

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2003 JUL -1 P 3:06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Department of Administration TITLE NUMBER: 148

RULE TYPE: Legislative CITE AUTHORITY: 12-3-11

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 17

TITLE OF RULE BEING PROPOSED: Out-Of-State Travel

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 31, 2003 AT 10:00 am ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Donna Prunty, Executive Coordinator

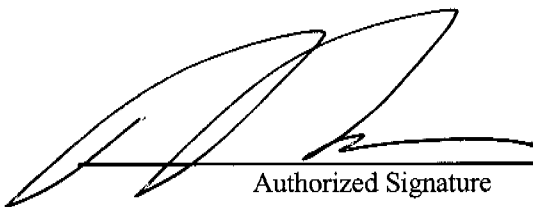
Department of Administration

1900 Kanawha Boulevard, East

Room E-119

Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

Agency: Department of Administration
Rule Type: Legislative

Title Number: 148
Cite Authority: 12-3-11

STATEMENT OF CIRCUMSTANCE AND BRIEF SUMMARY

The Department of Administration wants to establish Legislative Rules regarding Out-of-State Travel in order to be able to enforce the Travel Regulations. Travel regulations have been in effect and on file at the Secretary of State for many years, however, Legislative Rules have never been promulgated.

TITLE 148
WEST VIRGINIA DEPARTMENT OF ADMINISTRATION

FILED

SERIES 17
OUT-OF-STATE TRAVEL

2003 JUL -1 P 3: 06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§148-17-1 General.

1.1 Scope- This rule governs out-of-state and international travel, hereinafter referred to as "travel", for state officials and employees and non-employees traveling on behalf of the State of West Virginia, except those in the legislative and judicial branches of state government and except for the Attorney General, Auditor, Secretary of State, Treasurer, Board of Investments, Commissioner of Agriculture and their employees, and the Higher Education Governing Boards.

1.2 Authority- W.Va. Code §12-3-11

1.3 Filing Date- _____

1.4 Effective Date- _____

1.5 Purpose- The purpose of this rule is to establish enforceable standards and guidelines for all aspects of travel. They establish procedures to fund authorized travel and expenses when such travel is necessary to conduct state business, and to promptly reimburse employees for expenses incurred.

Ensure all employees have a clear and consistent understanding of policies and procedures for business travel and hospitality.

Provide business with a reasonable level of service and comfort at the lowest possible cost.

Maximize the state's ability to negotiate discounted rates with preferred

suppliers and reduce travel expenses.

§ 148-17-2 Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

2.1 "Agency Head" - The Administrative Head of a State Agency.

2.2 "Agency Fleet Coordinator"- The Agency Head or the person designated by the Agency Head to be responsible for the management of all state owned and/or leased vehicles assigned to their agency.

2.3 "Agency Travel Coordinator"- The Agency Head or the person delegated by the Agency Head within their respective state agency to act as designee(s) for authorizing and approving travel and travel related expenses as may be required.

2.4 "Employee"- Any person who is currently employed either full time or part time by an agency of the State of West Virginia who has been authorized by their Agency Head to travel on business on behalf of the State of West Virginia.

2.5 "E-Ticket"- an electronic ticket which is utilized for travel in place of a printed hard copy ticket.

2.6 "Fleet Management Office"- The office within the Department of Administration who is responsible for the management of all state owned and/or leased vehicles.

2.7 "Incidental"- When a traveler must go out-of-state in order to reach his/her destination in-state.

2.8 "Non-Employee"- Any person who is not an employee of the State of West Virginia but is has been authorized by an Agency Head to do business on behalf of the State of West Virginia such as consultants and contractors.

2.9 "Official Headquarters"- The post of duty or location where performance of official duties require employees to spend the largest part of their working time and where travel normally begins and ends. Exceptions- Agency heads may designate an employee's residence as the official headquarters if the employee's assigned duties require travel every working day.

2.10 "Preferred Vendor"- The vendor who holds the current state contract for specific travel services.

2.11 "Reimbursement Account"- A credit card account set up within an agency for the purpose of payment of invoices and reimbursement of expenses. Said account is often called a "Ghost Account".

2.12 "Spending Unit"- A department, agency or institution of the state government for which an appropriation is requested, or to which an appropriation is made by the Legislature.

2.13 "State Agency"- A department, agency or institution of the state government on whose behalf an employee will be traveling.

2.14 "Travel Management Office"- The office within the Department of Administration that oversees travel for all agencies of the State of West Virginia, with the exception of those agencies that are

exempt.

2.15 "Travel Status"- The time period during which the individual is traveling for official state business.

§ 148-17-3 Delegation of Authority and Traveler Responsibility

3.1 Authority to manage, approve or disapprove travel and travel related expense is delegated exclusively to the administrative head of a state agency. Authority may also be revoked by the Travel Management Office.

3.2 The Agency Head may also delegate authority to others within their respective state agency to act as designee(s) for authorizing and approving travel and travel related expenses as may be required. All such authorizations and approvals shall be made according to the provisions of this rule.

3.3 Travel may be authorized only for official business and only if the state agency has the financial resources to reimburse the traveler for travel expenses.

3.4 State agencies may, at their discretion, impose greater control than required by this policy but never less, consistent with this rule, to provide additional guidance to employees and others traveling on behalf of the state agency.

3.5 The responsibility to audit a traveler's expense account settlement lies with the state agency. Approval of a traveler's expense account settlement by the state agency means that the expense account settlement meets all criteria established by this rule for reimbursement.

3.6 Any questions, concerns or suggestions regarding this policy should be directed to the employee's respective agency

Travel Coordinator.

3.7 The State has negotiated discounted rates and special services with various travel vendors (e.g. airlines, travel agencies, vehicle rental companies, hotels) referred to as "Preferred Vendors." Use of these vendors are required for state travel services. The use of these vendors benefits the state in controlling and reducing travel expenses.

3.8 Employees are on travel status while away from headquarters on authorized State business. Travel status begins when employees leave official headquarters, or other authorized location, to go directly to their destination. Travel status ends when employees return directly to headquarters, or other authorized location after completing State business.

§ 148-17-4 Travel Authorization.

4.1 Under no circumstances should and employee travel without proper approval of the Agency Head or their agency Travel Coordinator. Written approval to travel shall be secured in advance by the employee according to this rule unless out-of-state travel is incidental. Travel may be approved if the Agency Head or agency Travel Coordinator approving the travel reasonably determines that:

4.1.a The travel is primarily for the benefit of the state and is related to the effective conduct of state business.

4.1.b The cost to the state of the travel will be offset by benefits accruing to the state.

4.1.c The travel relates to activities which do not have as their purpose the advancement of a political party or political candidate.

4.2 Employees are responsible for submitting a travel expense account settlement form, with all required attachments, to the travelers spending unit. The form should be submitted within the time prescribed by the Travel Management Office or spending unit, after the last day of the approved travel to qualify for reimbursement and should detail any financial decision made, such as an employee leaving a day early to take advantage of a lower airfare, or staying over a weekend to obtain lower airfare. An agency may pay additional expenses related to the reduced airfare providing they submit the amount saved compared with the normal airfare.

4.3 Consultants, contractors and non-employees are not required to use these rules and regulations, at the spending units' option. All consultant and contractor travel should be included as part of the consulting/contractor fee agreement.

4.4 Reimbursement of travel expenses paid from federal, state and private grants shall be governed by the terms and conditions of the grant if they differ from those contained in this rule. Otherwise, this rule shall govern such reimbursement.

4.5 This rule shall govern reimbursement of travel expenses to Board and Commission members when legislation requires such members to follow this rule.

§ 148-17-5 Air Transportation.

5.1 Travelers are expected to make advance bookings through the contracted travel service vendor to secure the least expensive airfare possible. Reimbursement for ticket where reservations were not made through the contracted travel service vendor require approval from the Travel Management Office. Whenever possible and

practical, all change of plans or itinerary while en-route must also be made through the designated agency.

5.2 Travelers should use electronic tickets (E-Tickets) whenever possible and practical to do so. In the instances when paper tickets are required, delivery/collection will be arranged at the time of reservation. Paper ticket fees are not a reimbursable expense.

5.3 Travelers shall book the least expensive possible logical fare via the most direct route, or a reasonable alternative route if it results in a lower fare. Management reports issued by the travel agency will state the reason for refusal by the employee to accept recommended arrangements if such a refusal results in greater costs to the state agency.

5.4 All employees who travel at least once per year should submit a completed Traveler Profile Form to the state's contracted travel agency to ensure that pertinent details and preferences are adhered to in the reservation process.

5.5 According to the West Virginia Ethics Commission, frequent flier miles, hotel bonus points or other travel incentives resulting from business travel may be used only for official business travel, never personal use. Travelers may not specify a particular airline to accumulate mileage or promotional plans, such as frequent flyer programs if it results in a higher airfare.

5.6 Air transportation generally is restricted to certified commercial airlines. Employees may travel on charter aircraft, but should weigh the advantages of the low cost against other factors. All travel by charter aircraft must be authorized by the Agency Head or the agency Travel Coordinator prior to said travel.

5.7 Privately owned aircraft may not be used.

5.8 Aircraft owned and managed by the Department of Administration may be used whenever available. Charter service may be used only when a state owned aircraft is not available.

5.9 If the change or cancellation of an airline ticket results in a higher airfare or change/cancellation fee, the charge is reimbursable if the traveler is directed by the appropriate Agency Head to alter his/her travel plans, or if other extenuating circumstances arise. Increased or extra charges incurred due to the traveler's negligence will be considered a personal expense of the traveler and shall not be reimbursed.

5.10 Unused paper or e-ticket boarding pass must never be discarded or destroyed as these documents may have a cash value. To expedite refunds, unused or partially used airline tickets must be returned immediately to the agency's Travel Coordinator.

5.11 The state will not reimburse travel or entertainment expenses incurred by a spouse or other individual accompanying an employee on business unless the spouse/companion is a state employee and there is a bona fide business purpose requiring their attendance, and the traveler has obtained prior approval from the Agency Head.

5.12 In order to receive reimbursement, the traveler must submit the passenger receipt or an invoice that details the passenger name, ticket number, ticket price and itinerary. If airfare is reimbursed before the trip, it must be referenced on the traveler's final expense account.

5.13 Commercial airline tickets shall be charged, whenever possible, to the spending unit's centrally billed account or "reimbursement account" and paid before the travel if allowed by the spending units' administrative policies and procedures. Reimbursement may be made to the traveler in advance for airfare purchase between 45 and 180 days before the trip begins. The traveler must forward the passenger's receipt portion of the airline ticket and a copy of the travel agency itinerary, to the agency's Travel Coordinator, or whoever is responsible to reconcile the centrally billed account.

§ 148-17-6 Ground Transportation

6.1 The traveler may use a state-owned vehicle, privately owned vehicle, or a commercial rental vehicle for ground transportation. The availability and use of a state owned vehicle will be determined by the Fleet Management Office and/or the spending units' administrative policies and procedures.

6.2 The operator (traveler) of a vehicle must possess a valid operator's license. The operator is personally responsible for any fines and/or penalties resulting from citations, charges, or warrants attributable to operator negligence. Such fines and/or penalties are not reimbursable.

6.3 In cases where a traveler chooses to drive rather than fly while on business, reimbursement will be based on actual total expenses (mileage, hotels, car rental, parking, meals, etc.) not to exceed the lowest available commercial airfare plus local transportation, and parking (where required) to and from the airport. Quotes should realize maximum savings (i.e. Saturday overnight, advance booking, etc.) and be obtained at first knowledge of the trip.

6.4 Commercial rental vehicles may be used when traveling on state business with the contracted car vendor. Reimbursement will be made at actual cost for the daily rental fee for a mid-size or smaller vehicle. For travel of more than a few days in duration, weekly rental rates may be reimbursed if they will result in a lower total cost than the daily rate. Receipts and/or documentation is required for reimbursement of car rental and mileage charges or fees. Reimbursement may be made for actual fuel cost, receipts shall be attached.

6.5 Compact or mid-size/intermediate rental vehicles shall be used for travel with the following exceptions:

6.5.a The number of passengers is three or more.

6.5.b Excess baggage for state business requires a larger vehicle (examples: booth displays, slide presentations or sales items).

6.5.c A larger size vehicle is provided at no extra charge above compact or mid-size rate.

6.6 The State wide contract provides reduced corporate rates through the preferred vehicle rental company and must be used whenever possible. These rates include certain optional coverages and benefits at no additional charge. Exceptions include:

6.6.a. Contracted vendor does not have a location in the specific area.

6.6.b Contracted vendor does not have the appropriate vehicle at the time or duration needed.

6.7 Rental vehicles shall be charged to the contracted corporate travel card.

6.8 No insurance or insurance-like product is reimbursable for rentals used in the United States.

6.9 Employees should accept all insurance coverage when renting vehicles in a foreign country. Insurance coverage purchased in foreign countries is reimbursable.

6.10 The traveler must refuel prior to returning the rented vehicle to avoid excess fees. Fuel surcharges will not be reimbursed.

6.11 Privately owned vehicles may be used when traveling on state business. Reimbursement will be made at the prevailing rate per mile established by the Travel Management Office, for actual miles traveled using the shortest practicable route to the point of arrival at the traveler's destination. The traveler's daily round trip commuting mileage to and from official headquarters, as determined by their spending unit, must be deducted from the total of any such business usage to calculate reimbursable miles.

6.12 The reimbursable rate is intended to cover all operating costs of the vehicle (including fuel, towing, maintenance, depreciation, business insurance, etc.). The owner of the vehicle being used for business should carry vehicle insurance coverage for their protection and for the protection of any passengers. Receipts are not required for reimbursement of mileage for using privately owned vehicles.

6.13 State owned vehicles may be requested from a spending unit's motor pool according to the departments administrative policies and procedures. State owned vehicles are for official business use only and must be operated by an employee of the spending unit. Receipts/documentation are not required for use of state-owned vehicles. When the state issued gas card is not used a

receipt is required for fuel reimbursement.

6.14 Courtesy Vehicles may be used when traveling on state business. Reimbursement will be made at the prevailing rate per mile established by the Travel Management Office. Receipts are not required for reimbursement of mileage.

6.15 An original receipt for rental vehicle cost must be included with the employee expense report.

6.16 When courtesy transportation is provided by a hotel, motel, or other service facility, the traveler shall use their service.

6.17 If an employee elects to drive a personal vehicle instead of fly. The prior approval document requires the lowest applicable round trip coach airfare amount along with anticipated mileage expenses. Reimbursement for personal vehicle use in lieu of airfare is at the lower reimbursement rate and shall not exceed the lowest round trip coach airfare. An airfare itinerary from the state's contracted travel agency must be attached to the employee expense report.

6.18 Rail service may be used if it is less expensive than air travel and meets the employee's time requirements. Receipts/documentation are required for reimbursement of rail service expenses.

§ 148-17-7 Lodging

7.1 Employees shall secure the lowest rate available at a reasonably priced facility. Certain hotels and motels offer special reduced rates to state employees. Allowable reimbursement for lodging shall include the actual expenses for overnight accommodations and all applicable taxes and surcharges. Sales tax is to be paid by the traveler unless the lodging facility is located in

the State of West Virginia and billed directly to the agency.

7.2 Reimbursement for a single occupancy shall be at the least expensive single room rate available. The employee must stay at a licensed lodging facility. Employees will not be reimbursed for staying at the private residence of a relative or friend. Employees must submit original receipts with expense report for reimbursement.

7.3 While in travel status the location of the lodging facility should be as convenient as possible to the place where the business is being transacted. The meal per-diem is based on the temporary duty location, if lodging is not available at your business location, your agency may authorize or approve the maximum per diem rate for the location where lodging is obtained.

7.4 Reservations for out-of-state lodging shall be made through the contracted travel service vendor or directly with the hotel. The itinerary should indicate the lodging facility, address, telephone number, government or special rate and the confirmation number of the reservation.

7.5 The employee is responsible for confirming the accommodations reservation by mail or fax.

7.6 Employees must verify rate when checking into a lodging facility to ensure receiving the appropriate and lowest available rate. Rate differences from the rate quoted on itinerary or confirmation should be questioned and resolved at the time of check-in.

7.7 Reservations should be made with a "guarantee for late arrival" using the state issued corporate travel credit card or personal credit card. This guarantee is required if your expected arrival is later than

the facilities required check-in time or in case of travel delays. The credit card account will be charged a no-show fee if the employee does not check-in to the facility or fails to cancel the reservation, this fee is not reimbursable.

7.8 Employees must submit the original lodging receipts which show the detail of charges with their Expense Report in order to obtain reimbursement. Credit card billings are not acceptable receipts. Employees can be reimbursed only for the single room rate for lodging. For multiple occupancy, reimbursement may be claimed fully by one traveler with no claim filed by the other traveler, or each traveler may be reimbursed at equal percentages of the total actual cost for accommodations. Lodging may be direct billed if allowed by the spending units' administrative policies and procedures. The traveler must attach a copy of the lodging invoice or other proof of lodging to the expense account settlement

§ 148-17-8 Meals

8.1 Employees are reimbursed for the actual expense of a meal, up to the maximum established by the Internal Revenue Service, when there is an overnight stay. Cost of a meal includes tax and a reasonable gratuity and does not include alcoholic beverages and entertainment expenses.

8.2 The temporary duty location determines the maximum per diem meal reimbursement rate. Meal reimbursement is allowed when lodging is listed as "gratis" or no charge. Meal expenses for single day travel (without overnight stay) are not reimbursable. Reimbursement shall be as follows:

8.2.a Breakfast: An employee may not claim reimbursement for breakfast

unless he/she was required to leave home for a travel status assignment 2 hours before the travelers normal work day commences.

8.2.b Lunch: Any employee who qualifies for either breakfast or dinner may also qualify for lunch, provided the employee is traveling or is in travel status during his or her normal lunch period.

8.2.c Dinner: An employee may not claim reimbursement for dinner unless the state business caused him/her to return home from travel status 2 hours after the normal work day ends.

8.3 When meals are provided for a traveler, the traveler's maximum daily rate shall be reduced by an appropriate amount. To determine the amount of deductions for meals, allowance for meal expenses shall be deducted accordingly:

8.3.a Breakfast: 20% of the maximum daily rate.

8.3.b Lunch: 20% of the maximum daily rate.

8.3.c Dinner: 60% of the maximum daily rate.

8.4 Exceptions may be granted to meal reimbursement rates in situations when authorized by the Cabinet Secretary or Agency Head. If reimbursement is made in excess of the IRS rates or for single day travel, receipts are required and the Cabinet Secretary or Agency Head must approve the expense form. The following qualifications for extraordinary meal expense reimbursement require the exercise of good judgement in determining what is a reasonable expense:

8.4.a Guardian Travel: Employees transporting or accompanying patients, students or others entrusted to a

spending unit for their care, education or placement, may be reimbursed the actual cost of meals, not to exceed the IRS rates. Receipts (or student signature form) per the Auditor's current guidelines are required. Employees in undercover operations, law enforcement personnel and others in certain occasional overtime situations, at the direction of the Agency Head, may be reimbursed for actual expenses. These cases must have the approval of the Cabinet Secretary or Agency Head. Agencies should keep appropriate documentation on file.

§ 148-17-9 Personal/Business Travel

9.1 When an employee combines business and personal travel, the state will reimburse the employee only for expenses incurred that are directly related to the business portion of the trip. If a rental vehicle is used for both business and pleasure, and additional costs incurred because of pleasure driving will not be reimbursed. The state will not pay for expenses such as golf, sightseeing, bus tours, souvenirs and personal expenses such as movies, amusement park fees, health or private club fees.

9.2 State negotiated airline, hotel and rental car discounts may not be used for personal/vacation travel. Corporate insurance coverage will not apply when using state negotiated rate for personal /vacation travel.

9.3 The State's Corporate Travel Credit Card is prohibited to pay for personal/vacation travel. Personal/business travel billing must be clearly distinguished and not combined with state business travel billing. Only business related expenses will be reimbursed.

9.4 Telephone calling cards may be

obtained for state employees who travel routinely and place numerous long distance calls while conducting state business. Requests for telephone calling cards, or to report that a card is lost or stolen, should be directed to the Agency Head or his/her designee.

9.5 For trips involving multiple days of travel or for single day travel where the traveler is unexpectedly delayed for business reasons, or an emergency situation occurs, the traveler may make one personal telephone call home per day. Reimbursement shall be made at actual cost, not to exceed \$3.00 a day. This call must not be made on the state telecommunications or travel card.

§ 148-17-10 Travel Insurance

10.1 Employees traveling on state business must, whenever possible, use the State's corporate credit card for reimbursable expenses such as airline tickets, meals, vehicle rental and lodging. Use of this card provides travel insurance benefits.

10.2 Expenses for additional travel insurance coverage will not be reimbursed by the state.

§ 148-17-11 Expense Reporting

11.1 All travel related business must be accurately documented on an expense report approved by the Travel Management Office in order to be reimbursed. Expense reports should be submitted within 15 days after completion of trip. Employees are required to submit original paper receipts for all miscellaneous expenditures over \$75.00.

11.2 Original itemized receipts are required for any individual miscellaneous

expenditure in excess of \$75.00. The Agency Head or his/her designee may require any and/or all receipts at their option, as a means of cost control.

11.3 An agency may allow an employee to file a copied, faxed, or duplicate invoice if the original receipt is lost, however the Auditor's Office requires two original signatures, in addition to the travelers. One must be the Chief Financial Officer, or the Agency Head. The other must be a delegated agency staff person. A signature card must be on file at the State Auditor's Office.

11.4 A cash advance for travel is permissible when an employee travels a minimum of two (2) consecutive days on official business.

11.4 The minimum cash advance is \$100 with a maximum of \$200 in a seven day period.

11.3 A cash advance is for business purposes only. No cash advance for personal purposes is permitted.

11.4 The preferred method of obtaining a cash advance is to use the state corporate travel card at an ATM or bank lobby. Try to obtain your ATM cash advance at a bank location as convenience stores sometimes limit the amount of cash it will dispense. Cash advances are limited to the maximum amount authorized by the spending unit.

11.5 The employee will be reimbursed for only one (1) cash advance transaction fee, and associated fee, per trip. Unless authorized by the Travel Management Office, the original receipt ticket from the ATM machine is required for reimbursement of the ATM transaction fee.

11.6 The State Auditor's Office will process cash advances for State business related travel expenses upon authorization by the spending unit submitting the request. Cash advances may be issued for:

11.6.a All State travel expenses.

11.6.b Total estimated expenses for a student or student group.

11.6.c Other circumstances approved by the spending unit.

11.7 Cash advance settlements shall be submitted by the spending unit to the State Auditor's Office for final settlement within 30 days from completion of travel.

11.8 Failure to settle a cash advance within the time frame prescribed by the State Auditor's Office may result in suspension of cash advance privileges.

11.9 Persons traveling in foreign countries should report their expenditures in United State dollars. The total expenditure in foreign currency must be converted into U.S. dollars at the rate or rates at which the foreign money was obtained. The rates of conversion and the commissions charged must be shown. Travelers shall, whenever possible, use the corporate travel card to receive the best conversion rates and avoid high currency conversion fees.

§ 148-17-12 Credit Cards

12.1 Travelers should use the corporate charge card issued by the State of West Virginia for business related travel expenses. The state corporate credit card is intended for business use only, no personal purchases are permitted. Employees are responsible for paying their state credit card

bill promptly each month. Failure to pay the account promptly or misuse of the state corporate card may result in:

12.1.a Suspension or cancellation of charge privileges.

12.1.b Notification sent to employee's supervisors/manager.

12.1.c Legal action against the employee by the card issuer.

12.1.c Employees may be asked to sign an acceptance of responsibility form, at the Agency's discretion.

12.2 A lost or stolen corporate credit card must be reported as soon as the employee discovers it missing. Unauthorized use of stolen cards is greatest in the first few hours after the theft. Contact credit card company directly, the Travel Coordinator or Travel Management Office.

12.3 Upon termination of employment, all corporate cardholders must cut the card in half and send it to their agency's Travel Coordinator or Travel Management Office and promptly reconcile account and pay any remaining balances.

12.4 All state agencies are required to cancel employee credit card accounts immediately upon termination of their employment.

12.5 Personal charge or credit cards may be used for business travel only by employees who do not meet the issuance criteria for corporate credit card, or for establishments that do not accept the state corporate charge card. Employees will not be reimbursed for annual fees or interest on personal credit card.

§ 148-17-13 Miscellaneous Expenses

13.1 Travelers may incur miscellaneous business related expenses which may be reimbursed if appropriate. Such expenses and reimbursements must be approved by the Agency Head or his/her designee and may include, but are not limited to:

13.1.a Baggage handling and gratuities when using public transportation or conveniences (i.e., taxi, limousine, air porter services, or airport/rail curbside check-in), or when using a lodging facility that has portering (bell person) services rather than a facility where the traveler is expected to carry his/her own luggage.

13.1.b Laundry and dry cleaning when an employee is in travel status in excess of 7 days without returning home may be allowed actual cost at the agency's discretion.

13.1.c Baggage storage between appointments, and between hotels and meeting places.

13.1.d Tolls, garage and parking fees, including gratuities.

13.1.e Communication expenses such as local calls which may include a surcharge, internet connections, long distance calls which may include toll charges and surcharges, facsimiles, cablegrams or telegrams which may include toll charges, surcharges or delivery charges.

13.1.f Currency conversion.

13.1.g Guides, interpreters and visa fees.

13.2 The following items shall not be reimbursed:

13.2.a Alcoholic beverages.

13.2.b Collision damage waiver (rental car) when using State issued corporate card.

13.2.c Commuting expenses between an employee's residence and their headquarters.

13.2.d Entertainment or amusement costs, movies, 'no-show' charges, optional travel or baggage insurance, daily commuting mileage.

13.2.e Laundry and dry cleaning if on travel status less than 7 consecutive days.

13.2.f Parking or other traffic fines.

13.2.g Personal automobile accident insurance.

13.2.h Spouse/Family travel expense.

13.2.i Towing or maintenance for personal automobile.

13.2.j State travel charge card late fees and interest charges.

13.2.k Refuel charges on rental vehicles.

13.2.l Clothing

13.3 Any exceptions to this rule must be explained in writing and approved by the Travel Management Office of the Department of Administration.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Title 148, Series 17, Out-of-State Travel

Type of Rule: Legislative Interpretive Procedural

Agency: Department of Administration

Address: 1900 Kanawha Boulevard, East

Building 1, Room E-119

Charleston, WV 25305

1. Effect of Proposed Rule:

	ANNUAL FISCAL YEAR				
	Increase	Decrease	Current	Next	Thereafter
ESTIMATED TOTAL COST	-0-	-0-	-0-	-0-	-0-
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates:

No costs will be associated with the passage of the proposed rule changes as the Department of Administration already implements the items addressed in the proposed rules.

3. Objectives of These Rules:

To get Legislative approval of the Travel rules in order to have the full force and effect of the law when trying to enforce the rules.

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

None

C. Economic Impact on Citizens/Public at Large.

None

Date:

July 1, 2003

Signature of Agency Head or Authorized Representative:

Dave Tincher/dw

Dave Tincher, Director of Purchasing

[Signature]

Tom Susman, Acting Cabinet Secretary
Department of Administration



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
OFFICE OF THE CABINET SECRETARY

BOB WISE
GOVERNOR

TOM SUSMAN
ACTING CABINET SECRETARY

July 1, 2003

Via Hand-Delivery

The Honorable Joe Manchin, III
Secretary of State
Building 1, Suite 157K
1900 Kanawha Boulevard, East
Charleston, WV 25305

Re: Legislative Rules

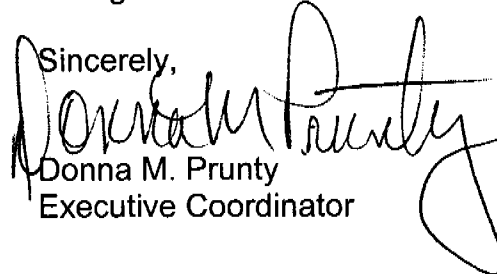
Dear Secretary Manchin,

I am enclosing an original and one copy of the documents listed below for filing. The proposed rules are being filed in regard to Out-Of-State Travel. I will provide a copy of the enclosed documents to the Legislative Rule Making Review Committee once they are marked filed by your office.

The documents enclosed consist of the following:

1. Notice of Comment Period on a Proposed Rule,
2. Statement of Circumstance and Brief Summary,
3. Proposed Rules, and
4. Fiscal Note for Proposed Rules.

Thank you very much for your assistance. If you have any questions, or need any additional information, please do not hesitate to give me a call.

Sincerely,

Donna M. Prunty
Executive Coordinator

DMP:dp
Enclosures