

LFC Requester:

Joseph Simon

NMDOT BILL ANALYSIS
2024 REGULAR SESSION

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute, or a correction of a previous bill}

Check all that apply:

Original X Amendment
Correction Substitute

Date 1/29/2024

Bill No. HB 245

Sponsor: Jared Hembree, Candy Spence
Ezzell, Larry R. Scott, Cathrynn N.
Brown, and Andrea Reeb

Agency/ Code: NMDOT - 805 - Aviation Division

Short Title: Roswell Air Center
Racing Events

Person Writing Analysis: Daniel R. Moran

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Table with 4 columns: Appropriation (FY25, FY26), Recurring or Nonrecurring, Fund Affected. Row 1: \$10,000, \$0.00, Nonrecurring, Aviation Fund.

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Identical to House Bill 199.

Duplicates/Relates to Appropriation in the General Appropriation Act: None identified.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Table with 7 columns: FY25, FY26, FY27, 3 Year Total Cost, Recurring or Nonrecurring, Fund Affected. Row 1: Total, \$10,000, \$0.00, \$0.00, \$10,000, Nonrecurring, Aviation Fund.

(Parenthesis ( ) Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 245 (HB 245) makes a one-time appropriation of \$10,000,000 to the Aviation Division of the New Mexico Department of Transportation (Aviation Division) for expenditure in fiscal years 2025 through 2029, for construction and improvements to the Roswell Air Center for the

purpose of hosting air racing events.

## **FISCAL IMPLICATIONS**

HB 245 makes a one-time appropriation of \$10,000,000 to the Aviation Division for expenditure in fiscal years 2025 through 2029.

## **SIGNIFICANT ISSUES**

HB 245 provides an appropriation to only one of the 54 eligible airports in the state. The sole use of this funding is to make improvements for the benefit of a single event or activity while not necessarily making infrastructure, safety, security or other improvements for the advancement of aviation in general. In addition, the Aviation Division is unaware of any analysis provided by the community of Roswell on why these upgrades are necessary or whether the proposed benefit to the community is a benefit to general aviation in the state. As such, HB 245 may fall outside the statutory purview of the Aviation Division; at the least, the bill likely falls outside the intent of the Aviation Act (Sections 64-1-11 through 64-1-17 NMSA 1978).

## **PERFORMANCE IMPLICATIONS**

Not applicable.

## **ADMINISTRATIVE IMPLICATIONS**

Not applicable.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

House Bill 199

## **TECHNICAL ISSUES**

Not applicable.

## **OTHER SUBSTANTIVE ISSUES**

New Mexico can look to other states and their experience with air racing activities to consider risk exposure. For example, the Reno-Stead Airport Authority cited concerns about the event's impact on Reno Stead Airport, along with challenging economic conditions, rapid development in the area, and concerns about public safety — pilot deaths occurred in 2023, 2022 and 2014, and in 2011 there were 10 spectators killed when a pilot lost control of his plane when it crashed into the box seating area — which all contributed to the Reno Tahoe Airport Authority's decision to end the events long run at the Reno Stead airport. ([nevadaappeal.com](http://nevadaappeal.com) 08/17/2023)

## **ALTERNATIVES**

Not applicable.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The Aviation Division will continue to provide available funding for the general advancement of aviation at all eligible airports in New Mexico.

## **AMENDMENTS**

None suggested.