

A MEMORIAL

CALLING ON THE DEPARTMENT OF TRANSPORTATION AND THE STATE TRANSPORTATION COMMISSION TO STRICTLY AND RIGOROUSLY ENFORCE THE PROVISIONS OF THE HIGHWAY BEAUTIFICATION ACT PERTAINING TO JUNKYARDS IN ORDER TO KEEP NEW MEXICO'S HIGHWAYS AND VISTAS BEAUTIFUL.

WHEREAS, stunning mountain ranges, scenic wilderness areas and picturesque state parks make New Mexico's natural beauty famous; and

WHEREAS, beautification of New Mexico's landscape is vital to maintaining New Mexico's reputation as the land of enchantment; and

WHEREAS, the visibility of junkyards from New Mexico's highways is damaging to the quality of life of residents and to New Mexico's image across the nation and around the world; and

WHEREAS, the legislature of the state of New Mexico enacted the Highway Beautification Act in order to promote public safety, health, welfare, convenience and enjoyment of public travel, to protect the public investment in public highways and to preserve and enhance the scenic beauty of lands bordering public highways; and

WHEREAS, pursuant to the Highway Beautification Act, it is the public policy of New Mexico to regulate the

establishment, operation and maintenance of junkyards in areas adjacent to the interstate and primary highway systems; and

WHEREAS, the department of transportation promulgates rules to implement and enforce the Highway Beautification Act and issues licenses to persons for the establishment, operation or maintenance of junkyards; and

WHEREAS, the establishment, operation or maintenance of any junkyard in violation of the provisions of the Highway Beautification Act is a public nuisance, and the department of transportation may cause the public nuisance to be abated; and

WHEREAS, junkyards must be screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the main-traveled way of the interstate or primary highway systems or otherwise removed from sight; and

WHEREAS, the department of transportation may require the relocation, removal or disposal of junkyards that are not properly screened; and

WHEREAS, the beautification of New Mexico can be achieved by enforcing compliance with the Highway Beautification Act; and

WHEREAS, the department of transportation and the state transportation commission should lead the effort to beautify and clean up New Mexico's highways and vistas;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department

of transportation and the state transportation commission be called on to strictly and rigorously enforce the provisions of the Highway Beautification Act pertaining to junkyards in order to keep New Mexico's highways and vistas beautiful; and

BE IT FURTHER RESOLVED that the department of transportation and the state transportation commission report their progress in enforcing compliance with the Highway Beautification Act to the appropriate interim legislative committee by November 1, 2005; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of transportation and the chairperson of the state transportation commission.