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Bill Would Let BMV Suspend Licenses for Repeat Traffic Violations and Raise Fine to \$200

The Sen. Avery-Lewis Bill 36-0224 would move excessive-point license suspensions from Superior Court to BMV, replace calendar-year point reductions with 12 months of safe driving, allow driver improvement courses and raise traffic fines from \$25 to \$200.

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The Melvin Evans Highway on St. Croix. By. V.I. CONSORTIUM.

Drivers who repeatedly violate traffic laws could soon face a more direct administrative process for license suspensions and higher penalties under a bill advanced Thursday by the Committee on Homeland Security, Justice and Public Safety.

Bill No. 36-0224, sponsored by Senator Avery Lewis, seeks to amend Title 20, Chapter 51, Subchapter I, Section 801 of the Virgin Islands Code, which governs the territory's moving violations point system. Mr. Lewis said the U.S. Virgin Islands already has a point system in place, but his measure would make it "more efficient, fairer, and more focused on public safety."

One of the bill's major changes would shift authority to suspend licenses after excessive points are accumulated from the Superior Court to the Bureau of Motor Vehicles. Mr. Lewis said the change would not remove due process protections.

"every driver is entitled to a hearing, and any decision by the BMV remains reviewable by the Superior Court," he said.

According to Mr. Lewis, moving the process to BMV would reduce "unnecessary court involvement in what is fundamentally an administrative matter."

The bill also changes how points are reduced. Under the current calendar-year system, Mr. Lewis said, a driver who receives violation points in December may see those points reduced only weeks later in January. The proposed change would instead reduce points "based on a consecutive 12-month period of safe driving."

Mr. Lewis said the measure also "strengthens driver education" by allowing drivers to voluntarily complete a driver improvement course and earn a reduction in points. That option would not apply if the points were accumulated because of an accident.

The bill would also increase the fine for moving violations from \$25 to \$200.

"A \$25 fine no longer serves as an effective deterrent," Mr. Lewis said. "Increasing the fine to \$200 reinforces the seriousness of traffic violations and encourages greater compliance with the law."

He pointed to continued dangerous driving despite public awareness campaigns and enforcement efforts. According to statistics from the Office of Highway Safety cited during the hearing, there have been 4,518 citations for negligent driving between fiscal year 2023 and the present.

The Bureau of Motor Vehicles supported the bill. Director Barbara Jackson McIntosh said the current process requires BMV to "petition the Superior Court through the Attorney General's office and wait for judicial action before enforcement can occur."

Ms. McIntosh said that process "creates delays, burdens the court system, consumes government resources, and allows dangerous drivers to remain on the road longer than they should."

The BMV has already developed a framework in anticipation of the proposed legal changes. Under that framework, drivers who accumulate 9 points would be contacted and advised of "options for reducing points before suspension," Ms. McIntosh said.

She acknowledged that implementation would involve a "learning curve," but said the agency has put "systems and personnel in place to assist our residents through the process."

Ms. McIntosh also expressed support for the 12-month safe-driving standard, the increased fines and the driver re-education program.

“We must remember what is truly at stake here,” she said. “Every reckless driver, every habitual violator, and every delayed enforcement action increase the risk of crashes, injuries, and fatalities on our roadway.”

Lawmakers generally agreed with the need to strengthen the point system.

“I definitely think that we need to make sure that the point system works in the way it should,” Senator Franklin Johnson said. He also suggested that drivers without violations should be rewarded by their insurance companies.

Bill No. 36-0224 now advances to the Committee on Rules and Judiciary.

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