



COMMITTEE ON HOUSING, TRANSPORTATION, & TELECOMMUNICATIONS

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Derek Gabriel

Commissioner
Department of Public Works

Good Day Chairman Marvin A. Blyden, members of the Committee on Housing, Transportation & Telecommunications, other senators and colleagues in attendance, and members of the listening and viewing public.

Thank you for the invitation to clarify the Department of Public Works' role in the implementation, enforcement, and operational impact on the proposed bill, Bill No. 36-0074, the VI Roadside Property Maintenance and Vegetation Act. My name is Derek Gabriel, and I am the Commissioner of the Department of Public Works.

DPW recognizes the critical importance of this Bill to ensure safe and clear roadways for the movement of people, goods and services. While we fully support the intent of this legislation to hold property owners accountable for roadside maintenance, we must address the practicalities of its implementation.

Currently, DPW does not have dedicated enforcement officers to patrol, identify violations, and serve formal notices to private property owners territory wide. Without a robust mechanism to issue citations or ensure compliance, the fines proposed in this bill may remain uncollected, rendering the law unenforceable.

To ensure this bill is enforceable and achieves the important goals set within, DPW recommends enforcement via property tax liens. This would allow any unpaid fines for roadside maintenance violations to be recorded as a priority lien and attached to the property's annual tax bill. Utilizing this statutory collection framework ensures that the GVI has a reliable, automated and cost-effective way to recover costs without requiring the recruitment and training of a new fleet of enforcement officers.

Further, DPW strongly recommends that 100% of the revenue generated from any assessed fines be deposited into a "Roadside Maintenance Special Fund" with statutory restrictions that allow those funds to be utilized exclusively by DPW for its Roadside Maintenance Program. This creates a sustainable closed-loop system where the penalties from non-compliance directly fund the crews and equipment needed to keep our territory's roads clear and safe.

Furthermore, we must address the critical issue of disposal. As the Chairman of the Virgin Islands Waste Management Authority (VIWMA) Board, I am acutely aware that in St. Thomas, our landfill does not currently accept green waste from residents. Without a clear disposal pathway, this Bill risks creating piles of debris with nowhere to go. By utilizing the proposed Special Fund, DPW and VIWMA can collaborate on managed drop-off sites where vegetation can be processed into mulch or safely staged for disposal, rather than becoming an illegal dumping burden at our bin sites.

To be clear, Senators, these recommendations are not reinventing the wheel. Municipalities from New York to Washington State utilize tax levies to handle precisely these types of maintenance violations. By moving the collection from a manual billing process to the property tax roll, they have seen higher compliance rates and reduced administrative overhead. Furthermore, the creation of a dedicated Roadside Maintenance Fund aligns with national Best Management Practices for infrastructure. This dedicated revenue stream will ensure more consistent, timely payments to our vendors and eventually reduce DPW's dependency on the Anti-Litter and TARF funds. This ensures that specialized equipment – like brush-hogs, sidearms and industrial mowers – can be procured and maintained and Roadside Contractors compensated without competing for General Fund dollars.

To provide context on the scale of our current efforts, DPW manages an aggressive roadside maintenance schedule primarily through private contractors. As of January 31st, for Fiscal Year 2025, the Department has expended approximately Two Million, Four Hundred Forty-Five Thousand, Seven Hundred Twenty Dollars (\$2,445,720.00) territory-wide on roadside vegetation management. Currently, we manage 16 roadside maintenance contracts and 16 in the St. Thomas/St. John district.

Despite these expenditures, our ability to keep pace with rapid tropical growth is often limited by the rising costs of fuel, equipment maintenance, and specialized machinery. While our current appropriations allow us to maintain major thoroughfares, additional revenue from this proposed

Special Fund would allow us to significantly increase our capacity. Specifically, it would allow for a more frequent cutting cycle on secondary and tertiary roads, which often present the greatest safety hazards due to overgrowth. A dedicated revenue stream would also allow for greater procurement agility. Rather than waiting for General Fund allotments that may be delayed by broader fiscal constraints, a dedicated fund would allow DPW to execute on-call maintenance contracts and procure specialized sidearm mower attachments as soon as the operational need arises.

In closing, Chairman Blyden, and Committee members, DPW supports the passage of Bill No. 36-0074, provided that a realistic enforcement and funding mechanism is included. It is critical that we ensure the legislation results in cleaner roads, not just more administrative work.

Thank you for the opportunity to testify. I welcome any questions.