

TITLE 18 TRANSPORTATION AND HIGHWAYS
CHAPTER 11 AIRPORTS
PART 3 AIR SERVICE MARKETING ASSISTANCE PROGRAM

18.11.3.1 ISSUING AGENCY: Aviation Division of the New Mexico Department of Transportation, 1120 Cerrillos Rd 87504, P.O. Box 1149 Santa Fe, New Mexico 87504-1149, (505) 827-1525, Fax: (505) 827-1531.
[18.11.3.1 NMAC - Rp, 18.11.3.1 NMAC, 8/15/2023]

18.11.3.2 SCOPE: Municipalities, counties, tribal entities or other public entities located within the state of New Mexico.
[18.11.3.2 NMAC - Rp, 18.11.3.2 NMAC, 8/15/2023]

18.11.3.3 STATUTORY AUTHORITY: Adoption of this regulation is pursuant to authority granted to the aviation division of department of transportation under Section 64-1-13.1 NMSA 1978.
[18.11.3.3 NMAC - Rp, 18.11.3.3 NMAC, 8/15/2023]

18.11.3.4 DURATION: Permanent.
[18.11.3.4 NMAC - Rp, 18.11.3.4 NMAC, 8/15/2023]

18.11.3.5 EFFECTIVE DATE: August 15, 2023, unless a later date is cited at the end of a section or paragraph.
[18.11.3.5 NMAC - Rp, 18.11.3.5 NMAC, 8/15/2023]

18.11.3.6 OBJECTIVE: The objective of 18.11.3 NMAC is to establish eligibility requirements, including the maximum amount a recipient may receive, under the Air Service Assistance Act.
[18.11.3.6 NMAC - Rp, 18.11.3.6 NMAC, 8/15/2023]

18.11.3.7 DEFINITIONS:

- A. “Director”** means the director of the division.
 - B. “Division”** means the aviation division of the department of transportation.
 - C. “Eligible recipient”** means municipalities, counties, tribal entities or other public entities located within the state of New Mexico.
 - D. “Hub airports”** means commercial airport facilities located within the southwest United States serving a small, medium, or large air traffic hub listed in the United States department of transportation publication, *airport activity statistics of certificated route air carriers*.
 - E. “Minimum level of airline service”** means:
 - (1)** service for two or more New Mexico municipalities, counties, tribal entities or other public entities to one or more hub airports, by a reliable airline; the minimum number of round trip flights per day and per week provided by the service shall be approved by the division;
 - (2)** flights shall be at reasonable times considering the needs of passengers with connecting flights at the hub airport and at prices that are not excessive compared to the generally prevailing prices of other air carriers for like service between similar places;
- [18.11.3.7 NMAC - Rp, 18.11.3.7 NMAC, 8/15/2023]

18.11.3.8 ELIGIBILITY FOR MARKETING ASSISTANCE:

- A.** In order to apply for an air service marketing assistance grant , eligible recipients shall submit a single application to the division in a format provided by the division.
- B.** The division shall provide grants to eligible recipients to market and promote air service.
- C.** The maximum amount of assistance provided to eligible recipients shall be determined the division and may not exceed the amounts available from the state aviation fund per Subsection C of Section 7-1-6.7 NMSA 1978 and Subsection B of Section 64-1-15 NMSA 1978.
[18.11.3.8 NMAC - Rp, 18.11.3.8 NMAC, 8/15/2023]

18.11.3.9 PROCUREMENT REQUIREMENTS:

A. Eligible recipients that receive assistance shall comply with the requirements of the New Mexico Procurement Code, Sections 13-1-28 to 13-1-199 NMSA 1978, as amended.

B. Eligible recipients exempted from complying with the Procurement Code pursuant to Section 13-1-98K shall comply with their own purchasing ordinances and must provide a copy of those ordinances to the division.

[18.11.3.8 NMAC - Rp, 18.11.3.9 NMAC, 8/15/2023]

HISTORY OF 18.11.3 NMAC:

History of Repealed Material: 18 NMAC 11.3, Airports Air Service Assistance Program, filed 11/2/1999, repealed effective 2/14/2017.

18.11.3 NMAC, Airport Air Service Assistance Program, filed 2/2/2017 repealed 8/15/2023.

Other:

18.11.3 NMAC, Air Service Assistance Program, filed 2/14/2017, replaced by 18.11.3 NMAC, Air Service Assistance Program effective 2/14/2017.

18.11.3.1 NMAC, Air Service Assistance Program filed 2/2/2017 replaced by 18.11.3 NMAC, Air Service Marketing Assistance Program effective 8/15/2023.