

BILL NO. 36-0109

Thirty-Sixth Legislature of the Virgin Islands

July 10, 2025

An act amending title 33 Virgin Islands Code, chapter 111 to establish the Inspection and Safety on Public Highways Fund; amending title 20 Virgin Islands Code, chapter 39, section 435 relating to the collection of fees, amending title 20 Virgin Islands Code, chapter 41, section 461 relating to equipment and inspection of vehicle requirements, and title 20 Virgin Islands Code, chapter 38, section 416 relating to motor vehicle restrictions for the car rental industry

PROPOSED BY: Senator Angel L. Bolques, Jr.

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 33 Virgin Islands Code, Chapter 111 is amended by adding the
3 following section 3100hh:

4 **“§ 3100hh. Inspections and Safety on Public Highways Fund**

5 (a) A separate special fund to be designated as the “Inspections and Safety on Public
6 Highways Fund” is established in the Treasury of the Virgin Islands into which all revenues
7 derived from inspections and violations of title 20 Virgin Islands Code, chapter 41 must be
8 deposited.

9 (b) The Commissioner of the Department of Finance may require a monthly report and
10 recognition statement to be filed on or before the 10th day of each month concerning gross
11 revenues and deposits received and made during the preceding month.

1 (c) No money in the Fund may be made available for expenditure except as
2 appropriated exclusively for personnel resources and funding necessary to carry out the
3 purposes of Title 20 Virgin Islands Code, chapter 4, and administer inspections or safety checks
4 pursuant to Title 20 Virgin Islands Code, chapter 41 necessary to maintain the safety of
5 individuals throughout the Territory on Public Highways.”

6 **SECTION 2.** Title 20 Virgin Islands Code, chapter 39, section 435 is amended by adding
7 the following subsection (c):

8 “(c) Revenue derived from fees under chapter 41 of this title, shall be collected and shall
9 be deposited into the Inspections and Safety on Public Highways Fund established under Title
10 33 V. I. C. § 3100hh.”

11 **SECTION 3.** Title 20 Virgin Islands Code, chapter 41, section 461, is repealed and
12 reenacted with amendments as follows:

13 “(a) Before issuing a registration license, the Director of Bureau of Motor Vehicles shall
14 require examination and inspection of all the following types of motor vehicles:

- 15 (1) school buses;
- 16 (2) vehicles for hire;
- 17 (3) vehicles that are required to pass emissions testing;
- 18 (4) vehicles that are newly brought into the territory;
- 19 (5) vehicles that will be issued a junk or salvage title pursuant to section 220 of
20 this title;
- 21 (6) Commercial Vehicles, and
- 22 (7) Taxis

1 (b) The Director or any agency or department designated by the Director, that is
2 responsible for administering examination and inspections of the motor vehicles listed in
3 subsection (a), shall develop standards and regulations to implement examination and
4 inspection that complies with federal and local law.

5 (c) For all other motor vehicles not designated in subsection (a) of this section, the
6 Director of Bureau of Motor Vehicles shall issue a registration license without requiring
7 examination and inspection of the motor vehicle. Members of the armed forces not located in
8 the territory may register their vehicles in the Virgin Islands without examination and
9 inspection, but the vehicle must be titled in the Virgin Islands. Before issuing a registration
10 license to the owner of any motor vehicle under this subsection, the Director shall require the
11 vehicle owner to certify that the vehicle is in satisfactory condition to ensure safety on the
12 public highways and is in full compliance with applicable equipment requirements under
13 chapter 41 of this title.

14 (d) At any time considered necessary, the Director may examine and inspect any motor
15 vehicle to ensure safety on the public highways and may order the owner or operator to make
16 necessary repairs. The Director of Motor Vehicles shall prohibit the operation of all motor
17 vehicles considered unsafe and shall order the owners to remove motor vehicles in an
18 unserviceable condition which have been left on the public highways for over ten days in this
19 condition.

20 (e) The Virgin Islands Police Department shall enforce this section to ensure that
21 vehicles in operation on the public roadways and highways in the territory comply with the
22 safety, inspection, and registration requirements of this chapter. The Virgin Islands Police

1 Department may inspect and remove motor vehicles that do not comply with the applicable
2 law.

3 (f) In addition to the authority to inspect motor vehicles established in subsection (a)
4 of this section, the Director of Motor Vehicles may certify designated auto repair businesses on
5 each island and authorize such auto repair businesses to serve as inspection stations for
6 inspecting motor vehicles prior to the vehicles' registration. The certified auto repair businesses
7 shall issue Certificates of Inspection to the owners of vehicles that meet the safety and
8 equipment requirements of this title. To protect against fraud, the Director may require bonds
9 from each auto repair business designated to issue Certificates of Inspection. Upon review of
10 the application for registration license renewals, Certificate of Inspection as applicable and
11 Certificate of Emissions Testing, vehicle registration license, and the payment of fees pursuant
12 to section 433 of this chapter, the Director of Motor Vehicles may, if all liens on the vehicles
13 being registered are paid, issue a renewal registration license to an owner of a motor vehicle
14 who registers by mail, email, or hand delivery.

15 (g) Notwithstanding the requirements of subsections (a) through (f) all motor vehicles
16 are subject to emission inspections. The Bureau of Motor Vehicles, in conjunction with the
17 Department of Planning and Natural Resources, shall develop and implement a vehicle
18 emissions inspection program by December 2024.

19 (h) The Director of Motor Vehicles and the Virgin Islands Police Department may
20 promulgate regulations to implement this section, including online fee collection, checks, and
21 credit cards. The Director of Motor Vehicles may charge processing fees to carry out the
22 provisions of this section.”

