

Transportation



Mileage in personal vehicle

Mileage rate

A **state employee** is entitled to be reimbursed for mileage incurred to conduct state business. **Texas Government Code Section 660.041** The reimbursement **may not** exceed the product of the actual number of miles traveled for business and the **mileage reimbursement rate**, which OCA is currently reimbursing at a rate .54 per mile. **Texas Government Code Section 660.042** The mileage reimbursement rate is inclusive of all expenses associated with the employee's use of his or her vehicle. A state agency is not required to reimburse employees at the maximum rate. A state agency may specify a mileage reimbursement rate that is lower than the maximum allowable rate per mile under TEX. GOV'T CODE ANN. §660.007(b). The agency must notify affected individuals in writing about the lower rate before implementing it.



Route determination

The number of reimbursable miles **may not** exceed the number of miles of the most cost-effective reasonably safe route between two **duty points**. In determining the most cost-effective reasonably safe route, a state agency may consider the route that provides the shortest distance, the quickest drive time or the safest road conditions.



Mileage calculation

The number of miles traveled by an employee for state business may be determined by point-to-point itemization. Point-to-point mileage may be documented by an employee's vehicle odometer reading or by a readily available online mapping service. The Office of Court Administration requires the use of **Google Maps** for the approved online mapping service resource. The itemization must be sufficiently detailed for the agency reimbursing the mileage to verify the number of miles.

Note: An increase in the number of miles incurred due to an employee receiving inadequate directions or being lost is not reimbursable.

Four-per-car rule

When employees from the same agency travel on the same dates with the same itinerary, they must coordinate travel. When four or fewer employees travel on the same itinerary, only one may be reimbursed for mileage. When more than four employees travel on the same itinerary, only one out of every four may be reimbursed for mileage. [Texas Government Code Section 660.044](#)



Parking

A state agency may reimburse a **state employee** for a parking expense incurred while traveling in a personally owned or leased vehicle, rental vehicle, or state-owned or leased vehicle. A state agency may not reimburse a state employee for a parking expense incurred at a location if none of the mileage incurred to reach the location is reimbursable.

Tolls

A state agency may reimburse a **state employee** for tolls paid when the employee travels in a personally owned or leased vehicle, rental vehicle, or state-owned or leased vehicle. A state agency may not reimburse a state employee for tolls paid if none of the mileage or rental cost is reimbursable.



Rental vehicles

A **state employee** is entitled to reimbursement for the cost of renting a vehicle to conduct state business. [Texas Government Code Section 660.091](#) The reimbursement includes all applicable taxes and mandatory charges. It also may include a charge for a collision damage waiver or a loss damage waiver if not already included in the contracted rate for the rental. A charge for an additional driver may only be reimbursed if incurred for a business reason. A charge for a liability insurance supplement, personal accident insurance, safe trip insurance or personal effects insurance is not reimbursable.

In order to be reimbursed for the rental cost, a state employee must retain an original and complete receipt issued by the rental company.

Sharing a rental vehicle

When at least two state employees share a rental vehicle, each employee is entitled to be reimbursed for his or her share of the rental cost. Each employee must have an original itemized receipt for the portion that they paid.

Receipt requirements

For a state employee to be reimbursed for a rental expense, the employee must provide proof that the expense was incurred. A complete receipt issued by the rental company serves this purpose.

The receipt must include the following:

- The name of the rental company, and
- The name of the employee renting the vehicle, and
- The starting and ending dates of the rental, and
- An itemization of expenses incurred, and
- Proof of payment.

If the receipt does not include all of the above listed items, the rental contract may also be included to provide that information.

A receipt that has been altered by any *person* other than the entity issuing the receipt is unacceptable. A receipt to which additional information has been added is considered unaltered if the information does not conflict with the original information on the receipt.

If the individual listed on the receipt is different than the state employee listed on the voucher, the supporting documentation must include proof that the employee paid the expenses for which he or she is claiming reimbursement. The proof may be in the form of a credit card slip or billing, a canceled check or a receipt from the individual listed on the receipt.

If the receipt and contract are both unavailable, the supporting documentation must include a copy of the receipt or contract, the canceled check or credit card slip used to pay the rental expense or the credit card billing on which the rental charges appear. If any of these alternative methods are used as supporting documentation, the above information required from the receipt must still be included in the documentation



Commercial air transportation

A *state employee* is entitled to be reimbursed for the actual cost of commercial air transportation incurred to conduct state business. [Texas Government Code Section 660.091](#) The reimbursement *may not* exceed the cost of the lowest available airfare between the employee's *designated headquarters* and the employee's *duty point*. [Texas Government Code Section 660.093](#)

Receipt requirements

For a state employee to be reimbursed for a commercial air transportation expense, the employee must provide proof that the expense was incurred. A complete passenger receipt issued by a commercial airline company or an itinerary issued by the company or a travel agency serves this purpose.

The receipt or itinerary must include the following:

- The name of the employee and airline, and
- The ticket number, and
- The class of transportation, and
- The travel dates, and
- The amount of the airfare, and
- The origin and destination of each flight, and
- Proof of payment.

A passenger receipt or itinerary that has been altered by any *person* other than the entity issuing the receipt or itinerary is unacceptable. A receipt or itinerary to which additional information has

been added is considered unaltered if the information does not conflict with the original information on the receipt.

If the receipt and itinerary are both unavailable, the supporting documentation must include a copy of the receipt or itinerary, the canceled check or credit card slip used to pay the transportation expense, or the credit card billing on which the transportation charges appear. If any of these alternative methods are used as supporting documentation, the above information required from the receipt or itinerary must still be included in the documentation.

Direct payment of transportation expenses

A **state agency** may directly pay a **commercial transportation company**, a credit card issuer or a travel agency for the expense of transporting the agency's employees. [Texas Government Code Sections 660.092\(c\), 660.014\(a\)](#)

A state agency may directly pay a **commercial transportation company**, a credit card issuer or a travel agency in advance of the employee's travel if the company offers lower rates for the transportation. [Texas Government Code Section 660.092\(d\)](#) However, an appropriation for the current **fiscal year may not** be used to pay for transportation that will occur during the next fiscal year.

Discounts and travel expenses at no cost

A **state employee may not** be reimbursed for a **travel expense** unless the employee has incurred the expense. Therefore, a state employee **may not** be reimbursed for the value or cost of a discount on a travel expense unless the employee paid money to obtain the discount. If a state employee receives a discount as a benefit of making unrelated purchases or conducting unrelated business with the provider of the discount, the discount is considered to be provided free to the employee. This section further details discounts offered on travel expenses.

Expenses incurred while qualifying for discount airfare

A **state employee** may be reimbursed for travel expenses incurred while staying extra days at a **duty point** to qualify for discount airfare if:

- the amount of the reimbursement plus the amount of the discount airfare is less than the contract airfare or average coach airfare that would be available had the employee not stayed extra days at the duty point; and
- the expenses are the same type of expenses incurred during the other days at the duty point; and
- the employing agency determines that the employee's absence for the extra days is not detrimental.

Discounts for frequent use of a commercial lodging establishment

A 1984 opinion issued by the State Ethics Advisory Commission limits the use of travel discounts or bonuses earned from travel paid with public funds. Such a discount or bonus can only be used for a private purpose if it cannot be used for a public purpose. Each agency must determine whether a discount or bonus can be used for a public purpose.

Further clarification is given in the [Texas Penal Code Section 39.02](#), which criminalizes a **state employee's** misuse of government property or other things of value belonging to state government that come into the employee's possession by virtue of the employee's office or employment. However, this section also states that a discount or award given for travel, such as frequent flyer miles, rental car or hotel discounts or food coupons, are not things of value belonging to the government for purposes of the section. This is due to the administrative difficulty and cost involved in recapturing the discount or award for a governmental entity.

For more information about this subject, please contact the Texas Ethics Commission, the attorney general or other appropriate legal counsel.