

COMMITTEE ON HOMELAND SECURITY, JUSTICE AND
PUBLIC SAFETY

12/11/2024-HELD IN COMMITTEE

BILL NO. 35-0417

Thirty-Fifth Legislature of the Virgin Islands

December 10, 2024

An Act repealing and reenacting Title 20 Virgin Islands Code, part II, chapter 43, section 512 increasing penalties for traffic violations; establishing a Virgin Islands Police Department Impound Lot; and for other related purposes

PROPOSED BY: Senator Kenneth L. Gittens

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. This Act may be cited as the “Updated Traffic Fines and Police Impound Lot Establishment Act of 2024.”

SECTION 2. Title 20 Virgin Islands Code, Part II, chapter 43, section 512 is repealed and reenacted with amendments as follows:

§ 512. Schedule of fines for traffic violations

VIC	VIOLATION DESCRIPTION	1st. FEE	2nd. FEE	3rd. FEE
T 20, 374	Allowing unlicensed driver to operate a vehicle	100.00	100.00	200.00
T 20, 461(a),(b)	Operating vehicles with bald tires	100.00	125.00	150.00
T 20, 461(a),(b)	Operating vehicles with broken windshield	100.00	150.00	200.00
T 20, 465(e)	Operating or carrying person on motorcycle without wearing helmet	125.00	175.00	225.00
T 20, 465(d)	Carrying more than 1 person on a motorcycle designed to carry one person	100.00	200.00	TO BE DETERMINED BY THE COURT
T 20, 461(a),(b)	Driving an unsafe vehicle	100.00	150.00	200.00
T 20, 371(a)	Driving without a license (Never obtaining a driver’s license)	100.00	200.00	TO BE DETERMINED BY THE COURT
T 20, 509	Driving while using cell phone (Mobile Phone)	150.00	200.00	300.00

T 23, 414 & 415	Disregarding Crosswalk	100.00	125.00	150.00
T 20, 332	Displaying a sticker not approved or generated by Bureau of Motor Vehicles Dir.	250.00	TO BE DETERMINED BY THE COURT	TO BE DETERMINED BY THE COURT
T 20, 541	Failing to report an accident	100.00	150.00	200.00
T 23,411&415	Failing to yield the right of way	100.00	150.00	200.00
T 20, 463(a)	Failing to dim lights	100.00	125.00	150.00
T 20, 495a	Failing to stop for siren	100.00	150.00	200.00
T 20, 334(e)	Unlawfully transferring license plates	150.00	250.00	350.00
T 20, 491(b)	Failing to stop when ordered	150.00	200.00	300.00
T 20, 335(a)	Failing to transfer registration	150.00	225.00	300.00
T 20, 495(d)	Failing to signal	100.00	125.00	250.00
T 20, 491(b)	Failing to proceed when ordered	100.00	125.00	150.00
T 20, 491(b)	Failing to obey an officer when ordered to stop or proceed	150.00	200.00	300.00
T 20, 500	Failing to meet vehicular load, height, width requirements	TO BE	DETERMINE	BY COURT
T 20, 466(a)	Failing to Restrain Infant or toddler under age 5 by use of child restraint system or booster seat	100.00	200.00	300.00
T 20, 494a(a)	Failing to drive above minimum speed or failure to drive at minimum speed necessary for safe driving	100.00	150.00	200.00
T 20, 331(1)(2)	Failing to display registration sticker	100.00	150.00	200.00
T 20, 708 & 712	Failing to show proof of vehicle insurance	100.00	150.00	200.00
T 20, 497(d)	Impeding traffic	100.00	150.00	200.00
T 20, 463	Failing to display proper lighting	125.00	175.00	250.00
T 20, 464(b)	Using improper muffler	150.00	250.00	350.00
T 20, 495(c)	Failing to properly make a turn	100.00	125.00	175.00
T 20, 495(a)	Failing to properly change lanes	100.00	150.00	200.00
T 20, 495(a)	Improper passing at intersection	150.00	200.00	250.00
T 20, 495(a)	Failing to properly pass	100.00	150.00	200.00
T 20, 497(a)	Leaving keys in ignition	100.00	150.00	200.00
T 20, 541	Leaving the scene of an accident	500.00	Must Appear In	Court
T 20, 541	Leaving the scene of an accident personal injury	1000.00	Must Appear In	Court
T 20, 541	Leaving the scene of an accident property damage	750.00	Must Appear In	Court
T 20, 541	Leaving the scene of an accident personal/property	1,500.00	Must Appear In	Court
T 20, 461(a),(b)	Failing to drive safely by burning out tires	100.00	125.00	150.00
T 20, 507	Failing to reverse properly	100.00	125.00	150.00
T 20, 495(a)	Failing to remain on left side of street or highway	125.00	175.00	225.00
T 20, 492	Failing to maintain control of vehicle	150.00	200.00	250.00
T 20, 500	Operating an overloaded vehicle	150.00	200.00	250.00
T 20, 461(b)	Operating an unsafe vehicle	100.00	150.00	200.00
T 20, 503	Negligent driving	200.00	250.00	300.00
T 20, 503	Negligent driving involving personal injury	1000.00	TO BE DETERMINED BY THE COURT	TO BE DETERMINED BY THE COURT
T 20, 503	Negligent driving involving property damage	750.00	TO BE DETERMINED BY THE COURT	TO BE DETERMINED BY THE COURT
T 20, 371(b)	No license on person driving without a license on person	100.00	150.00	200.00
T 20, 463(a)	No license plate lights	100.00	200.00	300.00
T 20, 333	No registration on person or in vehicle	100.00	200.00	300.00

T 20, 461(a),(b)	No bumper on vehicle	150.00	200.00	250.00
T 20, 463(a)	No covering of bumper lights	100.00	150.00	200.00
T 20, 461(a),(b)	No fender	150.00	200.00	250.00
T 20, 401(a),(d)	No taxi badge or card	150.00	200.00	250.00
T 20, 402(d)	No taxi dome light	100.00	150.00	200.00
T 20, 404	No taxi tariff	125.00	175.00	225.00
T 20, 466	No safety belt/failure to wear safety belt	150.00	200.00	300.00
T 20, 497(d)	Obstructing traffic	100.00	150.00	200.00
T 23, 91	One way street (Traveling wrong way on a one-way street)	125.00	175.00	225.00
T 20, 401	Operating vehicle for hire without license	200.00	250.00	300.00
T 20, 371(a)	Operating vehicle while license is suspended	200.00	300.00	400.00
T 20, 498(a)	Operating a motor vehicle with an excess number of passengers	150.00	200.00	250.00
T 23, 94 & 96	Overtime parking	100.00	125.00	150.00
T 20, 497(d)	Parking in prohibited area	150.00	200.00	250.00
T 20, 497(e)	Parking on a curb	125.00	175.00	225.00
T 20, 495(a)	Passing on a curve	150.00	200.00	250.00
T 20, 495(a)	Passing on a double yellow line	150.00	200.00	300.00
T 20, 495(a)	Passing a "Do Not Enter" sign	100.00	150.00	200.00
T 20, 495(a)	Passing a red light	150.00	175.00	200.00
T 20, 495(a)	Passing a stop sign	100.00	100.00	150.00
T 20, 495(h)(1)	Passing a school bus	200.00	300.00	TO BE DETERMINED BY THE COURT
T 20, 466	Passenger without seatbelt	125.00	175.00	225.00
T 20, 497(d)	Parking in handicapped zone	1,000.00	Must Appear In	Court
T 20, 492	Reckless driving	300.00	Must Appear In	Court
T 20, 465(e)	Riding without helmet	150.00	200.00	300.00
T 20, 494	Speeding	150.00	250.00	350.00
T 20, 494	Exceeding the speed limit by 30 miles or more	150.00	250.00	350.00
T 20, 494	Exceeding the speed limit by not more than 29 miles	150.00	250.00	350.00
T 20, 401	Soliciting passengers	125.00	175.00	225.00
T 20, 800	Tinted glass on vehicle in violation of Title 20, section	150.00	250.00	350.00
T 20, 497b	Unattended taxi	100.00	125.00	150.00
T 20, 712	Uninsured vehicle	250.00	500.00	TO BE DETERMINED BY THE COURT
T 20, 331(1)(2)331(1)(2)	Unregistered vehicle	200.00	300.00	400.00

1 **SECTION 3. Establishment of a Police Impound Lot**

2 (a) The Virgin Islands Police Department shall establish an impound lot for the purpose

3 of securely storing motor vehicles that have been towed for traffic violations, traffic accidents,

4 impeding traffic on Virgin Islands roadways, or probable cause of criminal activity.

(b) The Police Commissioner shall establish regulations governing the operation of the impound lot including:

(1) Implementing strict safety and security protocols for impounded vehicles and their contents;

(2) Creating a schedule of fees or other charges to be charged motor vehicle owners for towing services, storage services or both;

(3) Requiring that the regulations and fee schedules shall be made available to the public.

(4) Towing Costs;

(5) Storage Costs;

(6) Administrative Costs; and

(7) Fee Adjustments.

(c) The Virgin Islands Police Department may charge an administrative fee in addition to the fees charged for the towing and storage of the impounded vehicle. All administrative fees, and towing and storage fees must be imposed on the registered owner of the motor vehicle.

(d) The registered owner of the vehicle shall be provided immediate notice of the impoundment and advised of the right to request a hearing before the Commissioner within 30 days of the impoundment.

(e) Any fee adjustments must be approved by the Governor with the approval of the Legislature of the Virgin Islands.

(f) **Definitions.**

For purposes of this section, motor vehicle includes all-terrain vehicles and dirt bikes.

(1) “All-terrain vehicle” means a motor vehicle designed to travel over any terrain possessing between three or six nonhighway tires, but does not include golf carts.

(2) “Dirt bike” means a motor-powered vehicle possessing two or more tires designed to travel over any terrain, and capable of traveling off paved roads.

(g) **Initial Fees.**

The initial fees to be charged upon the establishment of the impound lot are as follows:

(1) Towing: \$65.00

(2) Storage: \$35.00 per day

(3) Administrative cost: \$25.00

SECTION 4. (a) The following allocations shall be made from the proceeds of traffic fines imposed pursuant to title 20 Virgin Islands Code, chapter 43, section 512:

(1) One dollar from each paid traffic citation shall be transferred to the Superior Court of the Virgin Islands for administrative purposes;

(2) Two dollars of every paid fine shall be allotted to the issuing law enforcement agency; and

(3) An appropriation of \$5.00 per each paid citation shall be made to the Police Athletic League program to enhance community engagement and youth programs; and

(b) The \$25.00 administrative fee imposed under section (3) shall be utilized solely for the maintenance and upkeep of the impound lot.

SECTION 5. Effective Date

This Act takes effect thirty working days after enactment, and the fee allotments shall become available to the entities identified in Section 4 effective October 1, 2025.

BILL SUMMARY

This bill amends Title 20, Virgin Islands Code, part II, chapter 43, section 512 increasing penalties for traffic violations. It also allots funds to the Superior Court and issuing law enforcement agencies apart from The Virgin Islands Police Department. Additionally, this bill also makes an appropriation to support the Police Athletic League.

BR23-0743/September 8, 2023/LMW/Revised November 22, 2024