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HOUSE MEMORIAL 45

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Debbie A. Rodella

A MEMORIAL

REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO REVIEW THE ADEQUACY OF FEES COLLECTED FROM RAILWAY CARRIERS DOING BUSINESS IN NEW MEXICO, TO COMPARE FUNDING FORMULAS CHARGED TO RAILWAY CARRIERS BY OTHER STATES AND TO STUDY POSSIBLE FEE INCREASES AND ADDITIONAL STAFFING TO ENHANCE RAILROAD SAFETY MEASURES IN NEW MEXICO.

WHEREAS, with increasing train crashes and derailments, railroad safety regulation is more important than ever; and

WHEREAS, New Mexico is a major state for rail travel, and both BNSF railway and Union Pacific have north-south-east-west interstate lines running through the state, and more than one hundred sixty-five trains travel through New Mexico each day; and

WHEREAS, passenger trains include Amtrak, the New Mexico

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1 rail runner express, four short line railroads and one narrow
2 gauge tourist railroad; and

3 WHEREAS, the federal government is responsible for state
4 railroad safety regulation and has a program that offers states
5 the opportunity to participate in federal investigative and
6 enforcement activities; and

7 WHEREAS, New Mexico participates in the federal program,
8 which pays for the education and training of two railroad
9 investigators who are employees of the transportation division
10 of the public regulation commission; and

11 WHEREAS, the two investigators respond to rail accidents,
12 monitor safety and work with railroads, government entities and
13 the public throughout the state; and

14 WHEREAS, railway carriers doing business in New Mexico are
15 charged utility and carrier inspection fees based on the gross
16 receipts from business transacted in New Mexico from the
17 preceding calendar year; and

18 WHEREAS, fees are deposited into the general fund and
19 disbursed to the transportation division through legislative
20 appropriations; and

21 WHEREAS, adequate funding is needed for the railroad
22 bureau of the transportation division and for railroad
23 investigators; and

24 WHEREAS, it would be instructive to compare the funding
25 formulas used by other states to fund railroad safety offices,

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1 employee salaries and safety equipment; and

2 WHEREAS, the railroad bureau of the transportation
3 division is responsible for monitoring and investigating rail
4 traffic safety and would benefit from additional funding and
5 staff;

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
7 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative
8 finance committee be requested to review the adequacy of fees
9 collected from railway carriers doing business in New Mexico;
10 and

11 BE IT FURTHER RESOLVED that the legislative finance
12 committee compare funding formulas charged to railway carriers
13 by other states; and

14 BE IT FURTHER RESOLVED that the legislative finance
15 committee study possible fee increases and additional staffing
16 of the railroad bureau of the transportation division of the
17 public regulation commission to enhance railroad safety
18 measures in New Mexico; and

19 BE IT FURTHER RESOLVED that the legislative finance
20 committee provide a report of its findings and recommendations
21 to the appropriate interim legislative committee by October 1,
22 2018; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the chair of the public regulation commission,
25 the director of the transportation division of the public

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1 regulation commission and the chair of the legislative finance
2 committee.

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