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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.

.233293.1

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

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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