

**MINUTES  
of the  
FIRST MEETING  
of the  
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**September 11, 2020  
State Capitol, House Chambers  
and Video Conference  
Santa Fe**

The first meeting of the Transportation Infrastructure Revenue Subcommittee was called to order by Senator John Arthur Smith, chair, on September 11, 2020 at 9:00 a.m. in the House Chambers and by video and audio conference via an online platform.

**Present**

Sen. John Arthur Smith, Chair  
Rep. Harry Garcia, Vice Chair  
Rep. Anthony Allison  
Rep. Randal S. Crowder  
Rep. David M. Gallegos  
Rep. Joy Garratt  
Sen. Ron Griggs  
Rep. Jane E. Powdrell-Culbert  
Sen. Clemente "Memé" Sanchez  
Sen. Pat Woods

**Absent**

Rep. Daniel R. Barrone  
Rep. Patricia A. Lundstrom

**Advisory Members**

Rep. Rachel A. Black  
Rep. Kelly K. Fajardo  
Sen. Roberto "Bobby" J. Gonzales  
Rep. Susan K. Herrera  
Rep. Willie D. Madrid  
Rep. Rodolpho "Rudy" S. Martinez

Rep. Abbas Akhil  
Rep. Alonzo Baldonado  
Sen. Stuart Ingle  
Rep. Antonio Maestas  
Sen. William H. Payne  
Rep. Angelica Rubio

**Staff**

Peter Kovnat, Bill Drafter, Legislative Council Service (LCS)  
Nancy Martinez, Research Assistant, LCS  
Rebecca Griego, Records Officer, LCS

**Handouts**

Handouts and other written testimony are in the meeting file and are posted on the legislature's website.

## Friday, September 11

### **Department of Transportation (DOT) State of the State: Local Government Matters, Communications and Human Resources Updates (9:05 a.m.)**

Michael Sandoval, secretary, DOT; George Dodge, director, Local Government Relations, DOT; Marisa Maez, director, Communications, DOT; and Gilbert Archuleta, director, Human Resources, DOT, provided the subcommittee with presentations on local government transportation infrastructure needs and current and planned projects. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=9/11/2020&ItemNumber=1>.

Questions and comments from subcommittee members included the following.

- The DOT should take advantage of low interest rates. The process for issuing bonds takes months, so the money will not be immediately available. Plus, the time is now, with low interest rates, to get the best use of state money.
- Bonding capacity got the legislature in trouble with the DOT in the past. The legislature should consider more deferred maintenance.
- A national freight strategic plan went into place on September 3, 2020. How did that affect New Mexico? New Mexico has its own freight system, mostly running along Interstate 40 and Interstate 10.
- The DOT should keep the subcommittee updated on issues concerning escorts, interstate highways, problems and strategic plans.
- The DOT should keep subcommittee members informed of site visits.
- Will there be additional bonding capacity? Changing the date is important, as there is \$75 million in bonding capacity from Governor Richardson's Investment Partnership, which the DOT would like to use.
- New Mexico is paying off its debt aggressively. The savings begin in 2025, and New Mexico will be completely out of debt by 2032.
- How is tribal money being distributed from the Tribal Infrastructure Fund? There were 60 projects funded by a competitive process, and the DOT awarded funding to at least one project from any tribe that made a request.
- The issue of driverless trucks on Interstate 10 should be added to the agenda for the October 20, 2020 meeting.

### **State Road Fund: Revenue and Budget (10:17 a.m.)**

Laura Bianchini, chief economist, DOT, and Mallery Manzanares, budget director and acting director of administrative services, DOT, provided the subcommittee with presentations on the State Road Fund forecast for July 2020 and the DOT's fiscal year 2022 appropriation requests. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=9/11/2020&ItemNumber=2>.

Questions and comments from subcommittee members included the following.

- An update on the State Road Fund forecast numbers should be made at the next subcommittee meeting.
- Why is there a \$31.7 million difference in the various forecasts? The difference is that one has the cash balance added to it.
- There was a slowdown in gas tax revenue with the COVID-19 pandemic, but special fuels tax revenue is up four percent.
- Members discussed how to get revenue from hybrid and electric vehicles, including hybrid and electric trucks.

**Highway Conditions: Asset Management, Construction and Maintenance (10:39 a.m.)**

Rick M. Padilla, executive director, Highway Operations, DOT; Tamara P. Haas, P.E., director, Capital Programs and Investments Division, DOT; and David Quintana, P.E., chief engineer, DOT, provided the subcommittee with presentations on construction programs in 2020, state transportation asset management, highway conditions and internal project lettings reports. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=9/11/2020&ItemNumber=3>.

Questions and comments from subcommittee members included the following.

- What about specific roads that are in poor condition? The district engineers will address specific roads in district updates later in the meeting.
- How many contractors are New Mexico companies, and how many contractors are hiring New Mexico residents? Mr. Padilla said that he will provide specific numbers to subcommittee members, but many contractors do employ New Mexico residents.
- What happens if there are no bidders for a project? The project gets sent back out for more bids.
- How are paving conditions judged, and how does that affect prioritization of projects?
- Subcommittee members requested a report on the condition of state-owned equipment at the next subcommittee meeting.
- Where does New Mexico rank in the rate of the gas tax compared to other states? New Mexico's gas tax rate is in the bottom 10 percent of states.

**Modal: Traffic Safety, Ports of Entry, Transit, Rail and Aviation (11:30 a.m.)**

Franklin Garcia, director, Modal Division, DOT; David Harris, director, Transit and Rail Division, DOT; Pedro Rael, director, Aviation Division, DOT; and Dan Moran, manager, Aviation Division, DOT, provided subcommittee members with updates on traffic safety, ports of entry, transit, rail and aviation. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=9/11/2020&ItemNumber=4>.

Questions and comments from subcommittee members included the following.

- What is the balloon payment due on the New Mexico Rail Runner Express?
- What are the New Mexico Rail Runner Express issues during the COVID-19 pandemic shutdown?
- Are there current studies of New Mexico Rail Runner Express ridership? The Rio Metro Regional Transit District did a study that showed that state employees comprise 70 percent of the ridership and day-trippers, students, tourists and other workers comprise the remaining 30 percent.
- What anti-DWI efforts are currently being made? There is a federal push on these efforts.
- Shiprock residents report that people coming into town from the west are going too fast and that big trucks traveling at night are causing problems. While the Traffic Safety Bureau of the DOT provides safety information to local agencies, it is usually city or county ordinances that are used to deal with those issues.

#### **District 1 Update (1:03 p.m.)**

Trent Doolittle, P.E., District 1 engineer, DOT, said that all rest areas in District 1 are compliant with the federal Americans with Disabilities Act of 1990 and that the district priority at this time is the interstate highways. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%205%205\\_2020-TIRS\\_D1\\_TDoollittle-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%205%205_2020-TIRS_D1_TDoollittle-mm.pdf).

Questions and comments from subcommittee members included the following.

- What is happening with Thorpe Road in the unincorporated village of Dona Ana? That road is being studied, but it is more complex than just adding sidewalks because of the highway interchange at the entrance to the village.
- What is happening with self-driving 18-wheelers? A six-inch stripe is needed to conduct self-driving tests, and all New Mexico interstates already have that.
- What is the district's information technology budget? The District 1 budget is \$363,000 annually.

#### **District 2 Update (1:20 p.m.)**

Timothy L. Parker, M.S., P.E., District 2 engineer, DOT, explained that there is a focus on improving the United States Highway 285 corridor. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%206%206\\_2020-TIRS\\_D2\\_TParker-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%206%206_2020-TIRS_D2_TParker-mm.pdf).

Questions and comments from subcommittee members included the following.

- What was the outcome of the bid protest on New Mexico State Road 176? The bid went down from \$19.2 million to \$18.1 million.

- There was a question about the \$20 million special appropriation to the fiscal year 2020 budget.
- Is there a prequalification preference for in-state contractors? There is a pilot project that is rating contractors on their previous year's performance on a variety of criteria, and that rating is calculated as part of the bid. For example, a \$100 offer for a contractor with a bad record might score as a \$125 bid.
- Does the pilot project factor in the contractors' bonding capacity? Bonding capacity is considered but does not go into a contractor's overall rating.
- What is the current situation on the Carlsbad brine well remediation project? Based on sonar information, the project needs an additional \$10 million to completely fill the cavern.

### **District 3 Update (1:45 p.m.)**

Justin Gibson, P.E., District 3 engineer, DOT, noted that the Avenida Cesar Chavez interchange is identified but not yet funded. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%207%207\\_2020-TIRS\\_D3\\_JGibson-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%207%207_2020-TIRS_D3_JGibson-mm.pdf).

Questions and comments from subcommittee members included the following.

- Is there still land that needs to be acquired for the Paseo del Volcan right of way, and if so, how much will it cost?
- The conditions on Interstate 40 between mile markers 132 and 139 are deplorable. The DOT has done crack sealing, but it is deteriorating at a faster pace than expected. The DOT will put that section on its priority list.
- When will the Main Street project in Los Lunas be completed?
- The DOT is seeking federal grants.
- New Mexico State Road 6 needs shoulder work. Are the last 11 miles being addressed? That project is shovel-ready; rights of way were the issue, but that issue has recently been resolved. The project is planned for construction in 2023.
- What about financing? What New Mexico does not pay for now, it will pay more for later.
- Texas spent more money on roads in El Paso than New Mexico spent on roads in the entire state.

### **District 4 Update (2:10 p.m.)**

James M. Gallegos, P.E., District 4 engineer, DOT, stated that the washed-out bridge on New Mexico State Road 456 in Union County is being addressed. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%208%208\\_2020-TIRS\\_D4\\_JGallegos-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%208%208_2020-TIRS_D4_JGallegos-mm.pdf).

A subcommittee member thanked the District 4 engineers for starting temporary and permanent repairs of the washed-out bridge on New Mexico State Road 456.

**District 5 Update (2:22 p.m.)**

Paul Brasher, P.E., District 5 engineer, DOT, pointed out that District 5 is New Mexico's largest district and includes 10 sovereign nations, 91 miles of interstate and three rest areas. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%209%209%209%2020-TIRS\\_D5\\_PBrasher-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%209%209%209%2020-TIRS_D5_PBrasher-mm.pdf).

Comments from subcommittee members included the following.

- The Taos project is difficult, but the moderator at the public meeting in Taos was excellent.
- The middle section of the Taos project to fix the road from Alcalde is currently under way.

**District 6 Update (2:46 p.m.)**

Larry Maynard, P.E., District 6 engineer, DOT, addressed District 6 activities. The presentation can be found here:

[https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%2010%2010%2010%2020-TIRS\\_D6\\_LMaynard-mm.pdf](https://www.nmlegis.gov/handouts/TIRS%20091120%20Item%2010%2010%2010%2020-TIRS_D6_LMaynard-mm.pdf).

A subcommittee member asked why there are barrels on the highway. The barrels are there in place of safety barriers.

**Public Comment**

There was no public comment.

**Adjournment**

There being no further business before the subcommittee, the meeting adjourned at 3:03 p.m.