

Testimony on Bill No. 35-0230
Elizabeth Hansen Watley
Assistant Commissioner, Department of Tourism,
Vice Chair of the Taxicab Commission Board

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Greetings Honorable Senator Carla Joseph, Chairwoman of the Committee on Government Operations, Veterans Affairs, and Consumer Protection, all Senators, and legislative staff, as well as the present, viewing and listening audience. I am Elizabeth Hansen Watley, Assistant Commissioner of the Department of Tourism (DOT) and Vice Chair of the Taxicab Commission Board.

Thank you for extending an invitation to me as Vice Chair of the Taxicab Commission Board to contribute to the dialogue surrounding Bill No. 35-0230.

I want to start by expressing my gratitude on behalf of the Taxicab Commission Board to Senators Dwayne M. DeGraff and Senator Marvin A. Blyden, the sponsors of Bill No. 35-0230, for their attempt at improving the inspection process of our taxi service vehicles here in the territory.

While we support efforts made to improve the processing of taxi services and clarity in laws pertaining to such, we must be careful in our approach to avoid creating other hardships and confusion as it pertains to the jurisdiction and regulation of the checks and balances within our taxi industry. Bill No. 35-0230, which is set to repeal 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, raises concerns with the Taxicab Commission Board in a few areas.

In reviewing Bill No. 35-0230, the Taxicab Commission Board is not in support of the amending of Ch 37 subsection (b) specifically the striking of the word truck and the insertion of the word surrey. Also, the striking of the “Taxicab Commission” and insertion of the “Bureau of Motor Vehicles”.

It is the opinion of the Taxicab Commission Board that this amendment will improperly remove the regulation of passenger capacity of vehicles for hire, specifically trucks (safari’s) from its regulatory body, the Taxicab Commission, of whom is tasked with the regulation of said services and the improvement of the taxicab industry. The definition of “safari” in section (4) of this bill also oversteps the law that stipulates that the Taxicab Commission will determine the seating capacity. We believe that it is important to maintain a keen eye on capacity regulations to ensure the safety of passengers and operators alike while motoring on the roadways of the territory.

In section 2 of this bill, adding the word surrey is not necessary, as the term “automobile for hire” covers all regulated vehicles for hire. Also, the definition of surrey as it is written in this bill, does not encompass its full definition, of which is, “a light four-wheeled carriage with two seats facing forward”. It is also defined as a horse carriage.

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Finally, stipulating a capacity of not more than 27 passengers for a safari after the law determines that this number will be decided by the taxi commission, once again, removes the

Taxicab Commission's ability to regulate taxi affairs.

There has been much discussion on safety concerns pertaining to safaris of the 27-seat capacity, as well as the Bureau of Motor vehicles decision to not register any new safaris of 27 seats. As it stands, the set capacity is 20 seats. In the case where there have been 27-seater safaris (prior to the mandated 20 seats), there has been a special allowance, so not to put those who had already been operating out of business, with the understanding that this right would not be transferrable, and such vehicles would eventually be grandfathered out. Throughout this process, ongoing discussions between the Taxicab Commission and The Bureau of Motor Vehicles (BMV) has yielded the practice of requesting a manufacturers certification of safety for 27 seaters, however, this is not law.

As this Bill speaks to moving inspections to BMV, I thought that there should be clarity placed on the record that BMV already inspects all vehicles, including safaris and taxis. Inspections done by the Taxicab Commission are of another nature, that can be further explained by the Executive Director of the Taxicab Commission.

At this time, the Taxicab Commission Board is suggesting further review by the legislature of the areas of which Bill No. 35-0230 covers, as it will drastically affect the regulation of vehicles for hire.

I stand ready and willing to aid the parties involved with continued dialogue from a Taxicab Commission Board perspective for the betterment of the territory's taxicab industry.

Thank you again for your invitation, I look forward to your questions.