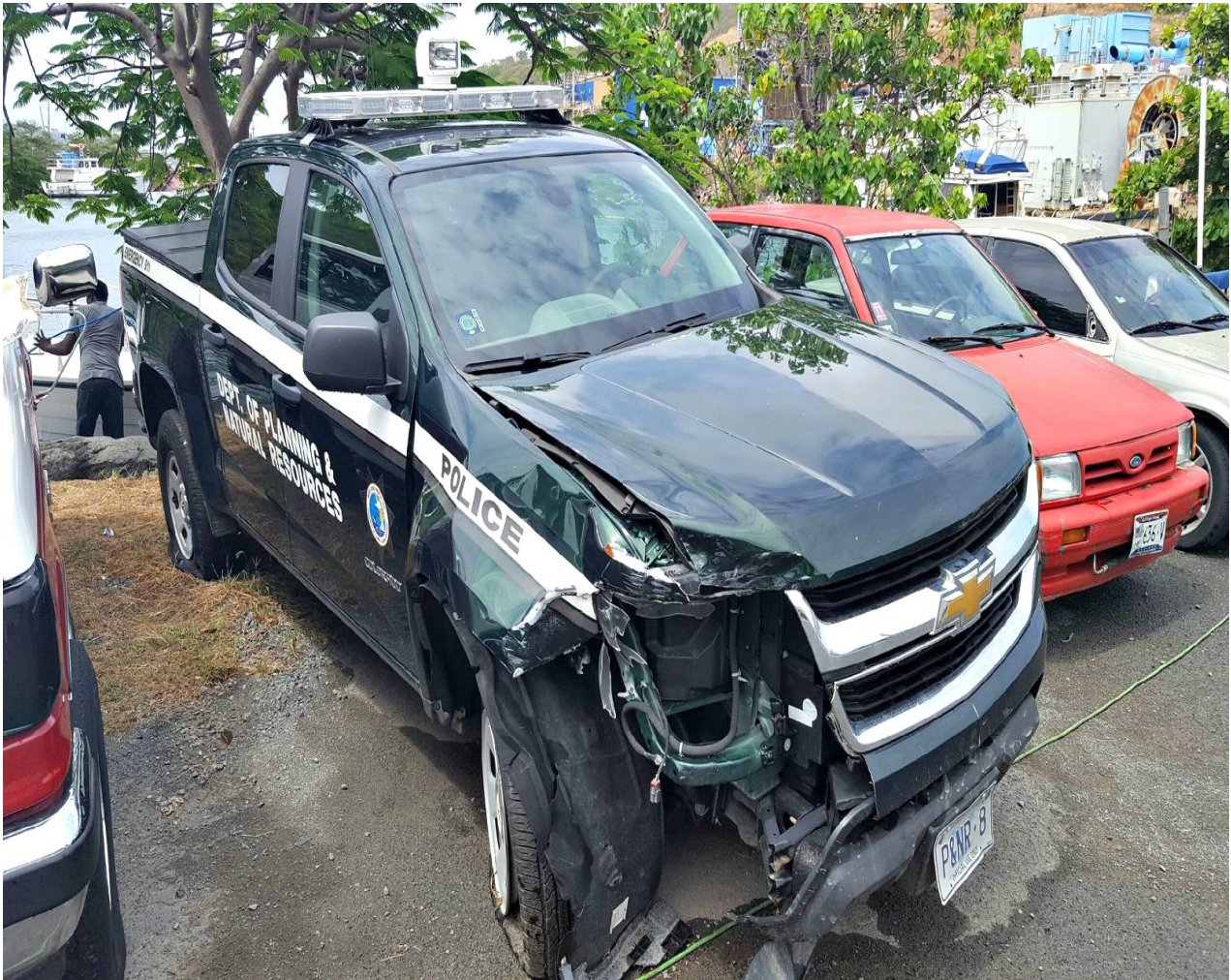


The Virgin Islands Consortium

If You Damage A Government-Owned Vehicle In Your Possession, Liability Is Yours; Bennett Says

VIC News / **Published On July 08, 2016 12:15 PM /**

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ST. CROIX -- Department of Property and Procurement (D.P.P.) Commissioner Randolph Bennett is receiving push back from a union representing emergency medical technicians and Emergency Medical Services employees, which contends that the territory's ambulances are not insured and the government -- through the Department of Property and Procurement -- have refused to purchase insurance that these employees say would protect them in case of an accident.

But Mr. Bennett passionately defended the government's stance during a conversation with a Consortium reporter Tuesday evening, contending that the government is self-insured and automatically protects its employees.

During a protest on Thursday, [EMS employees highlighted the issue](#), and Mr. Bennett could be seen engaging the off-duty protesting employees throughout the action. He said he was asked by Juan Figueroa-Serville, a deputy commissioner at the Department of Health, to put liability insurance on the ambulances and he refused, "Because liability insurance only covers an accident if you're at fault, and it only covers the other person's vehicle -- it does not cover the government vehicle," Mr. Bennett said. "So why are we throwing money down the drain putting liability insurance when the government's already self-insured with the Quick Claims Tort Act which gives \$25 million annually to the government's insurance liability already?"



Property and Procurement Commissioner

Randolph Bennett

Mr. Bennett said a number of government agencies had been including liability insurance for protection in the past, but he said the move amounted to "flushing money down the toilet." He said D.P.P. did an analysis and found that about \$5,000 was being spent to cover each vehicle, and said to cover all agencies it would cost the government about \$8 million annually.

"We are saying no because we are not going to flush taxpayers money down the drain. We are being more fiscally responsible," Mr. Bennett said. "The local law states clearly that if a government employee damages a government-owned vehicle, the liability is on that employee to fix it." The reason, Mr. Bennett contends, is to prevent government employees from driving recklessly, and said even with the law in place, some employees have ignored it.

Mr. Bennett quoted [Virgin Islands Code Title 31, Chapter 20, Section 167, Sub Section B](#), which reads:

"Officials or employees of the Government shall be financially responsible for any physical damage occurring to a Government motor vehicle as a proximate result of his negligence concerning the same. In addition to the foregoing, such officials or employees shall be personally liable for violation of the provisions of Title 20 of this Code pursuant to section 497 of Title 20."

"If I'm driving a government vehicle and I go out there and run into a pole, I'm responsible for replacing the vehicle," Mr. Bennett explained. "Now, if someone runs into me, then their insurance covers the government vehicle and protects me too."

The law was put in place "so you're not around speeding and rushing through corners in a government vehicle," he said.

Mr. Bennett did, however, acknowledge the nature of first responders and the speed in which they need to get to emergencies. "But that's why they have their sirens; to notify people that they're coming. If they're not in an emergency, they should not be out there driving the vehicle recklessly." And he said ambulance drivers go through rigorous training to ensure utmost safety.

The D.P.P. commissioner revealed to The Consortium that two new Department of Planning and Natural Resources vehicles were recently wrecked -- both of them, he said, apparently by the same employee. "He was driving outside of code, driving fast and wrecked two brand new D.P.N.R. vehicles in St. Thomas," Mr. Bennett revealed. He said both vehicles are 2015 models and one was damaged right after it was issued to D.P.N.R. late last year, and the other one this year.

Mr. Bennett said D.P.P. is going through, with a fine-tooth comb, government agencies to ensure that taxpayers money is being spent properly.

Feature Image: D.P.N.R. vehicle damaged by government employee. (Credit: D.P.P.)