

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

ORIGINAL DATE 02/03/09  
 SPONSOR Gonzales LAST UPDATED 03/04/09 HM 5/aHTPWC/aHFL#1  
 SHORT TITLE Review State Transportation Needs SB \_\_\_\_\_  
 ANALYST Moser

### APPROPRIATION (dollars in thousands)

| Appropriation |      | Recurring<br>or Non-Rec | Fund<br>Affected |
|---------------|------|-------------------------|------------------|
| FY09          | FY10 |                         |                  |
|               | NFI  |                         |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

|              | FY09 | FY10    | FY11 | 3 Year<br>Total Cost | Recurring or Non-Rec | Fund<br>Affected                      |
|--------------|------|---------|------|----------------------|----------------------|---------------------------------------|
| <b>Total</b> |      | \$200.0 |      | \$200.0              | Nonrecurring         | State Road<br>Fund or<br>General Fund |

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Department of Transportation (NMDOT)

### SUMMARY

#### Synopsis of HFL #1

House Floor Amendment #1 to House Memorial 5 as amended acknowledges that "...counties and municipalities have different and equally compelling needs to maintain and improve local roads."

The amendment also provides for the inclusion of the Taxation and Revenue Department on the technical committee in addition to the New Mexico Municipal League, the Association of Counties and the New Mexico Trucking Association.

Synopsis of HTPWC Amendment

House Transportation and Public Works Committee Amendment to House Memorial 5 corrects the year in which House Memorial 35 activities occurred from 2008 to 2007.

Synopsis of Original Bill

House Memorial 5 requests the Secretary of Transportation to appoint a technical committee to develop information on future transportation needs, alternative funding strategies, and tying land-use and transportation improvements to reductions in greenhouse gas emissions. The bill directs that the technical committee will consist of members representing the Department of Transportation, Federal Highway Administration, Associated Contractors of America, American Council of Engineering Companies, NM Passenger Transportation Association, regional and municipal planning organizations, and transportation and aviation associations.

This bill proposes to continue the work of House Memorial 35 passed in the 2007 Regular Session. Whereas the appointment of the technical committee to further develop data on the future outlook of transportation and analyze alternative funding options is carried over from HM-35 (2007), HM-5 also adds to the scope of work for the committee the study of methods of tying land-use and transportation improvements with reductions in greenhouse gas emissions.

**FISCAL IMPLICATIONS**

There is no appropriation contained within this memorial. NMDOT indicates that because the scope of work under HM-5 includes the same scope of work performed by the consultant for HM-35, along with an expanded scope, the project cost to implement HM-5 is expected to exceed that of HM-35 which was \$198 thousand.

The technical committee will determine whether or not the historical data and analysis from the previous work could be used for HM-5. If such data remains useful, the cost savings of incorporating the prior study may balance out the cost increase from the addition of new analysis for land use and transportation. This would make the total project cost for HM-5 similar to that of HM-35.

Of note, 85% of the funding for HM-35 came from federal transportation funding, and the continued availability of federal funds for this purpose is uncertain. If federal funds are not available, the study would have to be funded completely with state funds; as drafted HM-5 identifies no appropriation of state funding.

**SIGNIFICANT ISSUES**

This bill anticipates continuing the work associated with HM-35 (2007) with the inclusion of a new study area related to linking land-use and transportation improvements with reductions in greenhouse gas emissions.

Since the HM 35 (2007) study there have been changes in much of the data that was collected and analyzed. To implement HM-5, further data collection and analysis is needed concerning transportation deficiencies statewide; including but not limited to determining the cost/benefit of addressing those deficiencies as well as the consequences of not addressing them. This Memorial also provides an opportunity to study recommendations resulting from the New

Mexico First Town Hall on Sustainable Transportation. In addition to the efforts to update the alternative funding strategies available for use, data must also be collected and analyzed concerning methods through which land-use and transportation improvements may be linked to reduction in greenhouse emissions.

### **TECHNICAL ISSUES**

The text of the first recital incorrectly identifies House Memorial 35 from the 2008 session. The correct reference is to House Memorial 35, Regular Session 2007.

Additionally, NMDOT indicates that this Memorial is unclear concerning whether the intent is to re-establish the Technical Committee; as drafted the Secretary of the Department of Transportation is to “appoint a technical committee”. If the intent is to continue the work of the existing committee, the language should be redrafted to either “reappoint” or “reestablish the technical committee”, and appoint new or replacement members as deemed necessary by the Secretary.

Finally, with the addition of links to “land use” improvements, possibly the committee membership should specifically include county planning organization; replace “...regional and municipal planning organizations,” with “... regional, county and municipal planning organizations,”

GM/mt:mc