

**COMMITTEE ON DISASTER RECOVERY AND
INFRASTRUCTURE**

09/12/2025-REPORTED OUT TO THE COMMITTEE N RULES AND JUDICIARY

BILL NO. 36-0110

Thirty-Sixth Legislature of the Virgin Islands

July 10, 2025

An Act amending title 20 Virgin Islands Code, part I, chapter 1 to require a permit from the Virgin Islands Department of Public Works before the excavation of any public roadway

PROPOSED BY: Senators Angel L. Bolques, Jr.
Co-sponsor: Hubert L. Frederick

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 20 Virgin Islands Code, part I, chapter 1 is amended by inserting the following section 8:

§ 8. Excavation of public roads; permits, fees, and fines

(a) The Virgin Islands Department of Public Works (“the Department”) shall regulate the excavation of public roads in the Virgin Islands. No individual, corporation, or entity shall excavate any public road without first obtaining a permit from the Commissioner of the Department of Public Works.

(b) The Department shall establish a fee schedule for excavation permits. The fees must be commensurate with the size, duration, and impact of the excavation on the public road

and its users. All fees collected must be used exclusively for the maintenance and improvement of public roads and must be deposited into the District Public Road Fund.

(c) The Department shall charge a fee for the following:

- (1) excavation permits, based on the project's size and scope;
- (2) inspection of the work during and after completion to ensure compliance with regulations and safety standards;
- (3) services to identify and mark underground utilities;
- (4) necessary environmental assessments, if the excavation has potential environmental impacts;
- (5) costs associated with traffic control measures and road closures;
- (6) restoration of the road and adjacent areas including sidewalks, curbs, and landscaping;
- (7) disposal of waste material generated from the excavation;
- (8) damage to public property or utilities for repair and replacement; and
- (9) any costs incurred to ensure compliance with safety regulations and compliance standards, including specialized equipment or procedures.

(d) Standards and Regulations

The Department shall establish standards and regulations for the excavation of public roads, which must include safety measures, traffic management, restoration of excavated areas, and timeframes for completion of work. All excavation work must comply with the standards and regulations set forth by the Department.

(e) Fines and Penalties

After an opportunity to be heard, any individual, corporation, or entity found to be in violation of this section for an unauthorized excavation, non-compliance with standards and regulations, or failure to pay the required fees, is subject to pay a fine as established by the

1 Department. Repeat offenders may be subject to increased fines and or suspension of future
2 permit privileges.

3 **SECTION 2.** (a) This act takes effect 90 days after its enactment.

4 (b) Not later than 90 days after the effective date of this act, the Department shall create
5 a permit application that must provide for the inclusion of the location of the excavation, the
6 purpose, and the estimated duration of the excavation, and any other information the
7 Department considers necessary.

8 (c) Not later than 90 days after the effective date of this act, the Department may
9 promulgate additional rules for the administration and enforcement of this act.

10 **BILL SUMMARY**

11 This bill amends title 20 Virgin Islands Code, part 1, chapter 1 to require a permit from
12 the Department of Public Works before the excavation of any public roadway and sets a
13 schedule of fees associated with the excavation of the roadway.

14 **BR25-0075/March 26, 2025/AA**