OPERATIONS REGARDING LICENSING WHICH BROUGHT THE LICENSING PROCESS FROM THE TWENTIETH INTO THE TWENTY FIRST CENTURY. AS A RESULT, ALL LICENSE APPLICATIONS ARE PROCESSED ONLINE WHICH HAS TREMENDOUSLY EXPEDITED THE LICENSING PROCESS. THIS IN TURN HAS RESULTED IN AN MORE TIMELY INFUSION OF REVENUES IN TO THE COFFERS OF THE GOVERNMENT OF THE VIRGIN ISLANDS.

ADDITIONALLY, THESE ADVANCEMENTS ALLOW CURRENT AND PROSPECTIVE

LICENSEES TO BE ABLE TO VIEW ONLINE, THE LAWS, RULES AND REGULATIONS AND OTHER LEGAL REQUIREMENTS THAT THEY AS LICENSEES ARE EXPECTED TO ABIDE BY. THIS ENDEAVOR TO UPGRADE THE LICENSING PROCESS IS CONTINUAL WITH THE GOAL OF COMPLETELY INTEGRATING INTO THE SYSTEM, ALL OTHER DEPARTMENTS AND AGENCIES OF THE GOVERNMENT OF THE VIRGIN ISLANDS THAT ARE INDISPENSIBLE TO THE LICENSING PROCESS.

MY VISION HOWEVER, IS TO CONCENTRATE THE DEPARTMENT'S EFFORTS, ENERGY AND RESOURCES INTO IMPROVING ITS CONSUMER AFFAIRS/CONSUMER PROTECTION STATUTORY MANDATE. AS MENTIONED ABOVE, THAT MANDATE IS THREEFOLD. THE DEPARTMENT IS CHARGED WITH ASSISTING, EDUCATING AND PROTECTING CONSUMERS REGARDING UNFAIR AND DECEPTIVE TRADE PRACTICES.

IN THIS REGARD, THE DEPARTMENT WILL BE MORE AGGRESSIVE IN CITING FOR VIOLATIONS AND MAKING THE CONSUMER AWARE OF RETAILERS THAT ARE NOT OPERATING IN A MANNER THAT IS FAIR OR THAT IS DECEPTIVE. THE DEPARTMENT PLANS TO PUBLICIZE BUSINESSES WITH A TRACK RECORD OF REPEATED VIOLATIONS OF A CONSUMER UNFRIENDLY/DECEPTIVE NATURE. THIS IS CONSONANT WITH THE MANDATE OF THE DEPARTMENT TO EDUCATE THE CONSUMER. AN EDUCATED CONSUMER IS A BETTER CONSUMER. IT IS ALSO THOUGHT THAT THE PUBLICATION OF VIOLATORS WILL FORCE A LICENSEE TO TAKE MEASURES TO IMPROVE THEIR OPERATIONS AND CONSEQUENTLY THE SERVICES OFFERED THE CONSUMER.

AS MENTIONED ABOVE, THE ONLINE LICENSING OPERATIONS HAVE IMPROVED SERVICE TO THOSE SEEKING TO OPERATE BUSINESS IN THE VIRGIN ISLANDS. THE DEPARTMENT SHALL IN SHORT ORDER BE COMPLEMENTING THE ONLINE

SERVICE WITH A CONSUMER PROTECTION MODULE. IT WILL MAKE AVAILABLE TO THE PUBLIC CONSUMER PROTECTION INFORMATION REGARDING LICENSEES THAT AIDS IN THE EDUCATIVE PROCESS. THE ABILITY TO LODGE COMPLAINTS AGAINST BUSINESSES SHALL BE AVAILABLE ONLINE AS WELL AS INFORMATION REGARDING VIOLATIONS BY LICENSEES AS WELL AS CONSUMER RIGHTS AND RESPONSIBILITIES.

THE DEPARTMENT IS ATTEMPTING TO CARRY OUT ITS STATUTORY MANDATE DESPITE THE DIFFICULT FINANCIAL CIRCUMSTANCES THAT THE GOVERNMENT OF THE VIRGIN ISLANDS IS CURRENTLY EXPERIENCING. THESE DIFFICULTIES HAVE RESULTED IN A SHORTAGE OF PERSONNEL NEEDED TO MORE FULLY IMPLEMENT THE RESPONSIBILITIES THE DEPARTMENT IS STATUTORILY CHARGED WITH. VACANCIES IN THE LICENSING AND CONSUMER PROTECTION DIVISIONS HAVE HANDICAPPED THE DEPARTMENT'S ABILITY TO MONITOR BUSINESSES AND CONSEQUENTLY RESULTS IN THE STYMIED ABILITY TO CITE FOR VIOLATIONS. THIS HANDICAP ULTIMATELY RESULTS IN THE CAPTURE OF LESS REVENUES TO THE GOVERNMENT. THE DEPARTMENT IS THEREFORE RESPECTFULLY PLACING THIS BODY ON NOTICE THAT IT SHALL BE ASKING FOR THE ADDITIONAL FINANCIAL RESOURCES TO FILL VACANCIES TO BE ABLE TO BETTER CARRY OUT ITS MANDATE AND ULTIMATELY BETTER SERVE THE CONSUMER.

I THANK YOU FOR THE TIME TO PRESENT TO THIS BODY A BRIEF OVERVIEW OF THE STATUS OF THE OPERATIONS OF THE DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS. MY STAFF AND I STAND READY TO ENTERTAIN ANY INQUIRIES YOU MAY HAVE.