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Bryan Bypasses Lawmakers, Signs Executive Order Allowing Transgender Residents to Change Birth Certificates and Driver's Licenses

After the Legislature stalled a bill amid heated debate over transgender rights, Governor Albert Bryan Jr. signed Executive Order No. 543-2025, creating the Virgin Islands' first process for gender marker changes on official IDs and birth certificates.

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Governor Albert Bryan Jr. has signed Executive Order No. 543-2025, establishing a formal administrative process that allows Virgin Islanders to request changes to the gender marker on their official identification documents — including birth certificates and driver's licenses — for the first time in the territory's history.

The new policy directs executive branch agencies such as the Department of Health's Office of Vital Statistics and the Bureau of Motor Vehicles (BMV) to amend gender designations upon request, ensuring that residents can obtain government-issued identification that reflects their true identity.

"Virgin Islanders have reached out to our administration seeking a way to have their documents reflect who they truly are," Governor Bryan said. "This Executive Order provides a fair and compassionate process where none existed before. It ensures that our government recognizes and respects the lived realities of all our residents."

Prior to this action, there was no existing law or administrative policy in the Virgin Islands to guide such changes. The Bryan administration had previously submitted legislation to the 36th Legislature—Bill No. 35-0395, through then-Senate President Novelle Francis—that sought to create a legal mechanism for individuals to change their gender designation through a court order. However, [the measure was held in committee](#) in November 2024 after heated debate and strong opposition from several senators, who raised questions about its scope, social implications, and administrative complexity.

During that 2024 hearing before the Committee on Homeland Security, Justice and Public Safety, sharply divided views over the bill were expressed. Supporters, including Dr. Nicole Syms, assistant commissioner at the Department of Health, testified that the proposal would protect marginalized communities by ensuring their legal documents matched their identities. "Transgender, non-binary, and gender non-conforming individuals often face significant challenges when the legal name or gender marker does not align with their identity," Dr. Syms said, adding that this mismatch can lead to "discrimination [and] limited access to health care."

However, several lawmakers voiced strong reservations. Senator Ray Fonseca questioned whether individuals identifying as transgender should be allowed to participate in sports or use facilities that differ from their sex assigned at birth. Senator Alma Francis Heyliger warned that the measure could "create a narrative for our society where we get to go back and rewrite history based on our personal belief," while Senator Kenneth Gittens, the committee chair, said the proposal would "create a law enforcement dilemma" and "complicate records and our databases."

Ultimately, the bill was held in committee, effectively stalling any legislative pathway for gender marker changes.

In the absence of legislative progress, Governor Bryan acted through executive authority to establish a streamlined and practical process.

Under Executive Order No. 543-2025, individuals aged 18 or older—or a parent or guardian acting on behalf of a minor—may submit a written request for a gender marker change to the issuing agency. Each request must include a statement from a licensed healthcare provider, signed under penalty of perjury, confirming that the person has an intersex condition and that a gender designation change is appropriate.

Alternatively, a judicial order from a court in the Virgin Islands or another jurisdiction granting a gender change designation may be submitted in place of a medical statement.

Once approved, the relevant agency will update the applicant's official documents to reflect the new designation. The revised records will use the word "gender" rather than "sex."

Governor Bryan said the order was both a matter of administrative necessity and a reflection of the territory's values. "Our administration remains committed to fairness, dignity, and respect for every Virgin Islander," he said. "This Executive Order brings the Virgin Islands in line with modern standards of inclusion and ensures that all residents have access to accurate and affirming government identification."

With the order, the Virgin Islands joins a growing number of jurisdictions in implementing gender marker change procedures through administrative action. At least 25 states, Puerto Rico, and the District of Columbia have adopted policies allowing gender amendments on birth certificates, while more than 30 states, Puerto Rico, and D.C. have similar procedures for driver's licenses.

Bryan stressed that the policy was designed to align the Virgin Islands with these national norms while maintaining appropriate verification standards. "This is about ensuring all residents are seen and respected by their government," he said.

Residents seeking to amend their gender marker can now contact the Department of Health's Office of Vital Statistics or the Bureau of Motor Vehicles for instructions on submitting a request.