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HOUSE BILL 3  
**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**  
INTRODUCED BY  
Angelica Rubio

AN ACT

MAKING APPROPRIATIONS FOR THE OPERATION OF THE DEPARTMENT OF TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. SHORT TITLE.**--This act may be cited as the "Department of Transportation Appropriation Act".

**SECTION 2. DEFINITIONS.**--As used in the Department of Transportation Appropriation Act:

A. "federal funds" means any payment by the United States government to state government or state agencies, except those payments made in accordance with the federal Mineral Leasing Act and the federal State and Local Fiscal Assistance Act of 1972, as amended;

B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes the federal Mineral Leasing Act receipts; and

C. "other state funds" means:

(1) unexpended, nonreverting balances in state agency accounts, other than internal service funds accounts, appropriated by the Department of Transportation Appropriation Act;

(2) all revenue available to the department of transportation from sources other than the

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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1 general fund, internal service funds, interagency transfers and federal funds; and  
 2 (3) all revenue the use of which is restricted by statute or agreement.

3 **SECTION 3. FORMAT.**--The general format of the appropriations set forth in the Department of  
 4 Transportation Appropriation Act with respect to symbols used, column headings and stating of amounts is  
 5 that used in the General Appropriation Act of 2020.

6 **SECTION 4. FISCAL YEAR 2022 APPROPRIATIONS AND PERFORMANCE STANDARDS.**--

7 DEPARTMENT OF TRANSPORTATION:

8 (1) Project design and construction:

9 The purpose of the project design and construction program is to provide improvements and additions to the  
 10 state's highway infrastructure to serve the interest of the general public. These improvements include  
 11 those activities directly related to highway planning, design and construction necessary for a complete  
 12 system of highways in the state.

13 Appropriations:

14 (a) Personal services and					
15 employee benefits		24,523.8		1,881.0	26,404.8
16 (b) Contractual services		96,077.9		237,721.6	333,799.5
17 (c) Other		111,480.2		126,530.4	238,010.6

18 Authorized FTE: 340.0 Permanent; 18.0 Term; 0.00 Temporary

19 Notwithstanding the provisions of Section 6-21-6.8 NMSA 1978, any funds received by the New Mexico finance  
 20 authority from the department of transportation in fiscal year 2022 as an annual administrative fee for  
 21 issuing state transportation bonds pursuant to Sections 67-3-59.3 and 67-3-59.4 NMSA 1978 shall not be  
 22 deposited into the local transportation infrastructure fund.

23 Performance measures:

- 24 \* Outcome: Percent of projects in production let as scheduled >70%
- 25 \* Outcome: Percent of projects completed according to schedule >88%

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
1       * Quality:					
2                Percent of final cost-over-bid amount, less gross receipts tax, on highway					
3                construction projects					<3%
4 (2) Highway operations:					
5 The purpose of the highway operations program is to maintain and provide improvements to the state's highway					
6 infrastructure to serve the interest of the general public. These improvements include those activities					
7 directly related to preserving roadway integrity and maintaining open highway access throughout the state					
8 system.					
9       Appropriations:					
10       (a) Personal services and					
11                employee benefits		106,263.0		3,000.0	109,263.0
12       (b) Contractual services		50,224.4			50,224.4
13       (c) Other		83,395.2			85,395.2
14       Authorized FTE: 1,824.0 Permanent; 16.7 Term; 0.00 Temporary					
15       Performance measures:					
16       * Output:                Number of statewide pavement lane miles preserved					>3,000
17       * Outcome:               Percent of bridges in fair or better condition, based on deck area					>95%
18       * Outcome:               Number of combined systemwide lane miles in poor condition					<5,000
19 (3) Program support:					
20 The purpose of the program support program is to provide management and administration of financial and					
21 human resources, custody and maintenance of information and property and management of construction and					
22 maintenance projects.					
23       Appropriations:					
24       (a) Personal services and					
25                employee benefits		25,698.5			25,698.5
26       (b) Contractual services		4,625.4			4,625.4

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(c) Other		13,282.8			13,282.8
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Authorized FTE: 244.0 Permanent; 5.8 Term; 0.00 Temporary

Performance measures:

\* Explanatory: Vacancy rate in all programs

(4) Modal:

The purpose of the modal program is to provide federal grants management and oversight of programs with dedicated revenues, including transit and rail, traffic safety and aviation.

Appropriations:

(a) Personal services and employee benefits		3,574.6	3,371.9	1,369.1	8,315.6
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(b) Contractual services		19,498.2	2,000.0	11,527.3	33,025.5
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(c) Other		7,300.0	1,000.0	22,116.0	30,416.0
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Authorized FTE: 108.0 Permanent; 13.0 Term; 0.00 Temporary

The internal services funds/interagency transfers appropriations to the modal program of the department of transportation include six million seventy-one thousand nine hundred dollars (\$6,071,900) from the weight distance tax identification permit fund.

Performance measures:

* Outcome:	Number of traffic fatalities				<357
* Outcome:	Number of alcohol-related traffic fatalities				<125.