

COMMITTEE ON BUDGET, APPROPRIATIONS AND FINANCE

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

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

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1 *Be it enacted by the Legislature of the Virgin Islands:*

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

4       **“§1018. Marine advisories; civil penalties.**

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

8               (1) the United States Coast Guard;

9               (2) the National Weather Service;

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

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

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

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

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

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

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

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

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

