

HOUSE BILL 325

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO RAILROADS; CREATING THE RAILROAD CROSSING SAFETY FUND AS A NONREVERTING FUND IN THE STATE TREASURY; PROVIDING FOR ADMINISTRATION OF THE FUND; PROVIDING FOR EXPENDITURES FROM THE FUND FOR PROJECTS TO IMPROVE RAILROAD CROSSING SAFETY AT ROADS IN THE STATE; MAKING APPROPRIATIONS.

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" RAILROAD CROSSING SAFETY PROGRAM--RAILROAD
CROSSING SAFETY FUND --

A. The "railroad crossing safety program" is created in the department to provide funding for an eligible project to improve safety at intersections in New Mexico that include a road and railroad crossing tracks.

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1 B. The department shall provide by rule the
2 requirements and process required to receive funds for eligible
3 projects as provided in this section.

4 C. The "railroad crossing safety fund" is created
5 as a nonreverting fund in the state treasury to support the
6 objectives of the railroad crossing safety program. The fund
7 consists of distributions, appropriations, gifts, grants,
8 donations and income from investment of the fund. Money in the
9 fund is appropriated to the department. Expenditures from the
10 fund shall be made on warrant of the secretary of finance and
11 administration or the secretary's authorized representative
12 pursuant to vouchers signed by the secretary of transportation.
13 The department shall administer the fund for eligible projects
14 that improve safety at intersections in New Mexico that include
15 a road and a railroad crossing and to pay administrative costs
16 necessary to carry out the provisions of this section; provided
17 that the amount expended for administrative costs shall not
18 exceed three percent of the annual balance of the fund. Money
19 in the fund may:

20 (1) be used as a state match to any federal
21 grant or appropriation received by the department for the
22 purpose of safety improvements at road and railroad
23 intersections; and

24 (2) beginning on October 1, 2026 and each
25 October 1 thereafter, be transferred through the department of

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1 finance and administration to the state road fund for eligible
2 projects.

3 D. For purposes of this section, "eligible project"
4 means a project identified and approved to receive funding by
5 the department to improve safety at intersections that include
6 a state, tribal, United States or federal designated road and
7 railroad crossing tracks, and may include grade separation
8 projects for cars and pedestrians."

9 **SECTION 2. APPROPRIATION.**--One million dollars
10 (\$1,000,000) is appropriated from the general fund to the
11 railroad crossing safety fund for expenditure in fiscal year
12 2027 and subsequent fiscal years to fund eligible projects to
13 improve safety at intersections in New Mexico that include a
14 road and railroad crossing tracks. Any unexpended balance
15 remaining at the end of a fiscal year shall not revert to the
16 general fund.

17 **SECTION 3. EFFECTIVE DATE.**--The effective date of the
18 provisions of this act is July 1, 2026.

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