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**Written Testimony on Bill No. 36-0109
Relative to the Establishment of a Vehicle Emissions Inspection Program**
to the Committee on Housing, Transportation, and Telecommunications
36th Legislature of the Virgin Islands
by Jozette J. Walker, Assistant Commissioner
Department of Planning and Natural Resources
on behalf of Commissioner Jean-Pierre L. Oriol

Good morning, Honorable Senator Marvin Blyden, Chair of the Committee on Housing, Transportation, and Telecommunications, other committee members and non-committee members present, legislative staff, fellow testifiers, and the viewing and listening audience.

My name is Jozette J. Walker, Assistant Commissioner of the Department of Planning and Natural Resources (DPNR), and I appear before you today on behalf of Commissioner Jean-Pierre L. Oriol to provide testimony in support of Bill No. 36-0109, which proposes the establishment of a vehicle emissions inspection program in the Territory.

The Department of Planning and Natural Resources appreciates the opportunity to testify on this measure and supports the intent of the legislation. In an island environment such as the Virgin Islands, where we take pride in our picturesque skies and surrounding seas, emissions from motor vehicles directly affect public health, environmental quality, energy use, and climate resilience. Mobile-source emissions contribute to carbon monoxide, nitrogen oxides, volatile organic compounds, particulate matter, and greenhouse gases, all of which are pollutants of concern under the framework of the Clean Air Act and guidance issued by the United States' Environmental Protection Agency (EPA), the Department of Energy (DOE), and the Department of Transportation (DOT).¹

Vehicle emissions raise serious public health concerns because, in addition to conventional pollutants, they also contain hazardous air toxins, including carcinogenic compounds. The EPA has identified mobile-source air toxins from motor vehicles such as benzene, 1,3-butadiene, and formaldehyde, and EPA has specifically noted that benzene is present in motor vehicle exhaust and is associated with an increased incidence of leukemia. Further, the International Agency for Research on Cancer (IARC), part of the World Health Organization, has determined that diesel engine exhaust is carcinogenic to humans and is a cause of lung cancer. These findings underscore that reducing vehicle emissions is not only an environmental objective, but also an important measure for protecting public health in the Virgin Islands.²

At the federal level, emissions standards are imposed on manufacturers so that vehicles meet regulatory requirements at the point of production. Programs such as the EPA's Tier 3 Motor Vehicle Emission and Fuel Standards reduce sulfur in gasoline and lower allowable emissions for key pollutants. However, compliance at the point of manufacture does not eliminate the need for local oversight. As vehicles age, are imported used, or experience



emissions-control failure, localized inspection becomes necessary to ensure continued compliance and environmental protection.³

The EPA has long recognized vehicle inspection and maintenance programs as an effective mechanism for identifying high-emitting vehicles and reducing excess pollution. Federal guidance supports the use of On-Board Diagnostics (OBD) testing for newer vehicles, tailpipe testing for older vehicles, and ongoing program evaluation.⁴ These frameworks should serve as the foundation for any program developed in the Territory.

DPNR's position is that the Bureau of Motor Vehicles (BMV) should serve as the lead agency responsible for the development and implementation of this program. DPNR, through the Division of Environmental Protection (EP) and its Air Pollution Control Program, can provide technical support related to emissions standards, environmental thresholds, and federal alignment. However, this program is currently unmanned as DPNR seeks to fill these vacancies. Accordingly, DPNR will support BMV in any way we can, but DPNR should not serve as the lead implementing agency.

In structuring this program, the Virgin Islands should draw from proven models rather than building a system from the ground up. California offers one of the strongest examples of a mature emissions inspection framework through its Smog Check Program, including standardized procedures, certified stations, and a combination of OBD-based inspections and other emissions-testing protocols depending on vehicle type and model year. The state of Georgia likewise provides a practical model for emissions-program design, particularly through its use of OBD-based testing, certified inspection stations, and registration-linked compliance for subject vehicles. Hawai'i is also instructive, not as a primary emissions model, but as an island-based inspection administration model, with a decentralized network of permitted inspection stations and recurring inspection requirements. Finally, Puerto Rico offers a closer territorial and Caribbean-context reference point, illustrating how inspection requirements may be integrated within an island jurisdiction that shares similar market realities, including a heavy reliance on imported vehicles.

Based on these examples and federal guidance, DPNR recommends that the Territory adopt a phased and practical framework. For example, vehicle model years 1996 and newer should be evaluated using OBD-based testing, while older vehicles should be subject to tailpipe emissions testing and visual inspection for emissions-control tampering. New vehicles may be exempted for an initial period, and zero-emission vehicles, such as electric vehicles, should be recognized accordingly. Inspection compliance should be tied directly to vehicle registration to ensure enforceability.

In closing, DPNR supports the intent of Bill No. 36-0109 as a meaningful step toward strengthening environmental stewardship, protecting public health, and advancing a more modern approach to transportation-related emissions in the Territory. We respectfully recommend that the Bureau of Motor Vehicles serve as the lead agency for implementation, with DPNR providing technical support as capacity allows. With a practical framework



grounded in federal guidance and informed by proven models, the Virgin Islands can move toward a more effective and sustainable system for managing vehicle emissions.

Thank you for the opportunity to testify. I am available to answer any questions the Committee may have.

Footnotes

1. U.S. Environmental Protection Agency. Clean Air Act Overview: <https://www.epa.gov/clean-air-act-overview>
2. U.S. Environmental Protection Agency. Gasoline Mobile Source Air Toxics: <https://www.epa.gov/gasoline-standards/gasoline-mobile-source-air-toxics>; U.S. Environmental Protection Agency. Mobile Source Pollution and Health: <https://www.epa.gov/mobile-source-pollution/learn-about-how-mobile-source-pollution-affects-your-health>; International Agency for Research on Cancer. Diesel Exhaust Classification: https://www.iarc.who.int/wp-content/uploads/2018/07/pr213_E.pdf
3. U.S. Environmental Protection Agency. Tier 3 Motor Vehicle Emission Standards: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/tier-3-motor-vehicle-emission-and-fuel-standards>
4. U.S. Environmental Protection Agency. Inspection & Maintenance Programs: <https://www.epa.gov/state-and-local-transportation/vehicle-emissions-inspection-and-maintenance-im-programs>