

02/03/2026-HELD IN COMMITTEE

BILL NO. 36-0221

Thirty-Sixth Legislature of the Virgin Islands

January 12, 2026

An act amending title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 relating to alcohol consumption and to establish “The Impaired Driving and Highway Sobriety Checkpoint Program Safety Fund”

PROPOSED BY: Senator Ray Fonseca

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493, as amended by Act No. 9054, (Bill No. 36-0123) is amended as follows:

(1) Add the following subsection (i):

“(i) Sobriety Checkpoint Program: minimum operations; compliance; reporting.

(1) There is established within Virgin Islands Police Department a Sobriety Checkpoint Program to deter and detect violations of section 493 of this chapter.

(2) The Virgin Islands Police Department shall conduct no fewer than 12 sobriety checkpoints each calendar year Territory-wide, including at least four checkpoints on St. Croix, four on St. Thomas, and two on St. John with the remaining two checkpoints deployed based on data-driven need.

(3) All checkpoints must be operated pursuant to a written plan approved in advance by a supervising officer, employ objective site and time selection, minimize delay to motorists, and include advance public notice consistent with best practices and applicable constitutional requirements.

(4) The Virgin Islands Police Department shall coordinate checkpoint planning with the Office of Highway Safety and may partner with local, federal, or any other agency deemed necessary.

(5) No later than December 1st of each fiscal year, the Virgin Islands Police Department shall submit a report to the Legislature and the Office of Highway Safety detailing the number of checkpoints by island and date, staffing and costs, arrests by offense category, alcohol-involved crash data in checkpoint corridors, and a summary of public education activities supported by funds from the Impaired Driving and Highway Sobriety Checkpoint Program Safety Fund established in title 33 Virgin Islands Code, subtitle 3, chapter 111.”

SECTION 2. Title 33 Virgin Islands Code, subtitle 3, chapter 111, is amended by inserting the following appropriately numbered section:

“§ _____. Impaired Driving and Highway Sobriety Checkpoint Program Safety Fund

(a) There is established in the Treasury of the Government of the Virgin Islands the Impaired Driving and Sobriety Checkpoint Program Safety Fund, a separate and distinct, non-lapsing special fund.

(b) Notwithstanding title 33 Virgin Islands Code, section 3087, all fines imposed and collected for violations of title 20 Virgin Islands Code section 493 shall be deposited into the Impaired Driving and Sobriety Checkpoint Program Safety Fund. The Fund may

1 also receive grants, donations, and federal reimbursements related to impaired-driving
2 enforcement, education, and traffic safety.

3 (c) The Commissioner of the Department of Finance shall administer the Fund
4 in coordination with the Virgin Islands Office of Highway Safety. Monies in the Fund
5 are continuously appropriated for the purposes set forth in this section and remain
6 available until expended.

7 (d) Allocation; intended uses

8 (1) Not less than 50 percent of all deposits each fiscal year shall be
9 transferred to the Virgin Islands Police Department to support traffic control
10 operations, purchase and maintenance of traffic control equipment, signage and
11 lighting, communication devices, overtime and staffing for special events, road
12 closures, emergency operations, and public information or education directly
13 supporting such activities

14 (2) Not less than 25 percent of all deposits each fiscal year shall be
15 transferred to the Virgin Islands Police Department to operate an impaired driving
16 enforcement program consisting of sobriety checkpoints, saturation patrols,
17 training, overtime, equipment, and public information and education directly
18 supporting such operations.

19 (3) The balance of the Fund shall be used by the Office of Highway Safety
20 to support programs identified in an approved highway safety plan, including the
21 Impaired Driving Program, Occupant Protection Program, Police Traffic Services
22 Program, and Traffic Records Program.

23 (e) No later than 60 days after the close of each fiscal year, the Department of
24 Finance, in coordination with the Office of Highway Safety, shall submit a report to the

Legislature detailing all revenues deposited into the Fund and expenditures from the Fund during the prior fiscal year, including the amount transferred to the Virgin Islands Police Department under subsection (d) and programmatic uses by the Office of Highway Safety.”

BILL SUMMARY

This bill amends title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 regarding alcohol consumption and establishes “The Impaired Driving and Highway Sobriety Checkpoint Program Safety Fund”.

BR25-0905/November 25, 2025/PFA/Revised December 2, 2025/PFA