

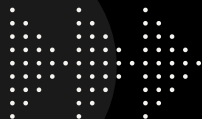


COMMITTEE ON 
**HOMELAND
SECURITY, JUSTICE
& PUBLIC SAFETY**

NOVEMBER 12, 2024

Derek Gabriel

Commissioner
Department of Public Works



Good day, Senator Kenneth L. Gittens, Chairperson of the Committee on Homeland Security, Justice, and Public Safety; committee members; all other senators in attendance today; all those seated in the Senate chambers; and those in the listening and viewing audience.

I am Derek Gabriel, the Commissioner of the Virgin Islands Department of Public Works (DPW). With me today is Assistant Commissioner Rueben Jennings and Deputy Commissioner of Transportation Karole McGregor. Thank you for allowing us to testify on Bill 35-0271 - An Act amending Title 20 Virgin Islands Code, chapter 43, subchapter I by adding section 494b to establish school speed zones, signage, and enforcement measures to promote student and pedestrian safety near schools.

Overall, I agree with this bill as it is written. It aims to protect our territory's children, and I wholeheartedly favor that effort.

One project currently underway is the installation of new striping, signage, and crosswalks for school zones in both districts. The department has diligently completed the scope of work, solicitation was issued, and a contractor was selected on behalf of the V.I. Department of Education as they will provide the funding. We are also continuing our successful partnership with VIDE and the V.I. Police Department to address the previous 'one-off' issues, especially in our towns and areas with heavy tourist traffic. We believe that the bid packages we've prepared and other resources on order will significantly contribute to the enforcement efforts.

As for the fines, I support splitting the money collected between the three agencies as prescribed in the current draft. DPW will use those funds to assist with striping and signage costs, as maintenance on our crosswalks should be completed every two years. The funds will also be used to replace any damaged signs over time.

I would like to express my sincere gratitude to the primary sponsor and his staff for taking the time to have bill review sessions with my team and me. Their willingness to understand and incorporate our feedback into the bill has been instrumental in garnering our support.

Over the past 12 months, DPW has held several productive meetings with VIPD on other related initiatives to improve and enhance traffic safety and enforcement. We understand that enforcement is just as crucial as signage, striping, and proper transportation planning. In line with this, we have also reached out to the U.S. Department of Transportation and our local partners to explore opportunities for additional funding, particularly for enhanced signage (such as lighted signage and pedestrian signage).

We have also participated in numerous site visits throughout our downtown areas and have identified key areas for new or increased signage, changes to parking rules, and striping. The biggest challenge is funding, as we do not have a specific pot for this purpose. While striping and signage are included in locally funded projects, when funding allows, and all federal-aid projects, we encourage this body to continue to explore measures such as this one that allow for dedicated funding for this specific purpose.

That concludes our testimony for this portion of today's hearing.

Good day again, Senator Kenneth L. Gittens, Chairperson of the Committee on Homeland Security, Justice, and Public Safety; committee members; all other senators in attendance today; all those seated in the Senate chambers; and those in the listening and viewing audience. I am Derek Gabriel, the Commissioner of the Virgin Islands Department of Public Works (DPW). Assistant Commissioner Rueben Jennings is with me today.

Thank you for the opportunity to provide testimony regarding the proposed legislation concerning the removal of abandoned vehicles. At DPW, we recognize the importance of maintaining our public spaces and understand the pressing need to address abandoned and derelict vehicles in our communities. However, we must respectfully highlight the Department's substantial concerns with the mandates laid out in the current draft of this bill, particularly regarding DPW's role.

Our biggest objection to the proposed legislation is our department's lack of enforcement resources to carry out the specified directives. Unlike agencies specifically tasked with enforcement, DPW is not equipped, either in staffing or equipment, to manage these responsibilities. We would need significant additional funding and resources dedicated solely to fulfill the proposed requirements, including specialized equipment and personnel. While we believe the bill's intent is to have VIPD take on the primary enforcement role, I believe it needs to be clearly delineated. We urge the Legislature to consider explicitly excluding DPW from any primary enforcement role in this legislation.

If the Legislature decides to proceed with the bill's current structure, it would be better to clearly define the expectations for VIPD and DPW. Specifically:

- Clear guidance is needed on which agency will handle the collection of fines and where the proceeds from these fines will be directed. Establishing a consistent process for managing these funds will prevent unnecessary confusion and overlap.
- Specific direction is needed as to which agency is responsible for drafting any regulations necessary to effectuate these revisions' intent.
- Additionally, the legislation does not address the current abandoned vehicle allotment or who will receive it in the future.

The department would like this body to consider its current obligations and avoid repeating challenges seen in other inter-agency responsibilities. As has been well detailed in previous appearances before this Body, we are experiencing issues with streetlight maintenance in coordination with the Water and Power Authority (WAPA) and dead animal removal in coordination with the Department of Health (DOH). In both cases, responsibilities intended for other agencies were gradually shifted onto DPW, or vice versa, stretching resources beyond capacity, blurring established "swim lanes," and hindering our ability to fulfill our core missions effectively.

In summary, while DPW supports improving community spaces and addressing abandoned vehicles, the expectations for DPW's role in this legislation need further clarification and should be aligned with our current capacity. Thank you for considering our perspective and inviting us to testify. We stand ready to answer any questions you may have.