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FISCAL IMPACT REPORT

ORIGINAL DATE 01/30/11

SPONSOR Gonzales LAST UPDATED 02/23/11 HB 76/aHTPWC

SHORT TITLE Create School Transportation Task Force SB _____

ANALYST Gudgel

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

House Bill 76 is committee sponsored legislation for the Legislative Education Study Committee.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

Department of Public Safety (DPS)

Responses Not Received

Department of Finance and Administration, Office of Education Accountability (OEA)

SUMMARY

Synopsis of HTPWC Amendment

The amendment strikes the appropriation and changes the membership of the task force to the following members:

- Decreased members from the House of Representatives from 5 to 3
- Decreased members from the Senate from 5 to 3
- Increased other members to 7 to include a representative from the Department of Public Safety.

Synopsis of Original Bill

House Bill 76 creates a joint interim public school transportation task force and appropriates \$20 thousand from the general fund to the Legislative Council Service for paying expenses of the task force.

FISCAL IMPLICATIONS

There would be minimal fiscal impact to all participants.

SIGNIFICANT ISSUES

The task force would be composed of the following members appointed by the Legislative Council Service:

- Five members from the House of Representatives
- Five members from the Senate; and
- Six other members, including a representative from PED and OEA, a public school district, a charter school, a school bus contractor and an organization representing school bus transportation employees employed by school bus contractors.

The task force created by the bill would examine state statutes, constitutional provisions, rules and court decisions governing public school transportation in New Mexico, including those provisions related to the transportation funding formula; personnel costs to school districts and school bus contractors; the costs of fuel, equipment and maintenance; and the administration of the public school transportation program.

A number of concerns have been raised by LFC and LESC staff regarding the distribution of funds to school districts and how transportation funds are then distributed to school bus contractors. A uniform methodology for estimating the cost of fuel remains the single most important consideration as well as how contract staff is compensated and how contractors pass on statewide salary increases to drivers.

The concerns raised by LFC and LESC are significant and need to be addressed to make certain school transportation funding meets the needs of students statewide.

LFC is currently evaluating the transportation program in conjunction with PED.

ADMINISTRATIVE IMPLICATIONS

PED will be required to provide staff along with LESC, LFC, and the OEA, in conjunction with LCS for the task force. This can be accomplished with existing staff and resources.

OTHER SUBSTANTIVE ISSUES

The Department of Public Safety provided the following analysis:

School bus safety is an integral part of the Public School Transportation Program. Members of the Motor Transportation Police assisted to create the current Inspection Procedure utilized by the Public School Transportation Program. Currently, former and current members of MTP conduct the required biannual inspections conducted on school buses. MTP should have a member on the task force that is being created. Certain school bus operations are subject to the Federal Motor Carrier Safety Regulations which administered and enforced by MTP. All school bus operations are subject to the Commercial Driver's License and Drug Testing provisions also enforced by MTP.