

# **TESTIMONY TO THE 36TH LEGISLATURE OF THE VIRGIN ISLANDS COMMITTEE ON HOUSING, TRANSPORTATION AND TELECOMMUNICATIONS**

## **In Support of Bill #36-0109**

### **Proposed Amendments to Vehicle Inspection and Registration Requirements**

Senator Marvin Blyden, Chair of the Housing, Transportation and Telecommunication Committee, Members of the Committee, other Senators present, testifiers, the listening and viewing audience. My name is Barbara Jackson-McIntosh, and I am the Director of the Bureau of Motor Vehicles. I appreciate the opportunity given to the Bureau of Motor Vehicles to appear before the committee to offer our testimony, on the proposed amendments to the Virgin Islands' motor vehicle inspection and registration framework.

In the United States and its territories, vehicle safety and emissions inspection are governed by each state and territory individually. Most states do NOT require an annual safety inspection for all vehicles; they rely instead on law enforcement and owner responsibility. There are 37 states where no periodic inspection of any kind (safety, emissions, or VIN) is required before a vehicle can be registered and operated on the roadway. There are 5 states that require biennial safety inspections, while others require only emissions testing, often limited to certain counties. There are states that require inspections only for special cases (e.g., out-of-state vehicles). At present, the Virgin Islands Bureau of Motor Vehicles (BMV) operates under a tiered inspection structure, where inspection frequency varies based on vehicle age, with some newer private passenger vehicles already exempt from annual inspection requirements. While this framework reflects an effort to reduce unnecessary burdens on motorists and the BMV, the proposed amendment builds upon that progress in a more comprehensive and forward-looking manner.

The BMV therefore is in support of Bill 36-0109, this measure represents a thoughtful and practical modernization of our current system—one that balances efficiency, public safety, and administrative sustainability.

First, the proposal to eliminate routine inspections for private passenger vehicles—while still allowing the BMV to assess administrative fees—are both reasonable and necessary. The BMV remains responsible for maintaining vehicle records, processing registrations, and ensuring compliance with insurance and statutory requirements. The collection of an administrative fee ensures that the Bureau can continue to perform these essential functions without disruption, even as inspection-related workloads evolve. Particularly, this change:

- Reduces unnecessary congestion at inspection stations.
- Aligns safety oversight to actual risk categories (school buses, commercial vehicles, vehicles for hire, etc.)
- Provides revenue continuity for the BMV to maintain operations.
- Enhances customer convenience and reduces processing delays.

Modernizing this fee authority is essential for the efficient operation of the Bureau.

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Second, the BMV's current system already supports a multi-year registration capability, specifically the operational capacity for two-year cycles. The proposal to initially implement two-year inspection intervals aligns with existing system functionality and provides a measured transition toward broader multi-year registration renewals in the future. This phased approach promotes efficiency, reduces long lines and wait times, and improves customer service for the motoring public, while allowing the BMV to scale implementation responsibly.

Equally important, this legislation appropriately shifts the responsibility for ensuring vehicle safety back to where it belongs—on vehicle owners and operators—while empowering law enforcement to act decisively when necessary. The Virgin Islands Police Department (VIPD) will, under this amendment, have greater latitude to identify unsafe vehicles, remove them from the roadways, and issue citations based on observed violations.

This is a critical improvement. Too often, unsafe vehicles remain in operation under the assumption that prior BMV inspection equates to ongoing roadworthiness.

However, as has been acknowledged in prior BMV policy statements, vehicle owners bear continuous responsibility for maintaining safe operating conditions. By strengthening VIPD's enforcement authority, this legislation eliminates the misplaced reliance on periodic inspections as a proxy for safety and instead ensures real-time accountability on our roadways. Note that 49 CFR § 396.17 Periodic inspection, § 396.19 Inspector qualifications and § 396.23 Equivalent to periodic inspection, affirms and solidifies the fact that the onus is on the motor carrier (the business) to self inspect and maintain their vehicles in a road worthy manner. There is nothing in the federal regulations that prohibit the use of private inspection stations to conduct the annual inspections; of course, the inspectors must be certified. In addition, this approach reduces administrative bottlenecks at the BMV, allowing personnel to focus on core services such as registration, titling, and compliance oversight, while law enforcement addresses active safety concerns in the field. The result is a more efficient division of responsibilities between agencies and a more responsive system overall.

The BMV reaffirms its commitment to **Virgin Islands military service members stationed outside the Territory**. Under current law and practice, the BMV renews vehicle registrations for these service members without requiring in-territory inspection, provided the vehicle is titled in the Virgin Islands. This bill maintains that important allowance, and the BMV fully supports keeping this exemption in place. Military personnel serving abroad often face logistical challenges that make in-person inspections impossible. Preserving this accommodation ensures that our service members and their families are not placed at a disadvantage while fulfilling their duties.

The BMV strongly supports the bill's continued requirement for **emissions inspections for all motor vehicles**, developed in coordination with the Department of Planning and Natural Resources (DPNR). The statutory structure requiring an emissions program by December 2026 aligns with best practices for environmental protection, roadway safety, and compliance with federal expectations. Emissions testing is an important public health measure, reduces pollution, and ensures that vehicles operating in the Territory meet modern environmental standards.

The BMV also agrees with the bill's amendment that vehicles in the rental car industry should not require inspection by BMV, provided that:

- The rental company certifies that the vehicle is in full compliance with all safety and equipment requirements under Chapter 41, and
- The company affirms that each vehicle is roadworthy before it is made available to customers.

This approach rightly places responsibility on rental businesses—which are best positioned to monitor their fleet conditions daily—while reducing unnecessary strain on BMV facilities. It also ensures a high standard of safety for residents and visitors who rely on rental vehicles while preserving BMV oversight through certification requirements.

We also support the bill’s authorization for BMV to certify private automotive businesses as inspection stations.

This will:

- Improve access and reduce bottlenecks at BMV sites.
- Support local businesses.
- Expand inspection capacity across all islands.
- Enhance customer convenience.

BMV will develop appropriate training, standards, audit protocols, and anti-fraud safeguards to ensure inspection integrity.

In summary, this amendment:

- Establishes clear penalties for false vehicle safety certification, ensuring accountability and deterring misuse of the self-certification process.
- Provides a structured implementation timeline, including a transition and grace periods, to ensure a smooth, responsible rollout.
- Strengthens enforcement by maintaining authority for inspections when necessary, including in situations where others operate exempt vehicles.
- Enhances regulatory clarity and consistency by standardizing authority under the Director of the Bureau of Motor Vehicles.

- Expands service options through multi-year registration, improving convenience and reducing administrative burden on both residents and the Bureau.
- Establishes fair and uniform late registration penalties to encourage compliance while maintaining equity across all registrants.
- Supports modernization of the motor vehicle system through improved administrative procedures and updated program structures.

For these reasons, I respectfully ask the Legislature to support this important measure. It represents a balanced, modern, and practical reform that will benefit the people of the Virgin Islands.