

**NMDOT BILL ANALYSIS  
2025 REGULAR SESSION**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute, or a correction of a previous bill}*

*Check all that apply:*

Original  Amendment   
Correction  Substitute

Date Prepared: 1/31/2025

Bill No. HB 19

Sponsor: Patricia A. Lundstrom

Agency/ Code: NMDOT - 805 - OGC

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Short Title Trade Ports Development Act

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**SECTION II: FISCAL IMPACT**

Not applicable.

**SECTION III: NARRATIVE**

**BILL SUMMARY**

House Bill 19 (HB 19) creates the Trade Ports Development Act to promote economic development and enhance supply chain resiliency by enabling the creation of trade port districts in the state and authorizing the use of public-private partnerships (P3s) for development and operation thereof. Trade port districts will include multimodal systems and facilities to efficiently manage cargo and its movement between locations. The trade ports program will be supported by a Trade Ports Development Fund comprised of a monthly distribution from Gross Receipts Tax revenues and a distribution from Motor Vehicle Excise Tax revenues. Responsibility for creating and implementing trade ports falls to the Department of Economic Development (EDD). However, certain aspects of the program, namely coordination and compliance with statewide transportation improvement programs, include the involvement of the New Mexico Department of Transportation (NMDOT). HB 19 also changes the distribution matrix for the vehicle excise tax.

**FISCAL IMPLICATIONS**

HB 19 does not create any known fiscal implications for the NMDOT. However, see “Significant Issues” below. Further, although HB 19 includes a change in the distribution of the vehicle excise tax, that change does not impact the share of the vehicle excise tax designated to the State Road Fund.

If NMDOT were to become a public partner in a P3 authorized under HB 19, such a partnership would create a fiscal impact on the NMDOT. However, at this time the extent of such impact would be speculative.

## **SIGNIFICANT ISSUES**

HB 19 provides that “money in the trade ports development fund may be used for administrative and reimbursable costs incurred by... the department of transportation, subject to the legislative appropriation project.” (Section 9, G, p. 16, lines 20 – 24). While the bill does not provide any responsibilities to the NMDOT beyond coordination with EDD, the language indicated above seems to contemplate the NMDOT having administrative and reimbursable costs.

## **PERFORMANCE IMPLICATIONS**

If public partners may be able to shift a portion of the risks of design, construction, and financing of potential qualifying public projects to the private partners in exchange for the public partner’s long-term obligations and concessions under the public-private partnership agreement.

## **ADMINISTRATIVE IMPLICATIONS**

At the least, the NMDOT may need to devote staff time and resources to coordinating with EDD for the designation and development of trade port districts. If the NMDOT chooses to be a public partner in a P3 established pursuant to HB 19, NMDOT may need to devote significant staff time and resources to such a role. However, the extent of this implication is speculative at this time.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 19 conflicts with Senate Bill 27, which provides for a change in the distribution of the vehicle excise tax not in keeping with the change proposed.

## **TECHNICAL ISSUES**

None identified.

## **OTHER SUBSTANTIVE ISSUES**

None identified.

## **ALTERNATIVES**

None identified.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Public entities in New Mexico will not be able to enter into P3s to develop trade port districts.

## **AMENDMENTS**

None proposed.