

JURISDICTION:  
General Reference:

**VIRGIN ISLANDS**  
Virgin Islands Code (Updated through May 1, 2000)

Required Use of Safety Belts<sup>1</sup>:

Requirements:

A person shall not operate a motor vehicle<sup>2</sup> unless they and all front seat passengers are secured by a safety belt. Title 20, §466(a)

Sanctions for Failure to Use or  
Require the Use of Safety Belts:

Misdemeanor: 1st offense-A fine of not less than **\$25** nor more than **\$100**. 2nd offense-A fine of not less than **\$50** nor more than **\$200**. 3rd or subsequent offense (within 3 years)-A fine of not less than **\$100** nor more than **\$500** and driving privileges may be suspended for not more than **1 year**. Title 14, §§1 & 2(b)(2) and Title 20, §466(c)  
In addition, for either a 1st or subsequent offense, 3 points are assigned to a person's driving record. Title 20, §§801 & 803

Effect on Civil Liability:

Required Use of Child Safety Restraint Systems<sup>3</sup>:

Requirements:

Before operating a motor vehicle<sup>2</sup>, a person shall secure a child <5 years old in a Federally approved child safety seat. As an alternative, children 3 through 5 years old may be secured by a safety belt. Title 20, §466(a)

Sanctions for Failure to Require  
the Use of Child Restraint Systems:

Misdemeanor: 1st offense-A fine of not less than **\$25** nor more than **\$100**. 2nd offense-A fine of not less than **\$50** nor more than **\$200**. 3rd or subsequent offense (within 3 years)-A fine of not less than **\$100** nor more than **\$500** and driving privileges may be suspended for not more than **1 year**. Title 14, §§1 & 2(b)(2) and Title 20, §466(c)  
In addition, for either a 1st or subsequent offense, 6 points are assigned to a person's driving record. Title 20, §§801 & 803

Effect on Civil Liability:

Required Use of Motorcycle Protective Headgear:

Requirements:

A person, when operating or riding on a motorcycle<sup>4</sup>, shall wear a Territory approved protective helmet. Title 20, §465(e)

Required Use of Motorcycle Protective Headgear:  
(continued)

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<sup>1</sup>**Exemption.** The requirement to wear a safety belt does not apply to persons who have a physical disability that would prevent appropriate use of this device. Title 20, §466(d)

<sup>2</sup>The term "motor vehicle" includes all motor vehicles except those manufactured before January 1, 1978, buses, authorized emergency vehicles and trucks with a maximum gross weight  $\geq$ 18,000 lbs. Title 20, §466(b)

<sup>3</sup>**Exemption.** The requirement to secure a child either in a child safety seat or safety belt does not apply to children who have a physical disability that would prevent appropriate use of such safety seat or safety belt. In addition, this requirement does not apply to operators of automobiles for hire when such vehicles are being operated within designated city limits. Title 20, §466(d)

<sup>4</sup>The term "motorcycle" means a motor vehicle, including motor scooters and mopeds, having a seat or saddle for the use of the rider and having not more than three wheels. However, the term does not include tractors. Title 20, §465(a)

**VIRGIN ISLANDS**

Sanctions for Failure to Use:

Misdemeanor: An imprisonment term of not more than **6 months** and/or a fine of not more than **\$200**.<sup>5</sup> Title 14, §§1 & 2(b)(2) and Title 20, §544(f) In addition, 2 points are assigned to a person's driving record. Title 20, §§801 & 803

Required Use of Motorcycle Eye Protection Device:

Requirements:

**None**

Sanctions for Failure to Use:

Required Use of Bicycle Protective Headgear:

Requirements:

**None**

Sanctions for Failure to Use:

Required Use of Bicycle Eye Protection Device:

Requirements:

**None**

Sanctions for Failure to Use:

Prohibition Against Riding in Unsecured Portion of Vehicle:

Requirements:

**None**<sup>6</sup>

Sanctions for a Violation:

Exemptions:

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<sup>5</sup>The law is not specific but the court appears to have the authority to revoke a person's license for this offense. A person, who has been convicted of a traffic offense, may be subject to court imposed licensing action. The license revocation period is at the discretion of the court. Title 20, §546

<sup>6</sup>Even though there is no statutory authority prohibiting this activity, such a prohibition may have been established for certain children via the provisions of the Child Safety Restraint Systems law.