

Senator Pinto sponsors Senate Bill 600 to fund U.S. 491 road construction



Senator John Pinto (D-Dist. 3) reports to the New Mexico Senate Corporations and Transportation Committee on March 3. Pinto sponsored Senate Bill 600, requesting for a one-cent fuel surtax to fund completion of U.S. 491 construction. Joining him was Paulson Chaco, Navajo Division of Transportation Director. (Photo by Rick Abasta)

SANTA FE-Senator John Pinto (D-Dist. 3) reported before the New Mexico Senate Corporations and Transportation Committee on March 3. Joining Pinto was Paulson Chaco, Navajo Division of Transportation Director.

Senate Bill 600 proposes a one-cent special fuel surtax to fund the completion of the four-lane highway on U.S. 491, stretching from Gallup to Shiprock.

A total of 42.9 miles of road construction has been completed, from Shiprock to Sheep Springs. A total of 26.1 miles remain to be improved on the corridor from Sheep Springs to Twin Lakes.

"I am making an appropriation to create the Highway 491 Project Fund and authorize the issuance of state highway bonds," Pinto said.

Chaco reported that Sen. Pinto has been working for over 20 years for roadway improvements on Highway 491, which was named one of the most dangerous roads in New Mexico.

"The road has produced positives for the Navajo Nation, as well as the Four Corners region and the State of New Mexico," he said.

Chaco noted that in addition to increased corridor capacity, the major improvement from the road construction has been safety.

NDOT statistics from 1999 to 2012 show that motor vehicle crashes from milepost 47 to milepost 85 (N13 Junction to Sheep Springs) on U.S. 491 peaked at 70 crashes in 2001. In 2012, that figure dropped to 24 crashes, substantially less than previous years, due to the new four-lane highway.

Injury accidents on U.S. 491 indicate a peak in 2002, when 41 people were hurt in vehicle accidents. That figure dropped in 2012 to 13 injuries, resulting from the new highway conditions.

In 2001, fatalities on U.S. 491 reached a peak of 11 deaths from vehicle accidents. That number dropped to one fatality in 2012, again attributed to the

new four-lane highway constructed.

About 30 miles of roadway remain to be constructed at a cost of \$102.9 million.

To date, total investments on U.S. 491 total \$141,545,265. Multiple funding sources for the project include the Navajo Nation, State of New Mexico, and federal funding.

The Navajo Nation invested \$8 million from the Indian Reservation Roads funding for the project.

"Highway 491 provides for regional mobility, which will also provide for economic development for that region, which is probably one of the poorest parts of New Mexico," Chaco said.

Dan Silva, an audience member representing the Associated Contractors of New Mexico, spoke in support of the legislation.

"I support this bill. It would certainly help the statewide infrastructure, it would put people to work and it's something that would benefit the whole State of New Mexico," Silva said.

Sen. Sander Rue (R-Dist. 23) raised concerns about the proposed fuel tax.

"Why are we doing it this way? Why isn't this road in the queue for roadwork that needs to be done," Rue questioned.

Chaco explained that U.S. 491 is a federal aid system road within the state and that although it is on the state's priority list, it wasn't selected for funding.

He noted that \$365 million in state road projects for FY 2013 were funded for District 1, which was allocated \$32.6 million; District 2 was allocated \$81.8 million; and District 3, which was allocated \$154.2 million.

"Unfortunately, U.S. 491 is

not one of those projects that's in the queue and we don't see it in the state process as anything to be funded in the near future," Chaco said.

The U.S. 491 road project was submitted for stimulus consideration under the Transportation Investment Generating Economic Recovery grant, but was not selected for the state proposal, he said.

In addition to the TIGER grant, Sen. Pinto said he's been lobbying congressional delegations for assistance, but the federal government does not have enough funding to assist.

"This is everybody's road," Pinto said. "Public school buses use this road. Eighteen-wheelers use this road, bumper-to-bumper from Gallup to Shiprock to Colorado."

Sen. Rue compared the project to his efforts in Bernalillo County with construction on Paseo del Norte and I-25. He asked why multiple funding sources couldn't be employed, just as his district did with the aid of federal, state, county and city funds.

"Unfortunately for the Navajo Nation, we don't have the luxury of a tax base to rely on, as far as funding infrastructure development," Chaco said.

He explained that the Navajo Nation receives approximately \$55 million per year from the Federal Highway Administration to cover 11,000 miles of road on the 27,000 square miles of the reservation.

"I'm going to support this. I understand what you're saying," Rue said.

Vice Chairman Clemente Sanchez (D-Dist. 30) said he supported the legislation because the road needs to be completed due to dangerous conditions.

“I don’t really like taxes, but I think this is one time that we need it. It is a heavily traveled road,” Sanchez said.

Sen. Mark Moores (D-Dist. 21) asked if the surtax would only apply to gas stations on tribal and pueblo lands.

Chaco said that it would be a tax for the entire state and tribal taxation would have to be discussed with the Navajo Nation Council. He added that he did not speak for the Pueblos of New Mexico.

Using the completion of State Road 285 as an example, Chaco noted that 217 miles of road was funded by the state without matching contributions from counties and municipalities in the area.

“It’s not a Navajo Nation road or a Pueblo road. It’s a state road that we’re trying to get improved,” he said.

Sen. John Sapien (D-Dist. 9) asked if the legislation had a sunset provision.

Given the questions regarding the tribal fuel tax match and sunset provisions, Chairman Phil Griego (D-Dist. 39) said he was concerned that participation from the Indian nation wasn’t included.

“Even though 491 is a state road, it also affects the Navajo Nation,” Griego said. “I don’t want to hold your bill up senator, so I’m

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going to ask (the committee) to sent it on to the Finance Committee with a no rec.”

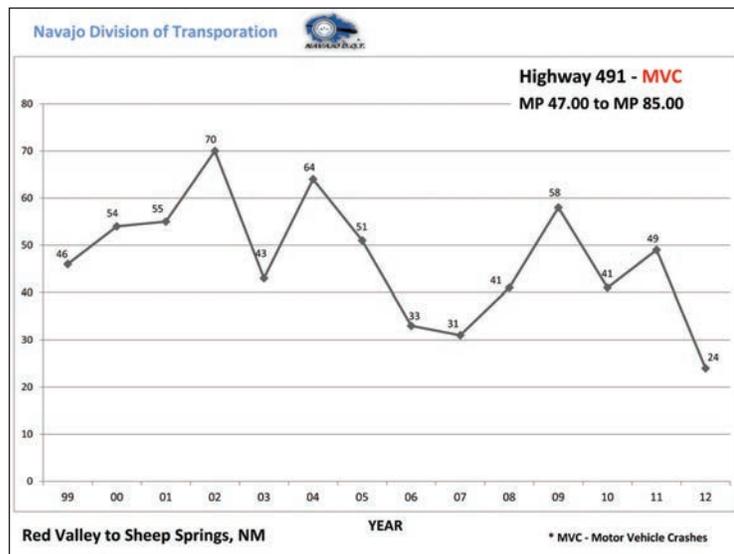
Sen. Pinto responded, “This U.S. 491, the Navajo Nation gave us the right of way. Nobody opposed it for the land to be used. That’s wonderful, thanks to God for them.”

The committee forwarded the legislation to the Finance Committee with a vote of 5-2.

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Senator John Pinto sits in his office and prepares for his report to the Corporations and Transportation Committee of the New Mexico Senate on March 3. Pinto has been a member of the New Mexico Legislature since 1977. Before retiring, he is determined to complete construction on U.S. 491, dubbed one of the most dangerous roads in New Mexico. (Photo by Rick Abasta)



Corporations and Transportation Committee Chairman Phil Griego said SB 600 would be moved forward to the Finance Committee. (Photo by Rick Abasta)