



GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES

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VIRGIN ISLANDS TAXICAB COMMISSION

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**TESTIMONY OF
VERNICE M. GUMBS, EXECUTIVE DIRECTOR
VIRGIN ISLANDS TAXICAB COMMISSION
BILL NO. 35-0186**

**COMMITTEE ON GOVERNMENT OPERATIONS AND CONSUMER
AFFAIRS
November 21, 2023**

Pleasant, good day Honorable Carla Joseph, Chairman of the Committee on Government Operations, Veteran Affairs & Consumer Protection, members and non-members of the Committee on Government Operations, Veterans Affairs & Consumer Protection invited testifiers, the viewing and listening public. My name is Vernice M. Gumbs, Executive Director of the Virgin Islands Taxicab Commission.

I have been invited to provide testimony on Bill No. 35-0186, An Act repealing and reenacting Title 3 Virgin Islands Code, Chapter 16, section 274, "Virgin Islands Taxicab Commission," and enacting in its place "The Division of Transportation and Taxicab Services"; amending title 20 Virgin Islands Code, chapter 37, subchapters I & II relative to the regulation of automobiles for hire and automobile for hire medallion; amending

title 20 Virgin Islands Code, chapter 39 section 433 (b), directing the Commissioner of the Department of Licensing and Consumer Affairs to review fees, charges and tariffs every three years; amending title 33 Virgin Islands Code, chapter 111, section 3067 to substitute the name, “The Division of Transportation and Taxicab Services”; and providing for the transition of the employees, equipment and supplies to the newly created entity, and for other related purposes.

While I have shared the contents of the bill before us with our Board Members, the Board Chair will present testimony on the Boards’ perspective of Bill No. 35-0186. The relationship between the Executive Director and the Board of Directors is one of the most important relationships in making the automobile-for-hire a successful industry. Moving the Taxicab Commission from a Semi-Autonomous Agency to a Division under the Department of Licensing and Consumer Affairs and giving it a wide-range and vague name “The Division of Transportation and Taxicab Services” does not address the problem(s).

First, the Taxicab Commission, like varying agencies and departments of the GVI, is dealing with a business environment that is likely to continue facing challenges of leadership, strategy, growth, and long-term value plans. With so many internal and external factors impacting the digital transformation of the Agency, the Executive Director and the Board of Directors must continue to work together more, and in some cases differently than in the past to drive the value of the agency.

Secondly, VITCC is in an unfortunate and precarious situation as it has struggled and continues to struggle financially to recover since the impact of hurricanes Irma and Maria in 2017, when the then leadership first came before the legislative body seeking

financial assistance, followed by the introduction of COVID-19 restrictions. As a pen and paper operation for over 3 decades, it has become increasingly difficult for TCC to provide adequate services and generate revenues which has led to the agency's expenses surpassing its cash-flow and creating a burdensome workload on the limited remaining staff. Recognizing the urgent need to bring the Commission into the digital era and provide efficient service to its industry operators and the public, the Board of Directors voted and approved a vendor to perform the digital transformation of VITCC. Unfortunately, Act No. 8768 does not allow us to hire any additional personnel, initialize the desperately needed digital transformation of the Agency, and, least but not last, making sure our vendors and the Office of Veteran Affairs are paid.

Third, the Inspector General's Audit dated August 29, 2005, speaks directly to when the Taxicab Commission was a Division under the Department of Licensing and Consumer Affairs found that the Taxi Division failed to collect fees; failed to keep accurate records; failed to account for funds collected etc., during a time when I'm certain that DLCA as a whole was a fully staffed agency, yet unable to effectively manage the Taxi Division. Why is there an unwillingness to work collectively with the Executive Director and the Board so that we may hire adequate staffing to ensure better utilization of human resources, and the implementation of the digital transformation of the agency's day to day operations? Why is there an unwillingness to address our taxi operator's plea to repeal Section 2, and Section 3 of Act No. 7451 which specifically addresses limousines?

In 2014, under the Chairmanship of Mr. Ulric Pilgrim and former Executive Director Judith Wheatley, an action plan was drafted to address gypsy taxis, which included assigning clusters and license plates that would distinguish gypsy taxis from

regular taxis through the assistance of the Legislature, sadly that Board under Mr. Pilgrim's leadership and the Executive Director were separated from the agency before their plan of action could be executed.

Fourth, taxi operators have been lobbying and continues to lobby to remove limousines, which by definition is a luxurious automobile, driven by a chauffeur, who is separated from the passengers by a partition and licensed to transport passengers for payment, from under DLCA as the majority of these so-called limousines are currently operating as a taxi encroaching on the licensed taxi operators' space and profit, and place them under VITCC the rightful entity that regulates and licenses automobiles for hire. Yes, a limousine is in fact an automobile for hire. Instead, Bill No. 35-0186 validates a wide-range entrance of the transportation industry to include but not limited to Tour Operators, Uber, Lyft, gypsy taxis and any other form of transportation to break the monopoly that medallion owners once had, particularly at our airports and seaports, and devalue their taxi medallions. Is this the Legislature's solution to protecting the last local business in the territory?

The Virgin Islands Taxicab Commission is focused on ensuring the delivery of safe, courteous, and consistent transportation services that will enhance our tourism product and serve the local community. Success continues to facilitate and support the efforts of our industry operators because success isn't something that just happens – success is learned, success is practiced and then it is shared.

I will conclude by saying that the Taxicab Commission is not in favor of Bill No. 35-0186. Establishing an Advisory Council appointed by the Governor to perform the same functions as the Board for which its members are nominated by the Governor and approved by the Legislature seeks to accomplish what goal? Now, more than ever, a

strong Board comprised of qualified individuals who are focused, dedicated, and committed is needed in order to establish meaningful structures and processes resulting in favorable decisions that will enhance the automobile for hire industry. Moving this Agency to a department where it once failed as identified in the Inspector General's Audit of 2005 is not the answer to effectuating progress. Thus, I humbly ask this legislative body to withdraw Bill No. 35-0186, repeal Act No. 8768, and to approve the necessary funding that will allow for the digital transformation of the agency, hire employees, pay its vendors, the Office of Veterans Affairs, and purchase supplies.

I appreciate the opportunity afforded me to present testimony on the proposed legislation 35-0186.

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