

LFC Requester:	Julisa Rodriguez
-----------------------	-------------------------

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 01/23/2025 *Check all that apply:*
Bill Number: SB 9 Original Correction
 Amendment Substitute

Sponsor: Sen. William P. Soules **Agency Name and Code** 430 – Public Regulation Commission
Short Title: PIPELINE SAFETY ACT VIOLATIONS CIVIL PENALTY **Number:** _____
Person Writing J. Bogatko
Phone: (505)490-2696 **Email** jerri.mares@prc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 9 amends Section 70-3-19, NMSA 1978 pertaining to the Pipeline Safety Act and the enforcement of penalties to align with the federal civil penalty that refers to pipeline safety for violations of that body of law.

Specifically, SB 9 is directed to paragraph C of Section 70-3-19, where the existing provision for determining civil penalties is replaced with a new provision based on the currently applicable federal standard for determining civil penalties.

The referenced “maximum civil penalty” contemplated by SB 9 and established by 49 C.F.R. Section 190.223 is articulated in the regulation as follows:

(a) Any person found to have violated a provision of 49 U.S.C. 60101, *et seq.*, or any regulation in 49 CFR parts 190 through 199, or order issued pursuant to 49 U.S.C. 60101, *et seq.* or 49 CFR part 190, is subject to an administrative civil penalty not to exceed \$272,926 for each violation for each day the violation continues, with a maximum administrative civil penalty not to exceed \$2,729,245 for any related series of violations.

See 49 C.F.R. 190.223(a).

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

NA.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

NA.