

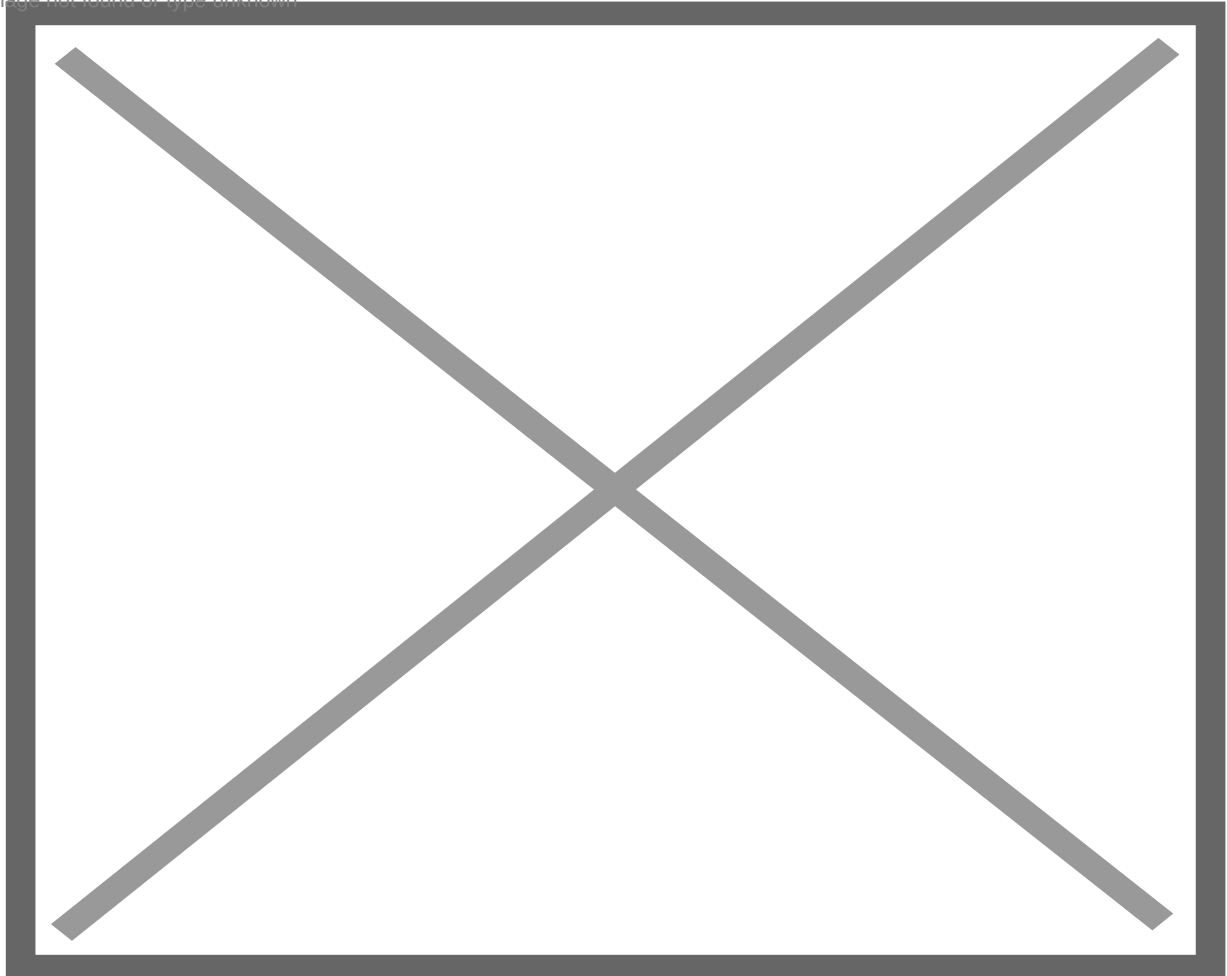
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Bill to Regulate Road Infrastructure Standards in USVI Gets Thumbs Up From Senators

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Lawmakers on the Committee on Government Operations and Consumer Protection passed a bill that seeks to change reporting standards for paving and constructing high-quality roads, sidewalks and road signage in the U.S Virgin Islands.

Despite technicians expressing that the proposed legislation would be “a duplication of efforts”, the motion which was offered by Senator Javan James Sr. on Monday received support from five of the seven senators present. Senator Novelle Francis Jr. who expressed concern that the proposed legislation would limit the department's ability to carry out priority works, voted against the motion along with Senator Franklin Johnson.

Nonetheless, the bill will move on to be considered by the Committee on Rules and Judiciary.

Bill No.34-0232 requires that a full-length annual report be submitted to the Legislature outlining surveys, plans and a statement of estimated costs of roadworks throughout the territory.

It must also suggest priority of projects for each district and establish minimum standards for paving roads as well as impose penalties for violation of those standards.

In addition, the bill calls for the commissioner of the Department of Public Works to assign a minimum of two civil engineers to establish the procedures and standards which must be reviewed and revisited from time to time by the required team of engineers and updated on an annual basis.

In debating the proposition, DPW Commissioner Derek Gabriel said the department already produces at least four different reports for both the federal and local government, noting that the proposed legislation is “codifying” rules and regulations that are already in practice at the department, including the Complete Streets legislation that was passed earlier this year.

“I don’t think that everything needs to be codified because we’re doing it. Now, I understand the need for consistency across administrations but I believe if you look at our 2040 plan, a lot of the things that you are talking about are already taken into consideration — sidewalks, drainage, signage — it’s all there,” Mr. Gabriel insisted.

The commissioner contended, “I’m not against certain sections of the bill, I’m not against passing the bill, I’m not against issuing another report. I’m against taking away the department’s flexibility in how it operates to function for the people of the territory.”

Mr. Gabriel voiced that the most concerning section of the legislation is with Subsection C 1,2, and 3 and D – which addresses the minimum requirements for road layering. He suggested that those sections be removed completely, arguing that it restricts the flexibility of the department to make necessary changes. “As the technology changes we need to be able to change accordingly without coming to the legislature,” he reasoned.

Similarly, Jeffrey Fleming Jr., the project manager at Island Roads Corporation said specifications can be made but advised against crafting them into law. “Do not write it into law. The reason being that if you write it into law then we have to follow it.”

“It needs to be left up to the engineers and the people who know what materials [should be used] and based on the conditions. If you write it in there then you tie our hands,” he clarified.

To maximize on the law, Mr. Gabriel suggested that a V.I. Department of Transportation (VITOD) be established whose duty would be to develop road specifications specifically for the U.S. Virgin Islands.

“We don’t have a spec, we have a federal spec but it’s blanket,” he noted. Presently, the USVI adopts the Standard Specifications for Construction of Roads and Bridges Federal Highway Projects — the same standard used for federal projects.

Jomo McClean, highway program Manager in the Dept. of Public Works explained that creating this department of transportation would mean having an entity that is strictly transportation-focused.

“I think it’s something the department has been a proponent of for several years,” he shared, describing it as extracting the transportation functions from the Department of Public Works and creating a separate entity.

Mr. McClean also explained that the Department of Public Works has already considered a number of requirements outlined in the bill, including asphalt testing. According to him, the department is in the process of setting up two labs on St. Croix and have already procured a lot of the testing equipment.

In signing off on the bill, Sen. James refuted that the proposal was a duplication of efforts and pleaded with the testifiers to consider the long-term effects of placing these requirements in law.

“We’re not saying it has to be a specific minimum standard. We’re giving you the flexibility to put in the minimum standards,” he stressed, adding that enacting this bill would mean that its specifications would not change with each administration.

Mr. James said such a report could also help the department to secure additional funding from the legislature, which would, after the passing of the law, have a better understanding of the challenges and financing needed to produce quality road infrastructure.