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OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

ATTORNEY GENERAL'S OFFICE REVISED TRAVEL REGULATIONS

Effective Date: November 13, 1989

Section I--General:

Chapter 12, Article 3, Section 11, of the Code of West Virginia, as amended, provides that the State Attorney General shall promulgate rules and regulations concerning out-of-state travel for his office. In accordance with this statute, I, Roger W. Tompkins, Attorney General of West Virginia, do hereby promulgate the following rules and regulations governing travel for employees in this department. All previous travel regulations, relating to in-state and out-of-state travel by employees of this department, are hereby revoked.

Section II--In-State Travel:

- (a) In-state travel costs will be reimbursed only for travel necessary for the proper conduct of the State's business.

Section III--Filing Claims for Reimbursement after Returning from In-State Trips:

- (a) An actual itemized expense account must be filed on a Form WV-6, along with travel, hotel and other allowable expense receipts. Only the original receipts will be accepted.
- (b) Daily allowances for in-state travel shall be subject to:
- (1) Meals: Reimbursement will be made for the actual cost of meals while absent from official stations, with a maximum of Twenty Five Dollars (\$25) per day for travel within the State of West Virginia where the distance from the home station is over twenty-five (25) miles.
 - (2) Transportation: Reimbursement will be made for the actual cost of bus, rail or air travel. The mileage allowance for use of privately owned vehicles engaged in State business will be twenty four cents (\$.24) per mile, plus parking and garage fees, where necessary and applicable.
 - (3) Lodging: Employees traveling on State business will be reimbursed in an amount equal to their actual hotel bills for lodging. No reimbursement will be made for hotel charges for radio, television, laundry or valet charges. A receipt for the amount paid for hotel rooms must be submitted with the expense account.

- (4) Registration Fees: Registration fees at meetings or conferences must be supported by a receipt.
- (5) Tips and Gratuities: Tips or gratuities shall not exceed fifteen percent (15%) of the cost of allowable hotel charges and meals, subject to any applicable daily limit.
- (6) Baggage: Necessary charges for additional baggage transportation charges shall be reimbursed, as shall actual costs incurred in the transfer and storage of luggage.

Section IV--Out-of-State Travel:

- (a) Out-of-state travel costs will be reimbursed only for travel deemed necessary for the proper conduct of the State's business and will require the written approval of the Attorney General before reimbursement is made.

Section V--Filing Claims for Reimbursement after Returning from Out-of-State Trips:

- (a) An actual itemized expense account must be filed on a Form WV-5, along with travel, hotel and other allowable expense receipts. (Air travel stubs or receipts, where applicable, must be attached to your expense account.)
- (b) Daily allowances for out-of-state travel shall be as follows:
 - (1) Meals: Reimbursement will be made for the actual costs of meals while absent from official stations, with a maximum of Twenty Five Dollars (\$25) per day. In major cities and metropolitan areas, the reimbursable costs for meals shall be increased to a maximum of Thirty Dollars (\$30) per day.
 - (2) Transportation: Reimbursement will be made for the actual cost of bus, rail or air travel. Reimbursement for travel in privately owned vehicles will be governed by Section VI of these Regulations.
 - (3) Lodging: Employees traveling on State business will be reimbursed in the amount equal to their actual hotel bills for lodging. No reimbursement will be made for hotel charges for radio, television, laundry and valet charges. A receipt for the amount paid for hotel rooms must be submitted with the expense account.
 - (4) Registration Fees: Registration fees at meetings or conferences must be supported by a receipt.

- (5) Tips and Gratuities: Tips or gratuities shall not exceed fifteen percent (15%) of the cost of allowable hotel charges and meals, subject to any applicable daily limit.
- (6) Baggage: Necessary charges for additional baggage transportation charges shall be reimbursed as shall actual costs incurred in the transfer and storage of luggage.

Section VI--Use of Privately Owned Vehicles for Out-of-State Travel:

- (a) No out-of-state travel in privately owned vehicles shall be made at State expense without the prior written approval of the Attorney General.
- (b) Maximum mileage allowances for use of privately owned vehicles will be twenty four cents (\$.24) per mile; provided, that the reimbursable costs permitted for out-of-state travel in privately owned vehicles (including mileage, meals, lodging and such other allowable expenses) to and from such official meetings shall not exceed the cost of an air coach fare round-trip ticket to and from the site of such official meeting.

Section VII--Miscellaneous:

- (a) Expenses for personal service such as laundry, valet service, insurance, etc., are not allowable.
- (b) Reimbursement for transportation of personal baggage shall not exceed ten percent (10%) of the air or train fare.

Section VIII--Spouses Accompanying Employees on Official In-State or Out-of-State Business:

- (a) When spouses accompany employees on in-state or out-of-state departmental business which involves overnight stays, they shall be subject to the following regulations and limitations:
 - (1) The Office of the Attorney General will reimburse the employee only for the cost of the employee's hotel or motel lodging expense.
 - (2) The employee is responsible for meals, travel and other miscellaneous expenses of the spouse.
 - (3) Where spouses accompany employees on such trips, it is the responsibility of the employees to provide accident insurance coverage; the office of the Attorney General shall in no way be liable.

Section IX--Greenbrier Hotel Trips:

The daily charge for room and board will be reimbursed to employees attending official meetings or functions being held at the Greenbrier Hotel. If an employee's spouse accompanies the employee to the Greenbrier, reimbursement will be made in the amount of seventy percent (70%) for double occupancy.

The Attorney General reserves the right to revoke, suspend, rescind or amend any rules or regulations herein set forth.



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
CHARLESTON 25305

CHAUNCEY H. BROWNING
ATTORNEY GENERAL

November 8, 1984

The Honorable A. James Manchin
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Manchin:

This office has been contacted by Mr. Charles Capet of your staff concerning the travel regulations which have been adopted by this office pursuant to W. Va. Code § 12-3-11. So that there is no misunderstanding, it is the position of this office that such regulations are exempt from the rule-making provisions of Code 29A-1-1 et seq. The definition of "rule" provides in pertinent part as follows: "[the definition of rule] does not include regulations relating solely to the internal management of the agency * * * ." Code 29A-1-2. Clearly, travel regulations relate "solely to internal management."

I have enclosed a copy of our travel regulations which were promulgated on October 1, 1979. If they have not been previously filed, please cause them to be filed.

Very truly yours,


GREGORY W. BAILEY
DEPUTY ATTORNEY GENERAL

GWB/lfb

Enclosure

cc: Honorable Glen B. Gainer, Jr.
Honorable Virginia L. Roberts

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
CHARLESTON 25305

CHAUNCEY H. BROWNING, JR.
ATTORNEY GENERAL

October 1, 1979

ATTORNEY GENERAL'S OFFICE REVISED
TRAVEL REGULATIONS

Effective Date: October 1, 1979

Section I--General:

Chapter 12, Article 3, Section 11, of the Code of West Virginia, as amended, provides that the State Attorney General shall promulgate rules and regulations concerning out-of-state travel for his office. In accordance with this statute, I, Chauncey H. Browning, Attorney General of West Virginia, do hereby promulgate the following rules and regulations governing travel for employees of this department. All previous travel regulations, relating to in-state and out-of-state travel by employees of this department, are hereby revoked.

Section II--In-State Travel:

- (a) In-state travel costs will be reimbursed only for travel necessary for the proper conduct of the State's business.

Section III--Filing Claims for Reimbursement after Returning from In-State Trips:

- (a) An actual itemized expense account must be filed on the provided green travel form, along with travel, hotel and other allowable expense receipts.
- (b) Daily allowances for in-state travel shall be subject to:
 - (1) Meals: Reimbursement will be made for the actual cost of meals while absent from official stations, with a maximum of Fifteen Dollars (\$15) per day for travel within the State of West Virginia where the distance from the home station is over twenty-five (25) miles.

- (2) Transportation: Reimbursement will be made for the actual cost of bus, rail or air travel. The mileage allowance for use of privately owned vehicles engaged in State business will be twenty cents (\$.20) per mile, plus parking and garage fees, where necessary and applicable.
- (3) Lodging: Employees traveling on State business will be reimbursed in an amount equal to their actual hotel bills for lodging. No reimbursement will be made for hotel charges for radio, television, laundry or valet charges. A receipt for the amount paid for hotel rooms must be submitted with the expense account.
- (4) Registration Fees: Registration fees at meetings or conferences must be supported by a receipt.
- (5) Tips and Gratuities: Tips or gratuities shall not exceed fifteen (15) percent of the cost of allowable hotel charges and meals.
- (6) Baggage: Necessary charges for additional baggage transportation charges shall be reimbursed, as shall actual costs incurred in the transfer and storage of luggage.

Section IV--Out-of-State Travel:

- (a) Out-of-state travel costs will be reimbursed only for travel deemed necessary for the proper conduct of the State's business and will require the written approval of the Attorney General before reimbursement is made.

Section V--Filing Claims for Reimbursement after Returning from Out-of-State Trips:

- (a) An actual itemized expense account must be filed on the provided yellow travel form, along with travel, hotel and other allowable expense receipts. (Air travel stubs or receipts, where applicable, must be attached to your expense account.)
- (b) Daily allowances for out-of-state travel shall be as follows:
 - (1) Meals: Reimbursement will be made for the actual cost of meals while absent from official stations, with a maximum of Twenty Dollars (\$20) per day. In major cities and metropolitan areas, the reimbursable cost for meals shall be increased to a maximum of Twenty-five Dollars (\$25) per day.

- (2) Transportation: Reimbursement will be made for the actual cost of bus, rail or air travel. Reimbursement for travel in privately owned vehicles will be governed by Section VI of these Regulations.
- (3) Lodging: Employees traveling on State business will be reimbursed in an amount equal to their actual hotel bills for lodging. No reimbursement will be made for hotel charges for radio, television, laundry and valet charges. A receipt for the amount paid for hotel rooms must be submitted with the expense account.
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Section VI--Use of Privately Owned Vehicles for Out-of-State Travel:

- (a) No out-of-state travel in privately owned vehicles shall be made at State expense without the prior written approval of the Attorney General.
- (b) Maximum mileage allowances for use of privately owned vehicles will be twenty cents (\$.20) per mile; provided, that the reimbursable costs permitted for out-of-state travel in privately owned vehicles (including mileage, meals, lodging and such other allowable expenses) to and from such official meetings shall not exceed the cost of an air coach fare round-trip ticket to and from the site of such official meeting.
- (c) Toll bridge and turnpike charges may be included as an additional item, but must be substantiated by receipts.

Section VII--Miscellaneous:

- (a) Expenses for personal service such as laundry, valet service, insurance, etc., are not allowable.

- (b) Reimbursement for transportation of personal baggage shall not exceed ten (10) percent of the air or train fare.

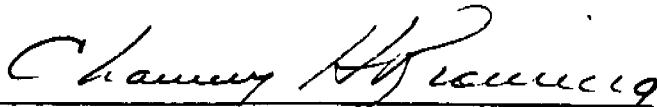
Section VIII--Spouses Accompanying Employees on Official In-State or Out-of-State Business:

- (a) When spouses accompany employees on in-state or out-of-state departmental business which involves overnight stays, they shall be subject to the following regulations and limitations:
- (1) The Office of Attorney General will reimburse the employee only for the cost of the employee's hotel or motel lodging expense.
 - (2) The employee is responsible for meals, travel and other miscellaneous expenses of the spouse.
 - (3) Where spouses accompany employees on such trips, it is the responsibility of the employees to provide accident insurance coverage; the Office of the Attorney General shall in no way be liable.

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The Attorney General reserves the right to revoke, suspend, rescind or amend any rules or regulations herein set forth.



CHAUNCEY H. BROWNING
ATTORNEY GENERAL