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TRAVEL RULES

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SECTION 1. General

1.1 Scope:

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

1.2 Authority- West Virginia Code §12-3-11

1.3 Filing Date- March 26, 1998

1.4 Effective Date- July 1, 1998

SECTION 2. Delegation of authority and responsibilities

2.1 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.

2.2 The Spending officer may also delegate authority to others within the 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.

2.3 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.

2.4 The Spending Officer may also develop administrative policies and procedures for her or his state agency, consistent with this rule, to provide additional guidance to employees and others traveling on behalf of the state agency.

- 2.5 **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. The state agency shall audit and submit an accurate expense account settlement for reimbursement to the State Auditor's Office within 15 days after completion of travel.**

SECTION 3. Travel regulations applicable to all employees, board and commission members, and non-employees

3.1 **Employees**

3.1.1 Approval to travel shall be secured in advance by the employee according to this rule and, if applicable, the administrative policies and procedures of the state agency. Under no circumstances should an employee travel without proper approval of the spending officer.

3.1.2 Employees are responsible for submitting for reimbursement a travel expense account settlement form, with all required attachments, to the travelers spending unit within the time prescribed by the Travel Management Office after the last day of the approved travel, as defined by the spending unit, to qualify for reimbursement of expenses or for payment.

3.1.3 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.

3.1.4 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.

3.2 **Board and Commission Members**

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

SECTION 4. Transportation

4.1 Air Transportation

4.1.1 Commercial Airlines

- 4.1.1.1 Allowable reimbursement for commercial airline travel shall include the actual expense or cost for the least expensive logical fare via the most direct route, or a reasonable alternative route if it results in lower fare. 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. See Section 11.
- 4.1.1.2 Travelers are expected to make advance bookings through the contracted travel service vendor to secure the least expensive airfare possible. Reimbursement for tickets where reservations were not made through the contracted travel services vendor require a written waiver from the contracted travel services vendor before reimbursement will be made unless otherwise authorized by memorandum from the Travel Management Office. Reimbursement may be made to the traveler in advance for airfare purchased between 45 and 180 days before the trip begins.
- 4.1.1.3 In order to receive reimbursement, the traveler must submit the "passenger receipt portion" or certified copy from the commercial airline ticket. If airfare is reimbursed before the trip, it must be referenced on the traveler's final expense account. Refundable or unused airline tickets shall be returned immediately to the ticket issuer for proper credit/refund.
- 4.1.1.4 Commercial airline tickets may be direct billed to the spending unit and paid before the travel if allowed by the spending units' administrative policies and procedures. The traveler must attach a copy of the "passenger receipt portion" of the airline ticket, copy of the travel agency itinerary or other proof of travel, to the expense account settlement.

4.1.1.5 If a change in the cost of airfare is incurred, the charge is reimbursable if the traveler is directed by the appropriate spending unit officer to change her or his 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.

4.1.1.6 Deliberately causing increased costs or delays to obtain personal gratuities, such as denied boarding compensation, frequent flier points or mileage, or similar benefits is prohibited. Conversion of airline tickets for personal benefit, such as downgrading tickets, returning unused tickets for cash, credit, or personal airline tickets, or similar actions, is also prohibited. Any credits, rebates or refunds resulting from these actions must be returned to the State of West Virginia. See Section 11.

4.1.2 Aircraft Owned and Managed by the Department of Administration

4.1.2.1 For state aircraft service, contact the Aviation Division of the Department of Administration. If a state aircraft is not available, the Aviation Division may arrange for charter service. Charter service will be used only when a state owned aircraft is not available.

4.1.2.2 Privately owned aircraft may not be used.

4.2 Ground Transportation

4.2.1 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.

4.2.2 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 shall not be a reimbursable expense.

4.2.3 In cases where a traveler chooses to drive rather than fly while on business, reimbursement will be based on actual in transit expenses (mileage, hotels, parking, meals, etc.), not to exceed the lowest available commercial airfare plus local transportation, and parking (where required) to and from the airport.

4.2.4 Roadside assistance services, if needed for a state vehicle, may be reimbursed at actual cost if deemed appropriate and reasonable by the spending officer.

4.2.5 State Owned Vehicles

4.2.5.1 State owned vehicles may be requested from a spending unit's motor pool according to the spending units' administrative policies and procedures. State owned vehicles are for "official business use" only and must be operated by an employee of the spending unit.

4.2.5.2 Receipts/documentation are not required for use of state-owned vehicles. When the gas card is not used a receipt is required for fuel.

4.2.6 Privately Owned Vehicles/Courtesy Vehicles

4.2.6.1 Privately owned and 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, excluding normal daily commuting mileage, for actual miles traveled using the shortest practicable route to the point of arrival at the traveler's destination. This rate is intended to cover all operating costs of the vehicle (including fuel, maintenance, depreciation, insurance, etc.), and no additional reimbursement will be made.

4.2.6.2 Receipts are not required for reimbursement of mileage for using privately owned/courtesy vehicles.

4.2.7 Commercial Rental Vehicles

4.2.7.1 Commercial rental vehicles may be used when traveling on state business with the contracted car vendor. Reimbursement for rentals not made with the contracted car vendor requires authorization from the Travel Management Office. Reimbursement will be made at actual cost for the daily rental fee for a mid-size or smaller vehicle, plus mileage fees and fuel costs. 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. Reimbursement may be made for full size vehicles if more than three (3) people are traveling together on spending unit business, and for larger vehicles if a group of five (5) or more is traveling together.

4.2.7.2 Insurance: Collision damage insurance for automobile rentals of seven (7) days or less are reimbursable, and should be taken, unless the rental has been made using the Diners Club card. Diners Club provides collision damage coverage at no cost for rentals up to 60 days.

The program does not cover the rental of trucks, campers, off road vehicles, trailers, motorized bikes, motorcycles and motorized scooters, antique cars, high value, special interest and exotic cars or vans that seat more than 15 occupants.

Collision damage insurance for rentals of more than seven (7) days are not reimbursable and should not be taken. The State of West Virginia insurance program automatically covers collision insurance for vehicle rentals more than seven (7) days. No other insurance or insurance-like product is reimbursable for rentals used in the United States, unless required by law. Full coverage insurance is a reimbursable expense for any approved rental vehicle used outside the United States.

4.2.7.3 Rental vehicles should be reserved through the contracted travel service vendor.

4.2.7.4 Receipts and/or documentation is required for reimbursement of car rental and mileage charges or fees. Reimbursement may be made for actual fuel costs. Receipts should be attached if available. Travelers must return rental cars with a full tank of fuel, refueling costs charged by rental agencies are not reimbursable.

4.2.8 Rail Service

4.2.8.1 Travelers are expected to make advanced bookings through the contracted travel services vendor and use the least expensive logical fare via the most direct route, or other reasonable route that results in a lower fare.

4.2.8.2 Receipts/documentation is required for reimbursement of rail service expenses.

4.2.9 Miscellaneous Ground Transportation

4.2.9.1 When courtesy transportation is provided by a hotel, motel, or other service facility, the traveler is encouraged to use their service.

4.2.9.2 Travelers may be reimbursed for taxi , bus, and other forms of public transportation. Receipts are not required if under the limit authorized by memorandum from the Travel Management Office.

SECTION 5. Lodging

5.1 Reimbursement

5.1.1 Allowable reimbursement for lodging shall include the actual expenses for overnight accommodations and all applicable taxes and surcharges.

5.1.2 Reimbursement for a single occupancy shall be at the least expensive single room rate available.

5.1.3 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.

5.1.4 If a change in the lodging charge is incurred, the change is reimbursable if the traveler is directed by the appropriate agency officer to change her or his travel plans, or in other extenuating circumstances, as approved by the immediate supervisor of the traveler. Charges incurred due to the failure of the traveler to notify the facility will be considered the personal expense of the traveler.

5.1.5 All out-of-state lodging reservations must be made through the contracted travel service vendor unless otherwise authorized by memorandum from the Travel Management Office. Conferences are exempt, a written waiver is not required.

5.2 Receipts

5.2.1 Receipts are required for lodging reimbursement. The hotel/motel invoice or folio shall be the official document utilized for reimbursement to the traveler

5.3 Direct Billing

5.3.1 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.

SECTION 6. MEALS

6.1 Meal expense reimbursement is limited to actual expenses for food, service and gratuities, not to exceed the Authorized Daily Rates (ADR) as established by the General Services Administration (GSA). Specifically excluded are alcoholic beverages and entertainment expenses. Where a percentage of the maximum daily rate is used, the traveler may round the calculated amount up to the next whole dollar. Meal reimbursement is allowed when lodging is listed as "gratis" or "no charge."

6.2 State employees will be reimbursed the actual cost of meals when there is an overnight stay. Employees will be reimbursed actual costs not to exceed the established General Service Administration (GSA) meal rates.

6.3 Exceptions may be granted to these rates in situations where the Cabinet Secretary/Agency Head authorizes. If reimbursement is made in excess of the GSA rates, receipts are required and the Cabinet Secretary/Agency Head must approve the expense voucher.

6.4 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, allowances for meal expenses shall be deducted accordingly:

Breakfast	20% of the maximum daily rate
Lunch	20% of the maximum daily rate
Dinner	60% of the maximum daily rate

6.5 Meal expenses for single day travel are not reimbursable. Single day travel is travel without an overnight stay. Travel without an overnight stay will not qualify a traveler as being away from home for purposes of receiving non-taxable meal reimbursement. This does not apply to Guardian Travel.

6.6 The following qualifications for extraordinary meal expense reimbursement require the exercise of good judgement in determining what is a "reasonable" expense to incur for the situation.

6.6.1 Guardian Travel: Travelers transporting or accompanying clients, 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 ADR. Receipts (or the student signature form) per the Auditor's current guidelines are required.

6.6.2 Employees in undercover operations, at the direction of the spending officer/designee, may be reimbursed for their actual expenses at the option of the spending officer/designee. Agencies should keep appropriate documentation on file.

SECTION 7. Registration fees

7.1 Fees or charges for attendance at conferences, meetings, seminars, and/or workshops, as well as event related materials, are reimbursable expenses to the traveler. Reimbursement for registration fees at meetings or conference is allowable and must be supported by a receipt. Employees should verify acceptable payment methods with the conference before the conference. Registration fees should be charged to the employee's corporate travel card or ATM cash advance.

If this is not possible, the registration can be direct billed. An agency purchase order may be issued if necessary. The traveler must attach a copy of the registration invoice or other proof of attendance to the expense account settlement.

7.2 Receipts are required for reimbursement. The receipt/documentation provided by the event sponsor shall be sufficient for reimbursement. Travelers are reminded to adjust meal reimbursement requests for meals included with the registration fee.

7.3 The traveler will not receive an allowance or reimbursement for lodging or food included in registration fees.

7.4 If a cancellation charge is incurred, the charge is reimbursable if the traveler is directed by the appropriate spending officer/designee to change her or his travel plans, or if other extenuating circumstances arise and are approved by the spending officer/designee. Charges incurred due to the failure of the traveler or the traveler's representative to notify the event sponsor will be considered a personal expense to the traveler.

SECTION 8. Other expenses

8.1 Travelers may incur miscellaneous business related expenses for which reimbursement may be made if appropriate. Receipts are required for any individual expenditure in excess of \$75.00. The spending officer/designee may require any and/or all receipts at their option. Such expenses and reimbursement may include, but are not limited to:

- 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 portage (i.e., "bell person") services rather than a facility where the traveler is expected to carry her or his own luggage;

- b. Baggage storage between appointments, and between hotels and meeting places;
- c. Tolls, garage and parking fees, including gratuities;
- d. Communication expenses such as: (1) local calls which may include a surcharge; (2) long distance calls which may include toll charges and surcharges and must be made on the current corporate communications travel card; (3) surcharges for long distance calls when the toll charges are direct billed; and (4) facsimiles, cablegrams, or telegrams which may include toll charges, surcharges, or delivery charges.
- e. Currency conversion;
- f. Guides, interpreters, and visa fees.
- g. For trips involving multiple days of travel or for single day travel where the traveler is unexpectedly delayed for business reasons, 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 cards.

8.2 Non-reimbursable travel related expenses include the cost of passports (not as a travel expense, but may be considered as a direct charge to the spending unit), interest on late payment of individually held travel cards, and personal flight or baggage insurance. Exceptions must be approved by the spending officer.

8.3 Persons traveling in foreign countries should report their expenditures in United States dollars. The total expenditure in foreign currency must be converted into United States 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 are encouraged to use the corporate travel card to receive the best conversion rates and avoid high currency conversion fees.

SECTION 9. Form of payment for business travel

9.1 Corporate Travel Card

9.1.1 Travelers should use the corporate charge card issued by the State of West Virginia for business related travel expenses. No personal purchases are permitted. The State and its agencies have reason to expect their employees to observe a standard of conduct which will not reflect discredit upon the integrity of their employees. Delinquency may result in suspension or cancellation of charging privileges. The employee is responsible for all purchases and cash advances charged to his/her card. Reimbursement from the state must be forwarded to the Corporate Travel Card Company. Employees may be asked to sign an acceptance of responsibility form, at the Agencies discretion.

9.2 Cash Advances from an Automatic Teller Machine (ATM) using the State Corporate Travel Card

9.2.1 A cash advance for either instate or out-of-state travel is permissible when an employee travels a minimum of two (2) consecutive days on official business.

Travelers may receive a cash advance of \$30.00 per day. System limits with Diners Club are a minimum of \$50.00 and maximum of \$200.00 in a rolling Seven day period.

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

The preferred method of obtaining a cash advance is to use the state corporate travel card at an ATM.

Cash advances are limited to the maximum amount authorized by memorandum from the Travel Management Office.

The employee will be reimbursed for only one (1) ATM cash advance transaction fee, and associated fees, per trip. Unless authorized by the Travel Management Office.

9.2.2 For employees ineligible to receive a state corporate travel card or those who have applied and have not yet received their card, the cash advance procedure in 9.3 applies.

9.2.3 The receipt ticket from the ATM machine is required for reimbursement of the ATM transaction fee.

9.3 Cash Advances from the State Auditor's Office

9.3.1 Cash Advances for Employees

9.3.1.1 Cash advances may be received by employees for business travel for the payment of registration fees and/or daily miscellaneous expenses where the state corporate charge card is not accepted. Cash advances may be issued for: (a) out-of-state travel; (b) a minimum of four (4) days and a maximum of the number of days approved for travel at the rate of \$30.00 per day for miscellaneous expenses; (c) the exact amount of registration fee which is \$100.00 or more; (d) the total estimated expenses for a student or student group; and (e) other circumstances approved by the spending officer/designee.

9.3.2 Settlement of Cash Advances

9.3.2.1 All cash advances must be settled by the individual traveler, and spending unit within 30 days after completion of travel. Such settlement shall be submitted by the spending unit to the State Auditor's Office for final settlement within the time frame prescribed by the State Auditor's Office.

9.3.2.2 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.

9.4 Direct Billing

9.4.1 Direct billing may be authorized by the spending officer according to the spending units' travel guidelines. The traveler is responsible for attaching to the expense account settlement copies of receipts, invoices, etc. for any direct billed fee.

SECTION 10. Reimbursement forms

The form(s) used for reimbursement of travel expenses shall be those promulgated by the Travel Management Office and State Auditor's Office.

SECTION 11. Other provisions

According to the West Virginia Ethics Commission, frequent flier miles, hotel bonus points or other travel incentives resulting from official business travel may be used only for future official business travel.

SECTION 12. Exceptions

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