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HOUSE BILL 427

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO STATE HIGHWAYS; CHANGING THE PROCESS WHEREBY STATE HIGHWAYS ARE DECERTIFIED; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 67-3-26 NMSA 1978 (being Laws 1917, Chapter 38, Section 7, as amended) is amended to read:

"67-3-26. DUTIES OF STATE HIGHWAY ENGINEER--DISBURSEMENT OF STATE ROAD FUND.--The state highway engineer shall have charge of all records of the state highway commission; shall keep a record of all proceedings and orders pertaining to the business of his office and of the state highway commission; and shall keep on file copies of all plans, specifications and estimates prepared by his office. He shall cause to be made and kept in [~~this~~] his office a general highway plan of the

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 state ~~[and]~~. He shall prepare or cause to be prepared or call
2 upon the county surveyor or the county highway superintendent
3 to furnish a map showing all of the main highways of the
4 several counties of the state and shall, under the direction
5 of the state highway commission, select and designate the
6 highways that should comprise a system of state roads, which
7 shall, as nearly as practicable, be such as will best serve
8 the traffic needs and develop the resources of the state.
9 Upon its adoption by the state highway commission, the system
10 of state roads so designated shall be improved as soon
11 thereafter as practicable under the provisions of ~~[this act]~~
12 Chapter 67 NMSA 1978 and such other provisions as the
13 legislature may enact therefor. The system of state roads so
14 designated may be changed or added to from time to time by the
15 state highway engineer subject to the approval of the state
16 highway commission; provided that the board of county
17 commissioners of an affected county agrees to a change that
18 results in decertification of a designed state highway in that
19 county. The state highway engineer shall collect information
20 with reference to the mileage, character and condition of the
21 highways and bridges in the several counties of the state and
22 shall investigate and determine the methods of road
23 construction and maintenance best adapted to the various
24 sections of the state, having due regard to topography,
25 natural conditions, the availability of road building

underscored material = new
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1 materials, the prevailing traffic conditions and the ability
2 of the counties to meet the cost of building and maintaining
3 roads and bridges therein. He may, at all reasonable times,
4 be consulted by county and other officials having authority
5 over highways and bridges relative to any question affecting
6 such highways and bridges, and he may in like manner call on
7 county road officials and county surveyors for any information
8 or maps relative to the location, character and condition of
9 the highways and bridges within their jurisdiction or control
10 [and]. Any such official who [~~shall fail~~] fails to supply
11 such information when so called upon [~~shall be~~] is guilty of a
12 misdemeanor and upon conviction thereof shall be subject to a
13 fine of not less than ten dollars (\$10.00) nor more than one
14 hundred dollars (\$100). He shall determine the character of
15 and have supervision over the construction, repair and
16 maintenance of all state roads and bridges improved under the
17 provisions of [~~this act~~] Chapter 67 NMSA 1978 and shall
18 prepare or approve all plans and specifications and estimates
19 therefor. He shall report the proceedings of his office
20 annually to the state highway commission at such time as it
21 may designate. All [~~moneys~~] money in the state road fund
22 shall be expended only upon itemized vouchers approved by the
23 state highway engineer, filed with the department of finance
24 and administration, and warrants drawn by the secretary of
25 finance and administration upon the state treasurer. "

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