



Government of the Virgin Islands  
Of the United States

**Department of Licensing and Consumer Affairs**

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GOOD MORNING THE HONORABLE JUSTIN HARRIGAN, CHAIRMAN OF THE VIRGIN ISLANDS LEGISLATURE'S COMMITTEE ON GOVERNMENT SERVICES, CONSUMER & VETERAN'S AFFAIRS AND TO THE HONORABLE MEMBERS OF THIS COMMITTEE AS WELL AS ALL OTHER DISTINGUISHED MEMBERS OF THE LEGISLATURE PRESENT HERE TODAY.

THE DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS IS IN FULL SUPPORT OF BILL NO. 31-0026, AN ACT AMENDING V.I. CODE ANN. TIT. 27, CHAPTER 7, RELATING TO VARIOUS PROVISIONS OF THE TRADES AND CRAFTS CODE. SUBSECTION (A) OF THE PROPOSED LEGISLATION INCLUDES THE ADDITION OF A FIBER OPTIC LICENSING BOARD AND PROVIDE A SPECIFIC LICENSING CATEGORY FOR THE TRADE OF FIBER OPTIC INSTALLATION AND DESIGNATING IT A PROFESSIONAL OCCUPATION TO BE PLACED UNDER THE OFFICE OF BOARDS AND COMMISSIONS. SUBSECTIONS (B) THROUGH (G) REFLECT THE ADDITION OF FIBER OPTIC LICENSING PENALTIES, AND PROCEDURES FOR LICENSING AS A PRE-REQUISITE TO ENGAGING IN THE TRADE OF FIBER OPTIC INSTALLATION.

AT PRESENT, ANYONE SEEKING TO ENGAGE IN ANY KIND OF FIBER OPTIC INSTALLATION NEEDS ONLY APPLY FOR AND RECEIVE AN INSTALLATION OF EQUIPMENT BUSINESS LICENSE. THIS LICENSING CATEGORY AUTHORIZE THE HOLDER TO PERFORM JUST ABOUT ANY KIND OF WORK INVOLVING FIBER OPTIC

CABLES AND INSTALLATION. SIMILARLY, THE HOLDER OF AN ELECTRICAL CONTRACTOR BUSINESS LICENSE OR DEVELOPMENT OF COMPUTER PROGRAM AND SYSTEMS COMMUNICATION LICENSE IS PERMITTED TO ENGAGE IN ANY KIND OF FIBER OPTIC INSTALLATION WORK. THESE LICENSES ARE ISSUED BY THE DIVISION OF LICENSING WITHIN THE DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS (DLCA).

THE DLCA DOES NOT HAVE A LICENSING CATEGORY DESIGNATED, FIBER OPTIC INSTALLATION. THE ABSENCE OF SUCH A CATEGORY HAS CAUSED MANY INDIVIDUALS TO ENGAGE IN THIS TRADE WITHOUT A BUSINESS LICENSE. WHILE THE ELECTRICAL CONTRACTOR BUSINESS LICENSE, THE DEVELOPMENT OF COMPUTER PROGRAM AND SYSTEMS COMMUNICATION LICENSE AND THE INSTALLATION OF EQUIPMENT LICENSE PERMIT THEIR HOLDERS TO ENGAGE IN THE TRADE OF FIBER OPTIC INSTALLATION, IT IS COMMON KNOWLEDGE THAT MANY INDIVIDUALS WITHOUT THESE LICENSES DO SO AS WELL. TO SAY THAT THE PUBLIC NEEDS TO BE PROTECTED FROM SUCH UNSKILLED AND UNLICENSED INDIVIDUALS IS AN UNDERSTATEMENT. THIS LEGISLATION, IF PASSED INTO LAW, WILL UNDOUBTEDLY MINIMIZE THE INCIDENTS OF UNLICENSED INDIVIDUALS ENGAGING IN THE TRADE OF FIBER OPTIC INSTALLATION. THE BOARD WILL BE RESPONSIBLE FOR SETTING STANDARDS, IMPLEMENTING AN EXAMINATION TO ENSURE MINIMUM COMPETENCY AND REGULATING THE TRADE AS A WHOLE. WITH SUCH A SYSTEM IN PLACE, THE PROTECTION OF THE PUBLIC IS ENSURED.

THE CREATION OF A FIBER OPTIC LICENSING BOARD WILL EFFECTIVELY TAKE THE LICENSING OF FIBER OPTIC INSTALLERS AND MAINTENANCE PERSONNEL OUT OF THE LICENSING DIVISION AND PLACE THEM WITHIN THE OFFICE OF BOARDS AND COMMISSIONS. THIS MEANS THAT APPLICANTS FOR SUCH LICENSE WILL BE REQUIRED TO SIT AND PASS AN EXAMINATION DEVELOPED BY THE BOARD. THIS GIVES RISE TO THE QUESTION – WHETHER OR NOT THOSE LICENSEES WHO ENGAGE IN THE TRADE AT PRESENT WILL BE ‘GRANDFATHERED’ INTO THIS NEW CATEGORY OF LICENSURE? WE RESPECTFULLY REQUEST THAT THE PROPOSED LEGISLATION BE MODIFIED TO REFLECT THAT THOSE WHO ARE IN POSSESSION OF THE REQUISITE LICENSES THAT PERMIT THE ACTIVITY OF FIBER OPTIC INSTALLATION, BE ‘GRANDFATHERED’ INTO THIS NEW LICENSING CATEGORY, WITH THE PAYMENT OF THE REQUISITE LICENSING FEE, OF COURSE. AGAIN, THE DLCA IS IN FULL SUPPORT OF THE PROPOSED LEGISLATION AND LOOK FORWARD TO ITS PASSAGE INTO LAW.

THANKS FOR THE OPPORTUNITY TO COMMENT ON THIS BILL. WE COMMEND YOUR EFFORTS AT PROVIDING WELL NEEDED PROTECTION FOR THE CONSUMERS OF THE TERRITORY.