

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 361

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Cathrynn N. Brown

AN ACT

RELATING TO HIGHWAYS; CREATING THE URGENT NEED HIGHWAY PROJECT FUND; DEFINING URGENT NEED HIGHWAY PROJECTS; REQUIRING A REPORT; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] FINDINGS--DEFINITION--URGENT NEED HIGHWAY PROJECT FUND CREATED--DISTRIBUTION-- APPROPRIATION.--

A. The legislature finds that the standard highway project planning process is not structured to respond to rapid changes in highway traffic volume due to regional fluctuations in economic growth, population and traffic patterns. The state transportation planning process may take six or more years from conception of a local project to actual construction; however, the traffic volume on a given highway or regional road system

underscored material = new
~~[bracketed material]~~ = delete

underscored material = new
~~[bracketed material] = delete~~

1 may change significantly within one or two years. These rapid
2 changes can create an urgent need for highway safety
3 improvements and relief from traffic congestion.

4 B. As used in this section, "urgent need highway
5 project" means a project that has not completed the state
6 transportation planning process but would:

7 (1) increase the safety of a segment of
8 highway that has experienced a thirty percent or greater
9 increase in annual vehicle accidents or traffic fatalities
10 within the three previous fiscal years; or

11 (2) relieve traffic congestion on a segment of
12 highway where within the last three fiscal years traffic volume
13 has increased beyond the design safety capacity for an average
14 of four hours or more per day for three or more days per week,
15 or where the average commuting time has increased by one-third
16 or more due to an increase in traffic volume.

17 C. The "urgent need highway project fund" is
18 created in the state treasury. The fund consists of
19 appropriations, donations, interest from investment of the fund
20 and other money distributed to the fund. The department of
21 transportation shall administer the fund and may establish
22 subaccounts for the fund as it deems necessary. Money in the
23 fund is appropriated to the department for expenditure as
24 provided in this section. Disbursement from the fund shall
25 only occur when there is a minimum of six million dollars

.211630.1

underscoring material = new
~~[bracketed material] = delete~~

1 (\$6,000,000) in the fund at the start of a fiscal year.
2 Disbursements from the fund shall be made by warrant of the
3 secretary of finance and administration pursuant to vouchers
4 signed by the secretary of transportation or the secretary's
5 designee. Money in the fund shall not revert at the end of a
6 fiscal year.

7 D. In a fiscal year in which there is insufficient
8 money for disbursement, money in the urgent need highway
9 project fund shall be invested by the state investment officer
10 as land grant permanent funds are invested pursuant to Chapter
11 6, Article 8 NMSA 1978. Earnings from investment of the fund
12 shall be credited to the fund.

13 E. In a fiscal year when there is sufficient money
14 in the urgent need highway project fund for distribution, each
15 state transportation commission district shall be eligible for
16 a disbursement of up to one-sixth of the money in the fund for
17 design and construction of urgent need highway projects. In a
18 fiscal year with a disbursement, each district engineer shall
19 submit a priority list of urgent need highway projects to the
20 secretary of transportation for funding approval.

21 F. By November 1, 2019 and by November 1 each year
22 thereafter, the department of transportation shall provide a
23 report on the urgent need highway projects in each state
24 transportation commission district, the projected cost for each
25 project and the status of the urgent need highway project fund.

.211630.1

underscored material = new
~~[bracketed material]~~ = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SECTION 2. APPROPRIATION.--Sixty million dollars
(\$60,000,000) is appropriated from the general fund to the
urgent need highway project fund for expenditure in fiscal year
2020 and subsequent fiscal years for the purposes of the fund.
Any unexpended or unencumbered balance remaining at the end of
a fiscal year shall not revert to the general fund.