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HOUSE BILL 257

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Willie D. Madrid and Rebecca Dow

AN ACT

RELATING TO ROADS; REQUIRING SCHOOL BUS ROUTE IMPROVEMENTS;
PROVIDING A PROCESS FOR IDENTIFYING AND RANKING SCHOOL BUS
ROUTES IN NEED OF IMPROVEMENT; REQUIRING THE USE OF RECLAIMED
AND ENVIRONMENTALLY FRIENDLY PAVING MATERIALS; ENCOURAGING
RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENTS DURING SCHOOL BUS
ROUTE IMPROVEMENT PROJECTS.

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

SECTION 1. A new section of Chapter 67 NMSA 1978 is
enacted to read:

"~~[NEW MATERIAL]~~ SCHOOL BUS ROUTES--ANNUAL SURVEYS--
PAVING--TRENCHING FOR BROADBAND.--

A. As used in this section:

(1) "coordinator" means the school bus route
improvement coordinator;

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1 (2) "full-depth reclamation" means an in-place
2 recycling method used for rehabilitating existing damaged
3 roadways, primarily through mixing the existing roadway with a
4 binder using a machine known as a reclaimer;

5 (3) "right-of-way infrastructure" means
6 broadband and other telecommunications, utility and other
7 transmission lines that can co-locate in right-of-way trenches;
8 and

9 (4) "survey" means the annual school bus route
10 adequacy and safety survey.

11 B. The department shall designate a "school bus
12 route improvement coordinator" to work with counties and public
13 schools to ensure that school bus routes are paved and safe for
14 transporting students. The department shall promulgate rules
15 on ranking criteria and adequacy and safety standards for
16 school bus routes.

17 C. The coordinator shall develop a survey that will
18 be used to assess and rank school bus routes in need of
19 improvement. Local superintendents shall require that all
20 school bus drivers complete and return the survey to the local
21 superintendent. The local superintendent shall return the
22 completed surveys to the coordinator by September 1 of each
23 year.

24 D. The department shall rank every school bus route
25 in the state according to factors established by rule to

.218858.1

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1 indicate adequacy and safety and provide those rankings to
2 school districts and counties.

3 E. Subject to availability of funding, at least
4 twenty percent of school bus routes with the lowest rankings
5 shall be paved and improved each year to the department's
6 adequacy and safety standards. The state shall pave and
7 improve school bus routes on state highways, and counties shall
8 pave and improve school bus routes on county roads.

9 F. School bus route improvements shall be
10 accomplished in the most cost-effective, environmentally
11 friendly, sustainable and worker-safe manner possible. Unless
12 otherwise prohibited by state or federal law, school bus routes
13 shall be paved using reclaimed asphalt pavement or full-depth
14 reclamation. Paving and asphaltic binders shall meet
15 department material specifications. The department shall give
16 or charge a county only a nominal fee for reclaimed asphalt
17 pavement that the department has stockpiled.

18 G. Before starting a paving or other school bus
19 route improvement project, the state or the county shall notify
20 and encourage service providers that use underground
21 transmission lines to improve their right-of-way infrastructure
22 along the school bus route."