

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 91-83

September 19, 1991

TO: All Regional Directors, Officers-in-Charge, and  
Resident Officers

FROM: Joseph E. DeSio, Associate General Counsel

SUBJECT: Use of GSA Cars

In June 1986 we issued Memorandum OM 86-69 and attached the applicable governmentwide regulations with respect to the use of GSA cars so that each office could have them available for easy reference.

Recently, we had a situation in one of our Regional Offices relating to the alleged unauthorized use of a GSA car. Although this particular incident was resolved satisfactorily, the General Services Administration has requested that we remind our managers and employees of the requirement to operate government vehicles in accordance with all applicable laws and regulations.

Accordingly, I am attaching a copy of the applicable governmentwide regulations with respect to the use of GSA cars so that each office can have them available and readily accessible to employees for easy reference. Please review these regulations and make sure that the employees on your staff who are involved with the use of such vehicles are familiar with such regulations. It is imperative that GSA cars are operated in accordance with government regulations. In this regard it should be noted that Section 101-38.301 of the Federal Property Management Regulations provides in pertinent part:

Any officer or employee who uses or authorizes the use of such vehicle for other than official purposes is subject to a suspension of at least 1 month or, up to and including, the removal by the head of the agency (31 U.S.C, 1349.)

If you have any questions concerning this memorandum, please contact your Assistant General Counsel.

J. E. D.

Attachment

cc: NLRBU

MEMORANDUM OM 91-83



## PART 301-1—APPLICABILITY AND GENERAL RULES

Sec.

- 301-1.1 Authority.
- 301-1.2 Applicability.
- 301-1.3 General rules.
- 301-1.4 Authorization of travel.
- 301-1.5 Guidelines for issuing travel authorizations.
- 301-1.6 Instructions/guidelines for travelers.

Authority: 5 U.S.C. 5701-5709; E.O. 11609, July 22, 1971 (36 FR 13747).

### § 301-1.1 Authority.

This chapter is issued under the authority of 5 U.S.C. 5701-5709 and 40 U.S.C. 486(c).

### § 301-1.2 Applicability.

(a) This Chapter 301 applies to official travel of civilian employees of Government agencies, including civilian employees of the Department of Defense, as authorized under 5 U.S.C. 5701-5709, but excluding employees of the judicial branch of the Government.

(b) This Chapter 301 also applies to official travel of individuals employed intermittently in the Government service as consultants or experts and paid on a daily when-actually-employed (WAE) basis and of individuals serving without pay or at \$1 a year. These individuals are not considered to have a "permanent duty station" within the general meaning of that term; however, they may be allowed travel or transportation expenses under this chapter while traveling on official business for the Government away from their homes or regular places of business and while at places of Government employment or service. Maximum rates prescribed herein are applicable unless a higher rate is specifically authorized in an appropriation or other statute.

### § 301-1.3 General rules.

(a) **Employee's obligation.** An employee traveling on official business is expected to

exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary or unjustified in the performance of official business are not acceptable under this standard. Employees will be responsible for excess costs and any additional expenses incurred for personal preference or convenience.

(b) **Reimbursable expenses.** Traveling expenses which will be reimbursed are confined to those expenses essential to the transaction of official business.

### (c) Definitions.

(1) **Agency.** For purposes of this Chapter 301, "agency" means an executive agency as defined in 5 U.S.C. 105; a military department; an office, agency, or other establishment in the legislative branch; and the government of the District of Columbia; but does not include a Government-controlled corporation, a Member of Congress, or an office or committee of either House of Congress or of the two Houses.

(2) **Employee.** As used in this Chapter 301, "employee" means the head of an agency, an agency official, or any other individual employed by an agency. This definition also includes an individual employed intermittently in Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis and an individual serving without pay or at \$1 a year (5 U.S.C. 5701(2)).

(3) **Official station and post of duty.** Designated post of duty and official station have the same meaning. The limits of the official station will be the corporate limits of the city or town in which the officer or employee is stationed. If the employee is not stationed in an incorporated city or town, the official station is the reservation, station, or established area, or, in the case of large

reservations, the established subdivision thereof, having definite boundaries within which the designated post of duty is located.

(4) *Government*. "Government" means the Government of the United States and the government of the District of Columbia.

(5) *Continental United States*. Continental United States means the 48 contiguous States and the District of Columbia. The term may be abbreviated as CONUS.

(6) *United States*. When used in a geographical sense, "United States" means the 50 States and the District of Columbia except as provided in § 301-3.6(b)(1)(iii). The terms "United States" and "the 50 States and the District of Columbia" may be used interchangeably.

(7) *Government-furnished automobile*. The term "Government-furnished automobile" includes an automobile which is (i) owned by an agency, (ii) assigned or dispatched to an agency on a rental basis from a GSA Interagency Fleet Management Center, or (iii) leased by the Government for a period of 30 days or longer from a commercial firm.

(8) *Government-contract rental automobile*. A "Government-contract rental automobile" is an automobile obtained for short-term use from a commercial firm under the provisions of an appropriate General Services Administration (GSA) Federal Supply Schedule contract.

(9) *Special conveyance*. "Special conveyance" is any method of transportation other than common carrier, Government-furnished, Government-contract rental, or privately owned, which requires specific authorization or approval for the use thereof. Such transportation generally includes conveyances obtained through commercial rental means for less than 30 calendar days.

#### § 301-1.4 Authorization of travel.

(a) *Travel policy*. It is the policy of the Government that agencies shall authorize only that travel which is necessary to accomplish the purposes of the Government effectively and economically.

##### (b) Agency responsibilities.

(1) Except as otherwise provided by law, all travel shall be either authorized or approved by the head of the agency or by an official to whom such authority has been delegated. Ordinarily, a travel authorization shall be issued before the incurrence of the expenses. Agencies shall prescribe procedures for travel situations where it is not practical or possible to issue a written authorization in advance.

(2) Agency heads shall communicate the Government's travel policy to all travel-authorizing officials at all levels within their respective agencies and establish controls to ensure that only travel that is essential to the purposes of the Government and for accomplishment of the agency's mission is authorized or approved.

(3) Travel-authorizing officials shall authorize or approve only that travel necessary to accomplish the agency mission in the most effective and economical manner. Authorizing officials should be aware of travel plans, including plans to take annual leave in conjunction with travel, and shall ensure appropriate consideration of the need for the travel, the use of travel substitutes (i.e., mail, teleconferencing, etc.), and the most cost effective routing and means of accomplishing travel. Each employee's travel shall be authorized separately under specific guidelines provided in § 301-1.5.

#### § 301-1.5 Guidelines for issuing travel authorizations.

The travel policies and practices of each agency shall reflect, but not be limited to, the following guidelines:

(a) **Types and use of travel authorizations.** General or blanket travel authorizations for entire agencies or groups of employees shall not be used. To ensure adequate managerial and supervisory attention to the need for all travel, each employee's travel shall be authorized separately under one of the following types of travel authorization:

(1) *Unlimited open authorization.* This type of authorization allows an employee to travel for any purpose without further authorization. Unlimited open authorizations shall be issued only for department or agency heads, their deputies, or other principal agency officials as the agency head or deputy may designate, and managers of major subunits where no supervisor is present.

(2) *Limited open authorization.* This type of authorization allows an employee to travel without further authorization under certain specified conditions; i.e., travel to specific geographical area(s), for specific purpose(s), subject to trip cost ceilings, or for specific periods of time. Limited open authorizations may be provided for employees whose duties require frequent repetitive travel. Such authorizations, however, should be reviewed and revalidated at least quarterly and should include realistic limitations on purpose(s), geographic area(s), number of trip(s), trip duration, and costs.

(3) *Trip-by-trip authorization.* This type of authorization allows an individual or group of individuals to take one or more specific trips and shall include the specific purpose, itinerary, and estimated costs. Travel not covered in an unlimited or limited open authorization shall be separately authorized on a trip-by-trip basis.

(b) **Levels of approval and requirements for special purpose travel.** Due to the relatively high costs associated with certain kinds of travel, such travel shall be authorized only on a trip-by-trip basis and reviewed at a level of authority sufficient to provide

policy approval. The types of travel covered by this requirement are listed in this paragraph (b). Authorization of travel for purposes other than those listed should be delegated to the lowest management level which has responsibility for both program accomplishment and obligation or commitment of funds.

(1) *Conferences, meetings, and training sessions.* Travel for conference and meeting attendance and training sessions shall be authorized on a trip-by-trip basis. When authorizing travel for conference and meeting attendance, the approving official shall ensure that the number of attendees from the agency is necessary and justified. In addition, the need for conferences and meetings for which total travel and per diem estimates exceed \$5,000 shall be certified by a level of authority sufficient to provide policy approval as designated by the head of the agency scheduling the conference or meeting.

(2) *Foreign travel.* Overseas and foreign travel for all employees shall be authorized on a trip-by-trip basis at as high an administrative level of authority as practical to provide policy approval. However, those employees whose duties require repetitive overseas and foreign travel or emergency overseas and foreign travel without advance notification may be issued limited or unlimited open authorizations, as appropriate, within the criteria of paragraphs (a) (1) and (2) of this section. In addition, U.S. Government representatives and attendees at international intergovernmental conferences must be accredited by the State Department.

(3) *Change of official station/relocation.* Travel and related entitlements for a change of official station or relocation determined to be in the interest of the Government, as provided in Chapter 302 of this title, shall be authorized on a move-by-move basis (trip-by-trip authorization). This also includes new appointees covered under § 302-

1.2 and 302-1.11(a) of this title when issued authorizations for travel to their first duty station.

(c) **Purpose(s) of travel.** Each travel authorization and the associated travel voucher(s) (see § 301-11.5(g)) shall specify clearly the purpose(s) of the travel. To establish uniformity in the way that travel purposes are identified on the travel authorization and travel voucher, agencies shall adopt travel purpose categories that conform to the extent possible with the following travel purpose categories:

(1) *Site visit.* Travel to a particular site in order to personally perform operational or managerial activities (e.g., to oversee program activities, grant operations, or management activities for internal control purposes; carry out an audit, inspection, or repair activity; conduct negotiations; provide instructions; or provide technical assistance).

(2) *Information meeting.* Travel to attend a meeting to discuss general agency operations, review status reports, or discuss topics of general interest. If a site visit was conducted as part of the same trip, consider the entire trip to be for the purpose of a site visit.

(3) *Training attendance.* Travel to receive training.

(4) *Speech or presentation.* Travel to make a speech or a presentation, deliver a paper, or otherwise take part in a formal program other than a training course.

(5) *Conference attendance.* Travel to attend a conference, convention, seminar, or symposium for purposes of observation or education only, with no formal role in the proceedings.

(6) *Relocation.* Travel performed in connection with a transfer from one official duty station to another (same as a permanent change of station or PCS move). This includes new appointees when they are first

authorized relocation allowances for reporting to their first duty station.

(7) *Entitlement travel.* Travel entitlements for which an employee (or dependent) may be eligible while serving at a duty station outside the continental United States; e.g., tour renewal agreement travel (for the purpose of taking leave between tours of duty) and educational travel. (This type of travel is normally performed in connection with a travel entitlement resulting from a change of station assignment or renewal of a tour of duty at duty stations located outside the continental United States.)

(8) *Special mission travel.* Travel to carry out a special agency mission; e.g., move noncombat military units, provide security to a person or a shipment (such as a diplomatic pouch), move witnesses from residence to other locations, and travel by Federal beneficiaries and other nonemployees.

(9) *Emergency travel.* Travel to return an employee from a temporary assignment location at Government expense to his/her designated post of duty or home, or other alternate location, where he/she would normally be present to take care of the emergency situation if the Government had not directed or assigned the employee to another location to perform official business.

(10) *Other travel purposes.* All travel performed for purposes which are not included in one of the other listed categories. Even though stated as "other travel purposes," the travel authorization and voucher should also detail a specific purpose.

(d) **Cost estimates.** Travel authorizations shall include estimates of the cost of the travel. Both unlimited and limited open authorizations shall also include an estimate of the travel costs to be incurred over the period covered by the authorization. Agencies shall use these estimates to obligate the funds necessary to carry out that particular travel to improve travel budgetary controls. (See Part 301-10 for provisions covering

employee source of funds and travel advances.)

**§ 301-1.6 Instructions/guidelines for travelers.**

(a) **Traveler's potential liability notice.** Travelers are accountable for all transportation tickets, Government transportation requests (GTR's), or other transportation procurement documents received by them in connection with their official travel. Agencies shall provide written instructions to the traveler at the time an authorization is issued advising of agency administrative procedures for the control of and accountability for passenger transportation documents. If trips are canceled or itineraries changed after tickets (or GTR's) are issued to the traveler, the traveler is liable for the value of the tickets issued until all ticket coupons have been used for official travel purposes or all unused tickets or coupons are properly accounted for on the travel voucher. (See also § 301-11.5(c)(1).) A statement to this effect shall be incorporated on the travel authorization, or issued as a "Notice to Traveler" and attached to the ticket or GTR when issued to the traveler. (See § 301-3.5 for further provisions regarding unused passenger transportation documents.)

(b) **Promotional materials received in connection with official travel from common carriers, rental car companies, or other commercial source.** Employees are obligated to account for any gift, gratuity, or benefit received from private sources incident to the performance of official business (Comp. Gen. Decision B-199656, July 15, 1981). All promotional materials (e.g., bonus flights, reduced-fare coupons, cash, merchandise, gifts, and credits toward future free or reduced costs of services or goods) received by employees in connection with official travel or incident to the purchase of a ticket for official travel, or other services such as car rentals, are due the Government and may not be retained by the employee. When

an employee receives promotional material from any commercial source incident to official travel, the employee shall accept the material on behalf of the Federal Government and relinquish it to an appropriately designated agency official. The governing regulations regarding agency disposition of promotional material received by Federal employees are prescribed by the Administrator of General Services in 41 CFR 101-25.103-2. (See paragraph (f) of this section for redemption of frequent traveler benefits.)

(c) **Denied boarding compensation.** Travelers shall be instructed to turn into the agency any cash or other payments received from carriers for failure to provide confirmed reserved space as provided in § 301-3.5.

(d) **Billing information for ticket exchanges.** When a traveler exchanges a ticket for one of lesser value, the carrier should issue a receipt or a ticket refund application and is required to make refund directly to the appropriate agency billing office. To facilitate this refund procedure, agencies shall provide travelers with a "bill charges to" address by attaching a copy of the GTR or some other document containing this information to either the ticket or travel authorization as provided in 41 CFR 101-41.210-1. (See also § 301-3.5(c).)

(e) **Use of travel agencies.** The services of a travel agent may be used to obtain passenger transportation services within, from, or between the United States and its possessions only under the conditions specified in § 301-3.4(b)(2), or when the travel agent is providing services to the Government under a contractual arrangement with the General Services Administration.

(f) **Frequent traveler programs.** (1) Frequent traveler benefits earned in connection with official travel, such as mileage credits, points, etc., may be used only for official travel. Employees may not retain and use such benefits for personal travel. Since the

Comptroller General has ruled that a frequent traveler benefit is the property of the Government if any part of it is earned through official travel, employees should maintain separate frequent traveler accounts for official and personal travel.

(2) Agencies should encourage employees who travel frequently to participate in various frequent traveler programs offered by airlines, hotels, and car rental vendors. Employees may be reimbursed for the cost to enter certain frequent traveler programs when entering the program is expected to result in a savings to the Government. Reimbursement for the cost to enter the program may not exceed the expected amount of the savings.

(3) To the maximum extent practicable, overall travel costs should be reduced by using benefits earned through frequent traveler programs to obtain free airline tickets, rooms, and rental vehicles. (See § 301-3.3(d)(3)(ii)(F) for upgrades to premium-class accommodations.)

(4) Use of mandatory or preferred vendors, such as contract air and rail carriers, lowest cost car rental companies, etc., shall be observed fully without regard to whether such vendors offer frequent traveler programs. No deviations from mandatory or preferred use requirements will be permitted solely for the purpose of accumulating frequent traveler benefits.

## PART 301-2—TRANSPORTATION ALLOWABLE

Sec.

301-2.1 Expenses payable as transportation.

301-2.2 Methods of transportation.

301-2.3 Local transportation.

301-2.4 Emergency travel due to illness or injury or a personal emergency situation.

301-2.5 Routing of travel.

301-2.6 Use of Government-furnished vehicles.

Authority: 5 U.S.C. 5701-5709; E.O. 11609, July 22, 1971 (36 FR 13747).

### § 301-2.1 Expenses payable as transportation.

Transportation expenses which the Government may pay either directly or through reimbursement include fares, rental fees, mileage payments, and any expenses incident to transportation such as baggage transfer; official telegraph, telephone, radio, and cable messages in connection with items classed as transportation; steamer chairs, steamer cushions, and steamer rugs at customary rates actually charged; staterooms on steamers; and other expenses set forth in Parts 301-2 through 301-6.

### § 301-2.2 Methods of transportation.

(a) **Authorized methods.** Methods of transportation authorized for official travel include railroads, airlines, helicopter service, ships, buses, streetcars, subways, and taxicabs; Government-furnished and contract rental automobiles and airplanes; and any other necessary means of conveyance.

(b) **Selecting method of transportation to be used.** Travel on official business shall be by the method of transportation which will result in the greatest advantage to the Government, cost and other factors considered. In selecting a particular method of transportation to be used, consideration shall be given to energy conservation and to the total cost to the Government, including

costs of per diem, overtime, lost worktime, and actual transportation costs. Additional factors to be considered are the total distance of travel, the number of points visited, and the number of travelers. As stated in 5 U.S.C. 5733, "travel of an employee shall be by the most expeditious means of transportation practicable and shall be commensurate with the nature and purpose of the duties of the employee requiring such travel."

(c) **Traveler's cost liability when selected method is not used.** The traveler shall use the method of transportation administratively authorized or approved by the agency as most advantageous to the Government. (See § 301-2.2(b).) Any additional cost resulting from use of a method of transportation other than that specifically authorized, approved, or required by regulation, e.g., contract air service (see paragraph (d)(1)(ii)(A) of this section), shall be the traveler's responsibility.

(d) **Presumptions as to most advantageous method of transportation.**

(1) *Common carrier.*

(i) *General.* Travel by common carrier (air, rail, or bus) generally results in the most efficient use of energy resources and in the least costly and most expeditious performance of travel. Therefore, this method shall be used whenever it is reasonably available. Other methods of transportation may be authorized as advantageous only when the use of common carrier transportation would seriously interfere with the performance of official business or impose an undue hardship upon the traveler, or when the total cost by common carrier would exceed the cost by some other method of transportation. The determination that another method of transportation would be more advantageous to the Government than common

carrier transportation shall not be made on the basis of personal preference or minor inconvenience to the traveler resulting from common carrier scheduling.

(ii) *Selecting the most advantageous method of common carrier transportation.*

(A) *Contract air service.* The use of discount fares offered by contract air carriers between certain cities (city-pairs) is considered advantageous to the Government and is mandatory for authorized air travel between those city-pairs. (See § 301-3.4(b)(1)(ii) and Part 301-15, Subpart B for policy and specific guidelines and exceptions.)

(B) *Noncontract air service.* The use of noncontract air service may be authorized or approved only when justified under the conditions provided in Part 301-15, Subpart B. Advance authorization and the justification for the use of noncontract air service shall be shown on the travel order or other form of travel authorization before the actual travel begins, unless extenuating circumstances or emergency situations make advance authorization impossible. In those events, the employee shall obtain written approval from the appropriate agency official at the earliest possible time after completing the travel. The approval and justification therefor shall be stated on or attached to the travel voucher.

(C) *Rail or bus services.* Rail or bus service may be used when determined by the agency to be advantageous to the Government, cost, energy, and other factors considered, and when compatible with the requirements of the official travel. The use of contract or other discount fares offered to the Government by rail or bus carriers between selected cities (city-pairs) is considered advantageous. Whenever these discount fares are offered and the accompanying service will fulfill

mission requirements, they should be used to the maximum extent possible. See Part 301-15, Subpart B for policy and specific guidelines for use of contract rail service. See also §§ 301-3.3(b) and 301-3.4(b) for authorized service and accommodations and reduced fares.

(2) *Government-contract rental or Government-furnished automobiles.* When it is determined that an automobile is required for official travel, a Government-contract or a Government-furnished automobile shall be used as follows:

(i) A Government-contract rental automobile is the first resource for short-term rental of an automobile by an employee on temporary duty (TDY) travel. This applies to employees who travel to their destination by common carrier, such as airplane, train, or bus, and would customarily rent a Government-furnished vehicle for local transportation in the destination area. An employee may also use a Government-furnished automobile if a Government-contract rental automobile is unavailable or if use of a Government-furnished automobile is practicable. Government-furnished automobiles will continue to be available for use in isolated areas where commercial rental contractors are not available.

(ii) A Government-furnished automobile is the first resource when an automobile is required for official travel performed locally or within commuting distance of an employee's designated post of duty. If a Government-furnished automobile is unavailable, a Government-contract rental automobile may be used.

(iii) If cost considerations are used in determining whether a Government-contract rental or a Government-furnished automobile should be authorized under this policy, the overall cost shall include any administrative costs as well as any

costs associated with picking up and returning the automobile.

(3) *Privately owned conveyance.* The use of a privately owned conveyance shall be authorized only when its use is advantageous to the Government, except as provided in paragraph (e) of this section. A determination that the use of a privately owned conveyance would be advantageous to the Government shall be preceded by a determination that transportation by common carrier, a Government-contract rental automobile, or Government-furnished transportation is not available or would not be advantageous to the Government. To the maximum extent possible, these determinations and the authorization to use a privately owned conveyance shall be made before the performance of travel.

(4) *Special conveyance.* Commercially rented vehicles, other than those under contract, and other special conveyances shall be used only when it is determined that use of other methods of transportation discussed in this paragraph (d) would not be more advantageous to the Government. In the selection of commercially rented vehicles, first consideration shall be given to Government-contract rental vehicles available under an appropriate GSA Federal Supply Schedule contract.

(e) *Permissive use of a privately owned conveyance.* When an employee uses a privately owned conveyance as a matter of personal preference and such use is compatible with the performance of official business, although not determined to be advantageous to the Government under paragraph (d)(3) of this section, such use may be authorized or approved provided that reimbursement is limited in accordance with the provisions of Part 301-4.

(f) *Travel by ocean vessel.* Except for travel between points served by ferries, travel by ocean vessel shall not be regarded as advantageous to the Government in the

absence of sufficient justification that the advantages accruing from the use of ocean transportation offset the higher costs associated with this method of transportation; i.e., per diem, transportation, and lost worktime. Authority to authorize or approve travel by ocean vessel shall be obtained at the highest administrative level consistent with agency travel management policy. The requirements of § 301-3.6(a) for use of United States flag ships shall be observed. (See § 301-3.3(c) for authorized vessel accommodations.)

### § 301-2.3 Local transportation.

(a) *To, from, and between places of work.* Transportation by bus or streetcar between places of business at an official station or a temporary duty station and between places of lodging and place of business at a temporary duty station is allowed as a transportation expense. (Concerning transportation by taxicab between such places, see § 301-3.1.)

(b) *To places where meals are obtained.* Where the nature and location of the work at a temporary duty station are such that suitable meals cannot be obtained there, the expense of daily travel required to obtain meals at the nearest available place may be approved as necessary transportation not incidental to subsistence. A statement of the necessity for such daily travel shall accompany the travel voucher.

(c) *To and from carrier terminals.*

(1) Reimbursement shall be allowed for the usual taxicab and airport limousine fares, plus tip, between a common carrier or other terminal and either the employee's home or place of business at the official duty station or place of business or lodging at a temporary duty point, or between the airport and airport limousine terminal. However, available courtesy transportation service furnished by hotels/motels should be used by employees to the maximum extent possible as a first source of transportation between place of lodging at the temporary duty

point and common carrier terminal. Reimbursement shall be allowed for tips when courtesy transportation service is used.

(2) An agency shall, when appropriate, restrict the use of taxicabs under paragraph (c)(1) of this section or place a monetary limit on the amount of taxicab reimbursement when:

(i) Suitable Government or common carrier transportation service, including airport limousine service, is available for all or part of the distance involved; or

(ii) Courtesy transportation service is provided by hotels/motels between the place of lodging at the temporary duty site and the common carrier terminal.

(d) Between residence and office on day travel is performed. Reimbursement may be authorized or approved for the usual taxicab fares, plus tip, from the employee's home to his/her office on the day he/she departs from the office on an official trip requiring at least one night's lodging and from the office to his/her home on the day he/she returns to the office from the trip, in addition to taxi fares for travel between office and carrier terminal.

(e) Between residence and office in cases of necessity. Reimbursement for the usual taxicab fares paid by an employee for travel between office and home may be authorized or approved incident to the conduct of official business at an employee's designated post of duty when the employee is dependent on public transportation for such travel incident to officially ordered work outside of regular working hours and when the travel is during hours of infrequently scheduled public transportation or darkness. Agencies are expected to establish stringent administrative controls at sufficiently high levels which ensure that reimbursements are authorized only when justifiable and when all circumstances set forth herein are met.

#### § 301-2.4 Emergency travel due to illness or injury or a personal emergency situation.

Provisions governing reimbursement for allowable transportation in connection with emergency travel due to illness or injury or a personal emergency situation are set forth in Part 301-12.

#### § 301-2.5 Routing of travel.

(a) Official necessity. All travel shall be by a usually traveled route. Travel by other routes may be allowed when the official necessity therefor is satisfactorily established.

(b) Indirect-route or interrupted travel. When a person for his/her own convenience travels by an indirect route or interrupts travel by direct route, the extra expense shall be borne by him/her. Reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route. When transportation requests are used, they shall be issued only for that portion of the expense properly chargeable to the Government, and the employee shall pay the additional personal expense, including the Federal transportation tax. (See § 301-11.5(a)(3).)

#### § 301-2.6 Use of Government-furnished vehicles.

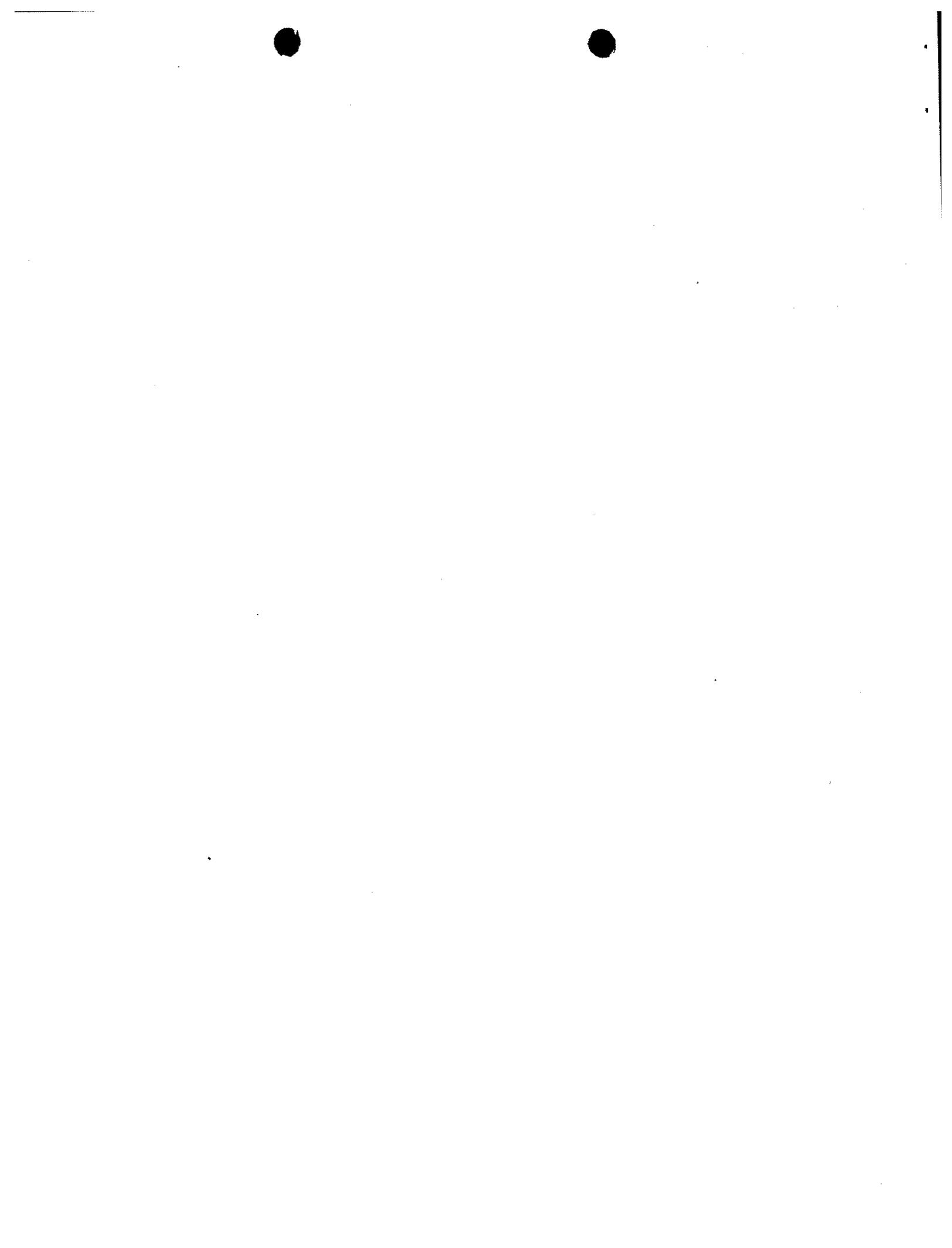
(a) Use limited to official purposes. When a Government-furnished vehicle is used by an employee for official travel, its use shall be limited to official purposes (31 U.S.C. 1344 as implemented in 41 CFR 101-38.3) which include transportation between places where the employee's presence is required incident to official business; between such places and places of temporary lodging when public transportation is unavailable or its use is impractical; and between either of the above places and suitable eating places, drug stores, barber shops, places of worship, cleaning establishments, and similar places necessary for the sustenance, comfort, or

health of the employee to foster the continued efficient performance of Government business.

(b) **Government driver's identification card.** Under instructions prescribed by the Office of Personnel Management, a Federal employee who must occasionally use a Government-furnished vehicle for official business while on temporary duty away from his/her official station need not possess a Standard Form 46, U.S. Government Motor Vehicle Operator's Identification Card, if

he/she holds a valid State, District of Columbia, or territorial motor vehicle operator's license and presents travel orders specifically authorizing the temporary use of a Government-furnished vehicle.

(c) **Vehicle not available.** If a Government-furnished vehicle is not available when required as a first resource, a Government-contract rental or other commercially rented vehicle may be used provided such use is consistent with § 301-2.2(c) and the regulations and authorizations of the employee's agency.



## PART 301-3—USE OF COMMERCIAL TRANSPORTATION

Sec.

- 301-3.1 Taxicabs.
- 301-3.2 Rental automobiles and special conveyances.
- 301-3.3 Travel policy and class of service authorized.
- 301-3.4 Special fares.
- 301-3.5 Unused, downgraded, canceled, or oversold transportation services.
- 301-3.6 Use of United States flag carriers.

Authority: 5 U.S.C. 5701-5709; E.O. 11609, July 22, 1971 (36 FR 13747).

### § 301-3.1 Taxicabs.

(a) **Approval requirement.** For local travel authorized under § 301-2.3 (a) and (b), the use of taxicabs may be allowed if authorized or approved as advantageous to the Government. General authorization for use of taxicabs for local travel in certain situations is contained in § 301-2.3 (c), (d), and (e).

(b) **Tips.** In addition to reimbursement of taxi fare, the employee will be allowed reimbursement of tips in the amount of 15 cents when the fare is \$1 or less or 15 percent of the reimbursable fare when it exceeds \$1. If the 15 percent is not a multiple of 5, the reimbursable tip may be increased to the next multiple of 5.

### § 301-3.2 Rental automobiles and special conveyances.

(a) **Approval requirement.** The hire of boat, automobile, taxicab (other than for use under § 301-2.3 (c), (d), or (e)), aircraft, livery, or other conveyance will be allowed if authorized or approved as advantageous to the Government whenever the employee is engaged in official business within or outside his/her designated post of duty.

(b) **Incidental charges.** If the hire of a special conveyance does not include costs of the incidental expenses of gasoline or oil, feeding and stabling horses, rent of garage, hangar, or boathouse, subsistence of operator, ferrriage, tolls, etc., the same should be

first paid, if practicable, by the person furnishing the accommodation or by the operator, and should be itemized in the bill. (See §§ 301-11.3(c)(5) and 301-11.5(c)(2).)

(c) **Damage waiver or insurance costs.** Commercial vehicle rental contracts customarily include full insurance coverage for property damage or injury or death to third parties resulting from the renter's use of the vehicle. Damage to the rented vehicle (collision damage), however, is often covered only above a deductible amount specified in the rental contract, the renter being responsible for the cost of damage below that amount. In such instances, additional insurance (collision damage waiver or collision damage insurance) to relieve the renter from liability for damage to the vehicle up to a deductible amount is available in the rental contract for an extra fee.

(1) Agencies may not pay or reimburse the employee for the cost of collision damage waiver or collision damage insurance when official travel in the rental vehicle is performed wholly within the continental United States, Alaska, Hawaii, the Commonwealth of Puerto Rico or the Commonwealth of the Northern Mariana Islands, or a United States territory or possession. However, agencies are authorized to pay for damage to the rented vehicle up to the deductible amount contained in the rental contract if the damage occurs while the vehicle is being used for official business.

(2) Agencies may pay or reimburse the employee for the cost of collision damage waiver or collision damage insurance when the vehicle is rented or leased for official travel in foreign areas (areas other than those listed in paragraph (c)(1) of this section) and rental or leasing agency requirements, foreign statute, or legal procedures which could cause extreme difficulty to Government employees involved in an accident make such insurance necessary.

(3) The cost of personal accident insurance is a personal expense and is not reimbursable.

(d) **Hire from another employee or member of an employee's family.** Charges for the hire of a conveyance of another Government employee, a member of the traveler's family, or a member of the family of another Government employee shall not be allowed in the absence of a satisfactory showing that the conveyance was not procured because of such personal or official relationship and that the member of the family so furnishing was not dependent upon the traveler for support. The material facts shall be reported in the account. (See §§ 301-4.5 and 301-11.5(d).)

(e) **Persons traveling together.** When two or more persons travel together by means of a rented vehicle or special conveyance, that fact, together with the name of each traveler and the name of his/her employing agency, must be stated by each traveler on his/her travel voucher.

### § 301-3.3 Travel policy and class of service authorized.

(a) **General policy.** It is the general policy of the Government that less-than-premium-class accommodations shall be used for all modes of passenger transportation. Common carrier accommodations shall be as specifically provided in paragraphs (b), (c), and (d) of this section and shall apply to both domestic and international travel of civilian employees while on official business for the Government.

#### (b) Train accommodations.

(1) **Sleeping car accommodations.** When overnight travel is involved, the lowest first-class sleeping accommodations available shall be allowed. Higher cost accommodations may be authorized or approved upon the employee's certification on the travel voucher that lowest first-class accommodations were not available or that use of superior accommodations was authorized or

approved by the head of the agency or the agency head's designee for security purposes. When practicable, through sleeping accommodations shall be obtained if they are more economical to the Government.

(2) **Parlor car and reserved coach accommodations.** When adequate reserved coach accommodations are available, officials authorizing travel shall require that those accommodations be used to the maximum extent possible. However, use of a parlor car seat may be allowed when the duration of the train travel exceeds 4 hours.

(3) **Extra-fare trains.** Travel by extra-fare trains may be authorized or approved whenever their use is administratively determined to be more advantageous to the Government or is required for reasons of security. The use of National Railroad Passenger Corporation (AMTRAK) Metroliner coach service is considered to be advantageous to the Government. Metroliner Club service is considered to be first-class service.

(c) **Steamer accommodations.** The minimum first-class accommodations will be allowed when a stateroom is included in the cost of passage or is a separate charge. Higher cost accommodations may be allowed upon certification by the employee on the travel voucher that lowest first-class accommodations were not available or that use of higher cost accommodations were authorized or approved by the head of the agency concerned, or his/her designee, for security purposes. (See § 301-3.6(a) for use of U.S. flag ships.) The travel order or other administrative determination may, however, specify the use of an accommodation less costly than the minimum first-class accommodations when suitable for a particular voyage. The term "minimum first-class accommodation" as used in this paragraph means one which provides direct access from within the stateroom to a washbasin, shower or bath, and toilet. (See § 301-2.2(f) for authorization of travel by ocean vessel.)

## PART 301-4—REIMBURSEMENT FOR USE OF PRIVATELY OWNED CONVEYANCES

Sec.

301-4.1 Basic rules.

301-4.2 When use of a privately owned conveyance is advantageous to the Government.

301-4.3 Use of a privately owned conveyance instead of common carrier transportation.

301-4.4 Use of a privately owned conveyance instead of a Government-furnished automobile.

301-4.5 More than one person in conveyance.

301-4.6 Actual expense basis.

Authority: 5 U.S.C. 5701-5709; E.O. 11609, July 22, 1971 (36 FR 13747).

### § 301-4.1 Basic rules.

(a) **Mileage payments.** When employees and others rendering service to the Government use privately owned motor vehicles or airplanes in the conduct of official business within or outside their designated posts of duty or places of service and such use is authorized or approved as advantageous to the Government or as an authorized or approved exercise of the employee's preference, payment shall be made on a mileage basis unless payment on an actual expense basis is specifically authorized by law.

(b) **Distance measurements.**

(1) *Automobile and motorcycle travel.* When transportation is authorized or approved by privately owned motorcycles or automobiles, distances between points traveled shall be as shown in standard highway mileage guides or actual miles driven as determined from odometer readings. (Actual odometer readings need not be shown on the travel voucher.) Any substantial deviations from distances shown in the standard highway mileage guides shall be explained. The mileage rate as authorized or approved

may be paid from whatever point the employee or other person rendering service to the Government begins his/her journey.

(2) *Airplane travel.* The air mileage between the origin and destination airports, as determined from airways charts issued by the National Oceanic and Atmospheric Administration, Department of Commerce, shall be reported on the reimbursement voucher and shall be used in computing payment for the use of a privately owned airplane. If a detour was necessary because of adverse weather, mechanical difficulty, or other unusual conditions, the additional air mileage may be included in the mileage reported on the reimbursement voucher and, if included, it must be explained. When an official requirement for deviation from direct route travel is such that airway mileage charts are not adequate to determine mileage, the formula of flight time multiplied by cruising speed of the airplane may be the basis for mileage determinations.

(c) **Other allowable costs.** Reimbursement for parking fees; ferry fees; bridge, road, and tunnel fees; and airplane parking, landing, and tiedown fees shall be allowed in addition to the mileage allowance unless the travel orders or other administrative determinations restrict such allowance.

### § 301-4.2 When use of a privately owned conveyance is advantageous to the Government.

(a) **Authorized mileage rates.** When the use of a privately owned conveyance is authorized or approved as advantageous to the Government for the performance of official travel as provided in § 301-2.2(c)(3), reimbursement to the traveler shall be at the mileage rates prescribed in this paragraph (a).

(1) For use of a privately owned motorcycle: 20 cents per mile.

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(2) For use of a privately owned automobile: 24 cents per mile.

(3) For use of a privately owned airplane: 45 cents per mile.

(b) **Mileage rates outside the United States.** Generally, the mileage rates prescribed in paragraph (a) of this section are applicable outside as well as within the United States. However, if an agency determines that any mileage rate which is below the statutory maximum is inadequate compensation for use of a privately owned conveyance in a particular area outside the United States, the head of the agency may submit a request to GSA for the establishment of a higher rate for that area. Any new mileage rate approved by GSA for a particular area shall be the uniform rate payable to all Federal employees in that area. The request to establish a higher rate shall be forwarded to the General Services Administration (FB), Washington, DC 20406, and shall include the following information:

(1) A recommended mileage rate not exceeding the following statutory maximums:

(i) For use of a privately owned motorcycle: 20 cents per mile;

(ii) For use of a privately owned automobile: 25 cents per mile; and

(iii) For use of a privately owned airplane: 45 cents per mile.

(2) An analysis of the costs per mile of operating the privately owned conveyance in the particular area involved shall include the data listed in paragraphs (b)(2) (i) through (iv) of this section. Expenses which are reimbursable as separate allowances under § 301-4.1(c), such as parking or toll fees, shall not be included as cost factors in this analysis.

(i) Size/type of conveyance to which the cost data apply.

(ii) Fixed operating costs: Vehicle depreciation, insurance, taxes, and registration fees.

(iii) Variable operating costs: Gasoline, motor oil, maintenance, repairs, and tires.

(iv) Other related cost factors affecting vehicle operating costs which are peculiar to the area involved.

(c) **Special rule when permanent duty travel is involved.** The regulations contained in Chapter 302 of this title shall apply when privately owned automobiles are used in connection with employees' permanent changes of station, when the appointees or student trainees described therein travel to their first permanent duty stations, or when employees return from posts of duty outside the continental United States to places of actual residence for separation.

(d) **To and from common carrier terminals and office.**

(1) *Round trip instead of taxicab to carrier terminals.* Instead of using a taxicab under § 301-2.3(c), payment on a mileage basis at the rate of 24 cents per mile and other allowable costs as set forth in § 301-4.1(c) shall be allowed for the round-trip mileage of a privately owned automobile used by an employee going from either the employee's home or place of business to a terminal or from a terminal to either the employee's home or place of business. However, the amount of reimbursement for the round trip shall not in either instance exceed the taxicab fare, including tip, allowable under § 301-2.3(c) for a one-way trip between the applicable points.

(2) *Round trip instead of taxicab between residence and office on day of travel.* Instead of using a taxicab under § 301-2.3(d) (in connection with official travel requiring at least one night's lodging), payment on a mileage basis at the rate of 24 cents per mile and other allowable costs as set forth in § 301-4.1(c) shall be allowed for round-

trip mileage of a privately owned automobile used by an employee going from the employee's residence to the employee's place of business or returning from place of business to residence on a day travel is performed. However, the amount of reimbursement for the round trip shall not exceed the taxicab fare, including tip, allowable under § 301-2.3(d) for a one-way trip between the points involved.

(3) *Privately owned conveyance used to transport other employees between residence, office, and common carrier terminals.* Payment under paragraphs (d) (1) and (2) of this section may be made without the taxicab fare limitation when the privately owned conveyance used by the employee for official travel is also used to pick up and transport one or more additional employees traveling between home, office, and common carrier terminals incident to a temporary duty assignment. Employee participation under this provision is voluntary. The names of the additional employees and their employing offices/agencies should be stated on the travel voucher in accordance with § 301-4.5.

(4) *Parking when automobile is left at terminal.* The fee for parking an automobile at a common carrier terminal or other parking area while the traveler is away from his/her official station shall be allowed only to the extent that the fee plus the allowable reimbursement to and from the terminal or other parking area does not exceed the estimated cost for use of a taxicab to and from the terminal under the provisions of § 301-2.3(c).

**§ 301-4.3 Use of a privately owned conveyance instead of common carrier transportation.**

Whenever a privately owned conveyance is used for official purposes as a matter of personal preference instead of common carrier transportation under § 301-2.2(d), payment for such travel shall be made on the

basis of the actual travel performed, computed under § 301-4.1 at the mileage rate prescribed in § 301-4.2(a) plus the per diem allowable for the actual travel. The total allowable shall be limited to the total constructive cost of appropriate common carrier transportation including constructive per diem by that method of transportation. Constructive cost of transportation and per diem by common carrier shall be determined under the following rules:

(a) **Mode of travel to be used for comparison.**

(1) *Airplane.* The mileage payment shall not exceed the constructive cost of coach accommodations (or tourist or economy accommodations if a carrier uses this term instead of "coach accommodations") on airplanes when such service is provided by a carrier. If it is not provided, the comparison will be made with standard class accommodations if provided; otherwise, with premium-class accommodations. When accommodations are provided on both jet and propeller-driven planes, the comparison shall be made with the jet planes. (For the purpose of this provision, a class of service is considered to be provided by a carrier when it is scheduled on flights serving origin and destination points, regardless of whether space would have been available had the traveler used air transportation for the official travel.)

(2) *Train.* When none of the accommodations described in paragraph (a)(1) of this section is provided by an air carrier, the mileage payment shall be limited to the constructive cost of first-class rail transportation or coach accommodations when the elapsed time of the rail journey is 4 hours or less. The constructive cost comparison may also be made with rail transportation, even though air transportation is provided, when an administrative determination is made that such comparison, including related per diem, is more economical, and the travel

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order or other administrative directive so provides.

(3) *Bus.* When neither air nor rail accommodations are provided, the mileage payment shall be limited to the constructive cost of bus transportation.

(b) **Transportation costs to be considered in addition to fares.** In determining the constructive common carrier cost, there shall also be included the usual transportation costs to and from the common carrier terminals. In addition, the cost of excess baggage shall be included when it would have been allowed had the traveler used the carrier upon which the constructive transportation costs are determined, provided the traveler certifies as to the weight of the baggage or presents other acceptable evidence of its weight.

(c) **Per diem allowance.** The constructive per diem shall be the amount which would have been allowable if the traveler had used the carrier upon which the constructive transportation costs are determined.

(d) **Use of actual and reasonable schedules.** In making the foregoing constructive cost comparisons of transportation, scheduled departure and arrivals of planes, trains, and buses at unreasonable hours shall be disregarded. (For this purpose, "unreasonable hours" means those which would unduly inconvenience the traveler or adversely affect his/her safety, or which would result in unduly increasing the constructive per diem.)

§ 301-4.4 **Use of a privately owned conveyance instead of a Government-furnished automobile.**

(a) **Planning for use of Government-furnished automobiles.** When use of a privately owned conveyance is authorized or approved under § 301-2.2(e) even though use of a Government-furnished automobile would be more advantageous to the Government, reimbursement to the employee shall be limited to the cost which would be

incurred for use of a Government-furnished automobile. The normal rate of reimbursement shall be that provided in paragraph (b) of this section; however, agencies should obtain commitments from employees who are expected to perform extensive automobile travel on official business whether they will use Government-furnished automobiles or whether they will elect to use privately owned conveyances. Such commitments will be for periods of time which warrant the making of arrangements for supply of Government-furnished automobiles, and commitment changes shall be made in sufficient time in advance of their effective dates to permit arrangements to be made for acquisition or disposal of Government-furnished automobiles as required. An employee who is committed to use a Government-furnished automobile shall not be authorized reimbursement for use of his/her privately owned conveyance instead of a Government-furnished automobile; except that, if such an employee occasionally uses his/her privately owned conveyance when a Government-furnished automobile is available, mileage reimbursement limited to the cost of operating a Government-furnished vehicle (fixed costs excluded as provided in paragraph (c) of this section) may be authorized or approved.

(b) **Reimbursement based on Government costs.** It has been determined that the average mileage cost for use of a Government-furnished automobile for travel in the continental United States is 18.0 cents. Therefore, the mileage rate for authorized use of a privately owned conveyance when use of a Government-furnished automobile would be most advantageous to the Government shall be 18.0 cents. Exceptions to the 18.0-cent limitation may be authorized if an agency determines that, because of unusual circumstances, the cost of providing a Government-furnished automobile would be higher than 18.0 cents. In such instances, the agency may allow reimbursement at

such higher rate within the rate stated in § 301-4.2(a) for advantageous use that will most nearly equal the cost of providing a Government-furnished automobile in those circumstances. In addition to mileage for the distance allowed under § 301-4.1(b), the employee may be reimbursed for expenses authorized under § 301-4.1(c) which would have been incurred if a Government-furnished vehicle had been used.

(c) **Partial reimbursement when Government automobile is available.** When an employee who is committed to using a Government-furnished automobile, or who because of the availability of Government-furnished automobiles, would not ordinarily be authorized to use a privately owned conveyance instead of a Government-furnished automobile, nevertheless requests use of a privately owned conveyance, reimbursement may be authorized or approved. The rate of reimbursement shall be 9.5 cents per mile, which is the approximate cost of operating a Government-furnished automobile, fixed costs excluded.

(d) **Reimbursement claims.** When claiming mileage at the 18.0-cent rate, the employee shall state on the voucher that a commitment was not made to use a Government-furnished automobile and that reimbursement for use of a privately owned automobile was not limited under paragraph (c) of this section.

**§ 301-4.5 More than one person in conveyance.**

Mileage shall be payable to only one of two or more employees traveling together on the same trip and in the same conveyance, but no deduction shall be made from the mileage otherwise payable to the employee entitled thereto by reason of the fact that other passengers (whether or not Government employees) may travel with him/

her and contribute to defraying the operating expenses. The names of employees and their employing agencies should be stated on the voucher. (See § 301-11.5(d).)

**§ 301-4.6 Actual expense basis.**

(a) **Used only when authorized by law.** Reimbursement on an actual expense basis applies to reimbursement for use of a privately owned motorcycle, automobile, or airplane only where such method of reimbursement is authorized by law; otherwise, reimbursement is to be made under the provisions of §§ 301-4.1 through 301-4.5.

(b) **Comparative cost requirement.** The use of a privately owned conveyance on an actual expense basis, as distinguished from a mileage basis under §§ 301-4.1 through 301-4.5, may be authorized or approved provided the aggregate of allowable expenses plus any increased subsistence expenses through increased travel time or less subsistence savings through reduced travel time, as the case may be, does not exceed the cost of transportation available by common carrier.

(c) **Reimbursable costs.** For such travel on an actual expense basis, the employee shall be entitled to reimbursement of the cost of gasoline, oil, feed of horses, garage or hangar rent and stabling of horses while officially detained en route, and bridge, ferry, and other tolls. In determining the amount of increased subsistence expenses or subsistence savings for a given period of time, the per diem rate named in the travel order shall be used. Charges for repairs, depreciation, replacements, grease, antifreeze, towage, and similar speculative expenses shall not be allowed. Exemption from payment of tax on gasoline in States providing such exemption shall be claimed. The standard Federal forms shall be used for that purpose. When exemption is refused, receipts shall be obtained in duplicate. (See §§ 301-11.3(c)(7) and 301-11.5(c)(2).)

