COMMITTEE ON BUDGET, APPROPRIATIONS AND FINANCE

01/12/2026-REASSIGNED TO THE COMMITTEE ON RULES AND JUDICIARY
01/08/2026-REPORTED OUT TO THE FLOOR
12/15/2025-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 36-0209

Thirty-Sixth Legislature of the Virgin Islands

November 17, 2025

An act amending title 23 Virgin Islands Code, chapter 10 to establish civil penalties for disregarding marine advisories and to create the Territorial Marine Safety Fund

PROPOSED BY: Senator Hubert L. Frederick
Sponsor: Avery L. Lewis
Co-sponsor: Ray Fonseca

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 23 Virgin Islands Code, chapter 10, subchapter I is amended by adding the following new section:

"§1018. Marine advisories; civil penalties

(a) For purposes of this section, "marine advisory" means an official advisory, warning, small craft advisories, recreational marine use advisories, coastal hazard warnings, or similar public safety notices issued by any of the following agencies:

(1) the United States Coast Guard;

(2) the National Weather Service;

(3) the Virgin Islands Department of Planning and Natural Resources (DPNR);

(4) the Virgin Islands Police Department (VIPD);

(5) the Virgin Islands Territorial Emergency Management Agency (VITEMA); and

(6) the Virgin Islands Fire and Emergency Medical Services (VIFEMS).

(b) Any person, whether operating a vessel, engaging in recreational marine activity, or engaging in shoreline or coastal activity, who knowingly or negligently disregards a marine advisory, as defined in subsection (a), and whose actions result in the deployment of emergency response resources, shall be assessed a civil penalty of $500 per incident. Each incident requiring emergency response constitutes a separate violation.

(c) Citations for violations under this section may be issued by the Commissioner of Police, the Commissioner of DPNR, the Director of VITEMA, the Director of VIFEMS, or their authorized designees.

(d) Any individual receiving a citation under this section may contest it by filing an appeal with the issuing agency within 20 calendar days of issuance. The agency shall designate a hearing officer to review the appeal and issue a written determination within 30 calendar days. Payment of the penalty is stayed until the final resolution of the appeal. After the final resolution of an appeal, all penalties collected must be remitted by the issuing agency to the Department of Finance for deposit into the Territorial Marine Safety Fund.

(e) There is established in the Treasury of the Virgin Islands a special fund designated the "Territorial Marine Safety Fund," which is separate and distinct and administered by the Commissioner of Finance. The Fund consists of all monies collected from civil penalties imposed under this section.

(f) Monies in the Fund is disbursed at the request of the responding agency as outlined in subsection (a) of this section and must be used solely for:

(1) the purchase and maintenance of emergency response equipment;

(2) vessel maintenance and operations; and

(3) other expenses directly related to marine emergency response.

(g) Nonprofit rescue organizations, including St. Croix Rescue, St. John Rescue, and St. Thomas Rescue are authorized to receive disbursements from the Territorial Marine Safety Fund, and must comply with the provisions of title 2 Virgin Islands Code, section 29 regarding compliance requirements for the receipt of government funds.

(h) The Commissioner of Finance shall maintain a detailed accounting of all monies deposited into and disbursed from the Fund. The Commissioner shall submit an annual report on the financial status of the Fund to the Governor and the Legislature, which must include the total amount of civil penalties collected, the total amount of disbursements made to each agency or authorized recipient, and the unobligated balance of the Fund."

BILL SUMMARY

This bill amends title 23 Virgin Islands Code, chapter 10 to establish a civil penalty of $500 for any person who disregards an official marine advisory and causes the deployment of emergency response resources. Citations may be issued by the Virgin Islands Police Department, the Department of Planning and Natural Resources, the Virgin Islands Territorial Emergency Management Agency, or the Virgin Islands Fire and Emergency Medical Services, with appeals handled by the issuing agency. This bill also creates a special revenue fund in the Treasury of the Government of the Virgin Islands, the Territorial Marine Safety Fund, to receive all penalties collected. Monies in the Fund may be disbursed to responding agencies for equipment, vessel maintenance, and other marine emergency response costs. St. Croix Rescue, St. John Rescue, and St. Thomas Rescue are also authorized to receive disbursements from the fund.

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