

Testimony of the Permian Road Safety Coalition
State of New Mexico Transportation Infrastructure Revenue Subcommittee
Hobbs, New Mexico
July 24, 2023



Mr. Chairman, Madam Vice Chairman, members of the Committee and distinguished guests, good afternoon. My name is Michael Smith, and I am the Managing Director of the Permian Road Safety Coalition, a not-for-profit organization with a mission to reduce the number of crashes and fatalities on the roadways of the Permian Basin. On behalf of the PRSC's Board of Directors and each of our coalition partners, thank you for this opportunity to share our story, present challenges, and to engage with you on this issue.

Make no mistake, solving the road safety issue is critical to the future of Southeast New Mexico, and by extension, the State of New Mexico. Mr. Chairman, the State of New Mexico is among the national leaders in road deaths. As measured by the Insurance Institute for Highway Safety in 2021, the most recent year with complete data, New Mexico ranked fourth in fatalities per 100,000 population and fourth in deaths per 100 million vehicle miles traveled. In fact, the 22.3 roadway deaths per 100,000 population was the state's highest-ever recorded figure and was over 50% higher than the national average.

We face a significant challenge in the Permian Basin of New Mexico as well: three counties with a combined geographical area larger than several states while home to just 9 percent of New Mexico's population; yet, approaching 11.5 percent of the total number of roadway deaths in the state.

Combine that with significant infrastructure needs, poor driver behaviors, rural to remote geographies with increased response times, and the impacts of industry you begin to realize the daunting task we face.

Mr. Chairman, relationships drive our organization. Personal relationships. Why? Because driving a motor vehicle is personal. It requires our singular, personal attention and leaves little room for error with the potential for horrific consequences.

In fact, the last time I checked, unless you wake up each day and juggle knives before breakfast, your single most dangerous daily activity is to put the key in the ignition of a vehicle, leave your home, and drive to your place of employment. Nothing else comes close.

And at the risk of stating the obvious, this is because vehicles are inherently dangerous if not operated as intended. Mr. Chairman, my grandfather was born in 1900, finished school in the eighth grade, owned a sawmill, was a farmer for most of his life, and, by all accounts except for the opinion of my grandmother, a man of good wisdom. Working on his farm he was fond of saying, "Gravity is not only a good idea, it's the law."

I'm not sure that my grandfather ever formally learned of Isaac Newton or Newton's laws. But he was on to something. Take this apple, Mr. Chairman. It sits on this table next to me, without motion, because of Newton's Law of Inertia sometimes known as his first law. We likely learned in high school physics that a body at rest will remain at rest and a body in motion will remain in motion until acted on by a force.

Had motor vehicles been invented 336 years ago, Newton would have likely used a white Ford F250 as his prop instead of this apple. Yes, vehicles are inherently dangerous when not operated properly because of their mass, inertia, momentum, and gravity – basic laws of the universe.

To that end, in any vehicle crash there are three collisions for every occupant involved. The first one, the most obvious, is the crashing of the actual metal – vehicles attempting to rapidly shed their momentum through the application of even and opposite force. The second one, as demonstrated by the world renowned "Crash Test Dummies," is a human body attempting to go "All-Newton" inside a vehicle and continue traveling in motion until a windshield, steering wheel, or, hopefully, a seat belt stops the occupants' momentum less violently.

But it's the third collision, Mr. Chairman, that is often deadliest. Despite all the crumple zones, safety glass, full curtain air bags, child safety seats, and seat belts, there is one collision that no scientist or engineer can de-risk. And that's the impact of the human brain, heart or other vital organ on the body itself. One point five centimeters before skull impact is not enough distance for the human

brain to stop from 65 miles per hour - or 5 miles per hour for that matter. The high risk for fatal internal organ damage is often overlooked by those choosing to ignore the laws of physics when deciding to ditch the seat belt or demonstrating other poor driving behaviors.

Every day I get behind the wheel, I recognize that I can be dangerous to you. Likewise, you can be dangerous to me. That's what makes driving personal. And that's what drives our mission.

Mr. Chairman, the Permian Road Safety Coalition began as an ad hoc group of energy company representatives who began meeting in 2016 to discuss the cumulative impacts of oil and natural gas exploration and production to the quality of life in the Permian Basin. Road safety quickly rose to the top of the conversation. Personal anecdotes of family, friends, or co-workers injured or lost to a crash somewhere in the Permian were plentiful during those meetings.

Over 2016 and 2017, the group met with stakeholders at all levels of community and government to listen. We quickly realized that a full-time organization would be necessary to identify and implement programs to address the many challenges. Through 2018, our coalition partners contributed significant sums to launch the organization, and, by August 2019, the Permian Road Safety Coalition was officially formed as a not-for-profit organization in both Texas and New Mexico.

In 2018, nearly 300 people died on the roads of the Permian Basin of Southeast New Mexico and West Texas. Oil field workers. Local government leaders. School teachers. Retirees. Children. It

seems no socio-economic group is immune to becoming a fatal statistic. And because everyone shares in the risk, we at the PRSC believe that everyone shares responsibility for solving the problem.

In collaboration with many partners, including NMDOT, the New Mexico State Police, the Permian Strategic Partnership, and many local and county officials including first responders, we have realized a net reduction in fatalities of 20% during the three-year history of the Permian Road Safety Coalition. Our partners share in this achievement, and we are grateful for their commitment to the cause.

But, Mr. Chairman, we must also give thanks and credit to this interim committee, the permanent transportation, infrastructure and capital improvement committees of the New Mexico House of Representatives and Senate, and the entire New Mexico Legislature for approving increasing amounts of road funding for the state. This is a recognition of the long-standing, never abating need to improve the transportation infrastructure in all 33 New Mexico counties. This is also a recognition of the millions of dollars of road construction underway in Southeast New Mexico, particularly along U.S. Highway 285.

And speaking of the geo-politics of "The Land of Enchantment," we acknowledge that this commitment of funds did not arrive easily. As in any state, there exists a natural tug-of-war between government revenue producing areas and high demand public service areas. There is an endless list of projects and programs seeking scarce resources.

At the recent EnergyPlex Conference held here in Hobbs, it was confirmed that nearly 50% of state revenues are generated from oil and gas production, the majority of which comes from Southeast New Mexico. Likewise, the U.S. Census tells us that less than 10 percent of New Mexico's population lives in Chaves, Eddy and Lea Counties.

There is no doubt that Southeast New Mexico is the financial engine of this amazing state.

Consistent reinvestment in this area must be a priority at the highest level of state government for it to continue to prosper and provide for the people of New Mexico next year and for the next 50 years.

And while providing for our people here at home, we must recognize that the highway to energy security for the United States of America travels first down the roads of the Permian Basin of New Mexico.

Mr. Chairman, the PRSC helped to identify and address an additional industrial impact to the quality of life in Southeast New Mexico. Again, through the generosity of our coalition partners, PRSC has supplied critical life-saving equipment to first responders across the Permian Basin. In 2018, sheriffs, fire chiefs, county emergency coordinators, and EMS directors approached us, lamenting the fact that deputies, fire fighters and EMS personnel were oftentimes forced to watch our citizens die while waiting on emergency medical services to arrive at the scene of an accident.

Over eighteen months, the PRSC worked closely with these responders to develop and pilot a life-saving kit suitable for the trunks of deputies' vehicles and fire command vehicles, yet substantial enough to allow first-on-scene responders to deliver immediate life-saving aid to accident victims. On a budget of just \$240,000, these life-saving kits made an immediate impact on saving lives.

A grant of \$1.1 million from The Permian Strategic Partnership dramatically expanded the program in 2021, helping the PSP and PRSC reach 22 counties and 56 law enforcement, fire, and EMS departments with a total of 156 kits. We are pleased to share that the PRSC's order of the "Jaws of Life" tool is the single largest order ever placed with its manufacturer.

Let me stress, Mr. Chairman, that these are tools informed by first responders as critical items needed to save lives and in many cases are out of budgetary reach of small departments. In fact, one volunteer fire department involved in our program has a total annual budget of \$8,000. Most of that money is earmarked for diesel for its two fire trucks. The PSP's and PRSC's in-kind equipment donations to that one department had a retail value of over \$50,000.

Last year, the Permian Strategic Partnership again stepped forward with an additional \$3.3 million in funding to expand the First Responder Life-Saving Equipment Program to 82 departments across 27 counties of West Texas and Southeast New Mexico. Our focus consisted of filling gaps that most responding agencies cannot afford to fill including two types of fire fighter clothing, compressed air foam systems for quick deployment at brush fires often caused by vehicle accidents – critical for

prevention of wildfires – and personal lighting for responders to keep them safe from oncoming traffic while responding to accident scenes. Over 700 Permian Basin fire fighters were fitted – and have begun to receive - new personal protective gear in the amount of \$1 million alone.

Please allow me a moment to show the following [short video](#) highlighting this program.

Infrastructure improvements. Changing driver behaviors. Aiding first-on-scene responders. The Permian Road Safety Coalition believes that these are tangible solutions to making the roads of the Permian Basin safer for everyone.

So where does this road lead us, Mr. Chairman? This year the PRSC has expanded its collaboration with TxDOT, NMDOT, Texas DPS, the New Mexico State Police and an area junior college in a data driven effort to address the several challenges with Commercial Drivers Licenses in the Permian Basin. We look forward to sharing more about this proposed effort in the coming months.

Alongside our industry partners, the PRSC has created a working group to collaborate with the mobile app Wellsite Navigator, which is used by over 70,000 truck drivers in the Permian Basin. The working group is exploring adding layers of publicly available crash and fatality data to help those truck drivers make safer route choices when delivering loads.

And, the PRSC will continue to assist our local partnering organizations, like the Permian Basin Regional Planning Commission, with whom we've recently worked to apply for a significant road safety grant from the U.S. Department of Transportation. PRSC's Executive Director, Ellen K. Ramsey, served as the Chairwoman for that effort.

With data supporting the notion that summertime is a problematic time for road safety, the PRSC is redoubling its efforts this summer to raise awareness of road safety in the Permian Basin, especially in Eddy and Lea Counties where numbers continue to be troubling.

Pointing back to my earlier comments regarding driver behaviors, Mr. Chairman, data suggest two root causes of recent local road deaths: lack of seat belt use and distracted driving. In fact, NMDOT's District 2 led the state last year in the percentage of fatalities associated with unrestrained occupants involved in vehicle crashes. That number was nearly 50%.

Regarding seat belt use: none of us here today would place our children or grandchildren on an amusement park's roller coaster without hearing the click of the seat belt or safety bar. Yet, adults and children are traveling the Permian Basin – indeed the entire State of New Mexico – unrestrained in vehicles that can easily become roller coasters in an accident.

And with regards to driver distractions: none of us here today would use a chain saw or kitchen knives while watching television. Yet, New Mexico adults and teens are behind the wheel at seventy miles per hour or better while watching YouTube videos on their phones. It's deadly behavior. Nearly 100 times deadly in the Permian Basin through June 30 of this year.

Certainly, Mr. Chairman, drivers' behaviors influence many of the statistical categories involving crashes and fatalities on the roads of the Permian Basin. Yet, in keeping with our philosophy that everyone shares responsibility for better outcomes, we believe this includes state government as well.

Earlier I mentioned the term "re-investment." Please keep that word top-of-mind as you tour the area tomorrow. Why? New Mexico's financial engine is in desperate need of improved, safer, longer-lasting roads.

State Highways 31 and 128 along with U.S. Hwy 380 should be at the top of the priority list for significant improvements. These were rightly identified for reconstruction in House Bill 223 of this year's legislative session. Statistics demonstrate these highways are among the most highly traveled in the region, the most broken, and among the deadliest roadways in the state. At the same time, these roads access the most important pistons in this economic engine. Reinvestment in Highways 31 and 128 – from Jal to Highways 285 and 62, respectively, and U.S. Highway 380 from Roswell to the Texas state line near Tatum should be the single greatest transportation-related funding priority in the State of New Mexico.

To the credit of NMDOT District 2, there are “shovel ready” plans to improve these roads dramatically. What exactly is the sense of urgency? Allow me just a moment to quote from NMDOT’s recent information to the House Transportation, Public Works, and Capital Improvements Committee that describes the dire situation:

“NMDOT notes several road condition issues with these routes, stating: Existing pavement in several locations along [these] corridors are showing signs of distress and deterioration. Once the pavement condition falls below fair, the rate of deterioration increases rapidly and, if actions are not taken to improve the surface conditions, the pavement will begin to fail. Approximately 35 percent of the 84-mile U.S. 380 corridor and 30 percent of the New Mexico 31 and New Mexico 128 corridors have low pavement conditions that require reconstruction or major rehabilitation. The existing conditions along [these] corridors...do not meet current design criteria. Improvements at these locations will increase drivers’ ability to safely navigate through the corridor. Improvements are also needed at the existing intersections and access points to enhance safety for vehicles turning in and out of the crossroad connections. Roadside barrier design standards have changed recently and, as such, all existing guardrail on the corridor will need to be replaced to meet current criteria. NMDOT further reports these roads lack passing lanes, requiring drivers to move into the opposite direction driving lane to pass, which has the potential to result in severe, head-on collisions. Without passing lanes, the operational capacity of these roadways is reduced.”

Where is the commitment to see these plans to construction? Think of this question tomorrow as you experience the area firsthand.

In its annual report of oil and natural gas activities in this state, the New Mexico Oil & Gas Association reports that the industry contributed \$5.8 billion to New Mexico’s General Fund in 2022. That represents nearly half of the state’s total General Fund budget and 35% of the New Mexico’s total budget. Both are record high amounts and are more than double the year before. Contributions have averaged 33% of the state’s total budget since 2014.

In that same report, NMOGA points out that in 3 counties alone – Chaves, Eddy and Lea – the oil and gas industry contributed \$132 million toward K-12 education last year. That’s an amazing figure for which we are all appreciative. Yet, I found it interesting that \$132 million is nearly the same amount needed to reinvest in Highways 31 and 128 one time for a lifespan of 30 years.

There is money available to reinvest in the state’s financial engine, Mr. Chairman. Each day we wait the costs of construction increase, risks to drivers on these dangerous roads increase, and so do the number of crashes and fatalities. Those who live and work in this vital area are depending on committees like this one to break the traffic jam of funding, fund the road improvement plans that are on a desk and ready to go, and sustain jobs and New Mexico’s economy for years to come.

With the continued support of this committee, the State of New Mexico, and our many supporters, you can count on the Permian Road Safety Coalition to be a part of the solution in the months and years to come. Thank you for the opportunity to address the committee today.