

OFFICE OF THE LIEUTENANT GOVERNOR

Honorable Tregenza A. Roach, Esq.
Lieutenant Governor

Testimony before the
Committee on Housing, Transportation and
Telecommunications

April 8, 2026

Good Day, Honorable Senator Marvin A. Blyden, Chairman of the Committee on Housing, Transportation and Telecommunications, other committee members, other members of the 36th Legislature of the Virgin Islands, and viewing and listening audiences. I am Ludence A. Romney, Tax Assessor, Office of Tax Assessor (“OTA”), and I am accompanied today by Mr. Brent Leerdam, Tax Collector, Office of Tax Collector, within the Office of the Lieutenant Governor (“LGO”).

On behalf of Lieutenant Governor Tregenza A. Roach, Esq., the Office of the Lieutenant Governor, Division of Real Property Tax, it gives me great pleasure to testify on Bill No. 36-0074, an Act amending Title 20 of the Virgin Islands Code, Part I by adding a Chapter 3 establishing the “Virgin Islands Roadside Property Maintenance and Vegetation Act” to require property owners to maintain roadside vegetation, prevent obstruction of public roads and utility lines, provide for enforcement, penalties, and exceptions, and for other related purposes.

The intent of Bill No. 36-0074 as stated in its preamble is to reduce government expenses, to improve the beauty (aesthetic appeal) along our public roads and to improve the safety along public roads for motorists, pedestrians, and public utilities while reducing the likelihood of accidents,

power outages, and other infrastructure damages. These goals are commendable.

We recommend that the definition of “public roads” be clarified. Is Bill No. 36-0074 suggesting only federal public roads, or are territorial public roads included? Additionally, are publicly used estate roads, rights-of-way and other easements included in the definition of “public roads.”

First, implementing this bill requires a massive amount of enforcement. It may very well be that the cost of enforcement equals or exceeds the present cost of paying roadside crews to control vegetation.

Second, adding a minimum of One Thousand Five Hundred Dollars (\$1,500.00) noncompliance cost to the property tax bill which is almost ten times the minimum property tax bill of One Hundred Eighty Dollars (\$180.00) will create a tremendous burden, not only on the property owners but also on the OTA. The OTA will have to identify and verify every property that is bound by a public road, at a minimum, on one side. Furthermore, the OTA will have to update property records as the Department of Public Works (“DPW”) provides updated information. These activities have implications for additional personnel, time, and functionality with the property tax software.

Third, what evidence will be needed by DPW to prove an actionable offense? Additionally, where will such electronic media be stored? If it is within the Real Property Tax management system, the application will require additional storage and functionality. Because the Real Property Tax Division within LGO handles the collections for this activity, any waiver or payment plan for the lien should fall under the Office of the Tax Collector; not DPW as Bill No. 36-0074 suggests.

Fourth, it is not clear in Bill No. 36-0074 whether the amount of a fine will be related to the amount of property bound by a roadside. For example, if one property has only ten (10) feet bound by a roadside and another has twenty-one (21) feet, will both properties be fined the same? Or will two properties with the same roadside exposure, but different property values pay the same amount for the same infraction?

Fifth, more trees and other vegetation contribute to a cooler environment. A possible, unintended consequence of this legislation may be that property owners bound by a public road will make changes to their property so that vegetation cannot easily thrive or propagate in that area. Properties zoned R1 will be at a greater disadvantage than those zoned with higher numbers because of setback requirements.

We recommend that the aforementioned scenarios be considered as you deliberate the passage of this bill. Mr. Chairman, thank you for the opportunity to testify on behalf of Lieutenant Governor Roach and the rest of the LGO team concerning Bill No. 36-0074. We are available to answer any questions that you or members of the Committee may have.