



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**

**COMMITTEE ON GOVERNMENT OPERATIONS AND CONSUMER AFFAIRS**

**May 20, 2024**

Honorable Carla Joseph, Chairperson of the Committee on Government Operations & Consumer Protection, members, and non-members of the Committee on Government Operations & Consumer Protection, the viewing and listening audience. My name is Vernice M. Gumbs, Executive Director of the Virgin Islands Taxicab Commission.

Thank you for the opportunity to provide testimony today on Bill No. 35-0230, An Act repealing section 11 of Act No 6570, as amended, and amending Title 20 Virgin Islands Code, related to the inspection and licensing of automobiles for hire.

Taking all things into consideration the proposed bill as written, and my research of the files at the Virgin Islands Taxicab Commission regarding "safaris", the bill would have been better served if all stakeholders were invited around the table for discussion and clarity of its intended goal, thereby enabling a more comprehensive proposal that covers all aspects based on the various pieces of legislation connected with the subject matter. I am attaching (a) Resolution and Recommendation signed by Roosevelt David, Chairman of the Virgin Islands Taxicab Commission on July 27, 1993, and approved by

Governor Alexander Farrelly August 17, 1993; (b) A.G. File No. SOL-02-0789 dated July 26, 2002; and (c) Advisory Opinion to Executive Director Taxicab Commission re: Registration of Safaris, Surreys, Tour Buses after 2003 dated September 19, 2011, and Act No. 7699 dated October 15, 2014, in support of my statement and look forward to a more comprehensive legislative proposal that is inclusive of definitive details which should leave no room for unnecessary challenges.

The Virgin Islands Taxicab Commission stands by the 1993, "Resolution and Recommendation" approved by Governor Alexander A. Farrelly and Roosevelt David, Chairman of the Virgin Islands Taxicab Commission, says in part:

"WHEREAS, the Virgin Islands Taxicab Commission is legally mandated pursuant to the provisions of Title 3 Virgin Islands Code, Section 274 to regulate the rates and services of all vehicle-for-hire (taxis) in the Territory of the Virgin Islands, and

"WHEREAS, there has been a significant increase in the use of larger vehicles as taxis; and

"WHEREAS, the use of larger vehicles as taxis is not conducive to readily providing taxi service to smaller groups or individuals, an

"WHEREAS, larger vehicles cannot provide taxi service in some areas in the city of Charlotte Amalie due to its narrow streets; and

"WHEREAS, the Taxi Commission has determined that the increased use of larger vehicles for taxiing has a negative impact on the quality of service to the general public."

How ironic that a little over three decades we are still dealing with the exact concerns of larger vehicles, the narrow streets in some areas in the city of Charlotte Amalie, and the negative impact on the quality of service to the public due to the increase of larger vehicles being licensed and registered as a taxi.

While surreys are referenced in Act No. 6570 and Act No. 6595, Title 20 did not define “surrey”; however, proposed Bill No. 35-0230 define a surrey as “a light, four-wheeled carriage type means of transportation with or without a top which transports four or more persons. On the other hand, the legal definition of a “surrey” is as follows:

## *Meaning of surrey*

**(especially in the past in the United States) a small carriage (= vehicle) with four wheels and a roof, and seats facing forward, pulled by a horse or horses:**



Unfortunately, the licensing of tour vehicles is under the jurisdiction of the Department of Licensing and Consumer Affairs in of itself. However, a taxi may alternately conduct tours as part of their business. Those vehicles are licensed through the Virgin Islands Taxicab Commission specifically as a “taxi.” Although there’s no supporting evidence on the usage of “surreys” in the United States Virgin Islands, I believe “surreys’ should not be registered to operate as a vehicle on our roads and highways. Currently, without having “surreys” in the St. Thomas/St. John District we already experience major traffic congestion between WICO and Market Square and downtown Cruz Bay to the extent where the cruise ships are telling their passengers to

leave wherever they are three hours early to arrive at the cruise ship on time for departure. Can you imagine what traffic would be like should “surreys” be added to as a vehicle for hire?

Diverting from the actual meaning of something, tend to lead to a misunderstanding. For example, the definition of “limousine” is as follows:

## limousine

**a large, expensive car, often driven by a chauffeur (= a person employed to drive a car for someone else)**



Currently, limousines are licensed by the Department of Licensing and Consumer Affairs where there are no rules and regulations by which these businesses are permitted to operate.

Based on the legal definition of a limousine, limousines should be placed under the Taxicab Commission, which is the Agency charged with the responsibility of regulating the automobile for hire industry territorially. The aim of the licensing process is to regulate the automobile for hire industry to support the following objectives:

- Help with public access to an efficient and effective public transportation service.
- Provide and maintain a professional and respected automobile for hire industry, by continued monitoring and improvement of their required standards of service.
- The protection of health and safety to the public.
- Protection of our environment.

The Virgin Islands Taxicab Commission is mandated by Title 3 Section 274 of the Virgin Islands Code to regulate automobiles-for -hire and is within their jurisdiction to determine the seating capacity of all such vehicles for hire in the Territory. The Bureau of Motor Vehicles must ensure that all vehicles licensed and registered in the Territory are in compliance with Title 20 Section 500 of the Virgin Islands Code which addresses the load, height, width, and length of vehicles approved for registration. This has been a major concern to the motoring public as it does not appear that this section of the code is being adhered to. In July of 2021, the Virgin Islands Taxicab Commission approved policies and procedures regarding the seating capacity of the vehicle commonly referred to as a “safari” in conjunction with the Bureau of Motor Vehicles. The Bureau of Motor Vehicles is charged with ensuring that all vehicles registered in the Virgin Islands are in compliance with the Rules and Regulations of Federal Highway Safety including but not limited to the vehicle commonly referred to as “safari.” Because “safaris” are modified vehicles, their modifications must be certified and shall affix a second label as follows:

*A person who alters a vehicle that has previously been certified in accordance with Section 567.4 or Section 567.5, in such a manner that its stated weight ratings are no longer valid, shall allow the original certification label to remain on the vehicle and shall affix to the vehicle an additional label of the type and in the manner and form described in Section 567.4, containing the following information: (a) The statement: **“This vehicle was altered by (individual or corporate name) in (month and year in which alterations were completed) and as altered it conforms to all applicable Federal Motor Vehicle Safety Standards affected by the alteration and in effect in (month, year).” The second date shall be no earlier than the manufacturing date of the original vehicle, and no later than the date alterations were completed.**”*

The afore-mentioned information was extracted from the letter dated July 26, 2002, written by Attorney General Iver A Stridiron re: Safari busses use on Federal Highway A.G. File No. SOL-02-0789 (attached). Unfortunately, many of the altered vehicles are not in compliance with the law.

The Bureau of Motor Vehicles is the agency that is responsible for the inspection and licensing of all vehicles in the Virgin Islands and the Virgin Islands Taxicab Commission is responsible for conducting a bi-annual inspection of automobiles-for hire which is limited to a cosmetic type inspection such as cleanliness, upholstery, rate sheet display, appearance, capacity signs, identification badge displayed on the right side of dashboard, dome light, on duty/off duty sign, etc. Although this task has not been effectuated since 2005, it is our expectancy to resume these bi-annual inspections as required by law as soon as our budget would allow us to hire additional Taxi Inspectors.

Finally, Act No. 6570, SECTION 11 in more than one area has language that makes mention of “safaris, surreys, or other tour-bus type vehicles.” Was the intended purpose of a safari to be utilized specifically as a “tour-bus type vehicle” rather than a “taxi”? In our forward-thinking environment these areas need to be clearly defined in order to avoid any misunderstanding(s).

Is bigger better? How would residents benefit from the larger vehicles when many of the roads in the local neighborhoods are limited in width? Safaris of any size do not provide service to persons who are physically challenged; do not provide safety measures such as seat belts and doors; nor does federal law permit the use of a safari for the transportation of school children. We should not only focus on satisfying the needs of the short-term visitors to our islands. The work that can be accomplished as a whole is greater than the sum of its parts.

In the dynamic world of the automobile for hire industry, forging partners with all stakeholders can unlock doors to unprecedented growth and success. It’s about ensuring that when a traveler thinks of their next destination, or a resident is requiring a taxi, that your vehicle can accommodate their needs such as the physically challenged, private transfers, and pick-up/drop-off on the narrow streets in St. Croix, St. Thomas and St. John.

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