

# **Travel and Per Diem Policy**



**Adopted by Resolution #06-09-22/110-51**

## Table of Contents

I. <b>Purpose</b> .....	3
II. <b>Definitions</b> .....	3
III. <b>Requirements to Travel</b> .....	4
A. Travel Requests .....	4
B. Travel Information .....	4
C. Destination .....	4
D. Signature Authority .....	4
E. Travel for Educational Purposes .....	4
F. Travel in Conjunction with Other Leave .....	5
G. Illness or Emergency .....	5
H. Travel Restrictions .....	5
I. Other Miscellaneous Requirements .....	5
IV. <b>Per Diem Rates</b> .....	5
A. Applicability .....	5
B. Partial Day Per Diem Rate .....	5
C. Restrictions .....	6
D. Overnight Travel .....	6
E. Return from Overnight Travel .....	6
V. <b>Reimbursement of Actual Expenses in Lieu of Per Diem Rates</b> .....	6
A. Applicability .....	6
B. Lodging Reimbursement .....	6
C. Meal Reimbursement .....	6
D. Receipts Required .....	6
E. Affidavit for Lost Receipts .....	7
VI. <b>Mileage Reimbursement</b> .....	7
A. Applicability .....	7
B. Reimbursement Rate .....	7
C. Reimbursement Limit for Out-of-State Travel .....	7
VII. <b>Reimbursement for Other Expenses</b> .....	7
A. Applicability .....	7
B. Receipts Required .....	7
C. Items Not Eligible for Reimbursement .....	8
VIII. <b>Travel Advances</b> .....	8

Otero County Travel and Per Diem Policy

- A. Applicability ..... 8
- B. Deadline ..... 8
- C. Return from Travel..... 8
- D. Penalty..... 8
- E. County Records ..... 9
- IX. Travel Vouchers** ..... 9
  - A. Applicability ..... 9
  - B. Return from Travel..... 9
- X. Compliance** ..... 9
- XI. Appendix**.....10
  - A. Travel Approval and Advance Request.....10
  - B. Travel Voucher for Reimbursement .....10
  - C. Affidavit for Lost Receipts.....10
  - D. Travel Policy Violation Memo.....10
  - E. Official State Mileage Map .....10
  - F. NMSA 1978 §10-8-1 thru §10-8-8.....10
  - G. 2.42.2 NMAC.....10
  - H. FY21-22 State of NM DFA Travel and Per Diem Rates .....10

I. **Purpose.** The purpose of this policy is to establish uniform processes for requesting approvals for travel, and regulations related to mileage, per diem, and the reimbursement of actual expenses while conducting official County business on approved travel.

## II. **Definitions**

- A. **“County”** means the County of Otero, New Mexico.
- B. **“County Commissioners”** means the Board of County Commissioners for the County of Otero.
- C. **“Department Head”** means the elected official of a department or the director of a department.
- D. **“Designated Post of Duty”** means the address of a public officer’s or employee’s assignment as determined by the County.
- E. **“Employee”** means any person who is in the employ of the County, whose salary is paid either completely or partially from public money.
- F. **“Home”** means (1) for per diem purposes, the area within a 35-mile radius of the place of legal residence; (2) for mileage purposes, the place of legal residence.
- G. **“Non-Salaried Public Officer”** means a public officer serving as a member of a board, advisory board, committee or commission, or a member of a volunteer fire or EMS department, who is not entitled to compensation, but is entitled to payment of per diem rates and mileage.
- H. **“Normal Work Day”** means eight hours within a nine-hour period for all public officers and employees both salaried and non-salaried, regardless of the officers’ or employees’ regular work schedule.
- I. **“Occasionally and Irregularly”** means not on a regular basis and infrequently; not in a regular pattern, as determined by the County.
- J. **“Out-of-State”** means beyond the exterior boundaries of the state of New Mexico.
- K. **“Private Transportation”** means an automobile owned by an individual for private use.
- L. **“Public Officer”** means every elected or appointed officer of the County, including all board, advisory board, committee and commission members elected or appointed to a board, advisory board, committee or commission specifically authorized by law.

- M. **“Public Transportation”** means an automobile owned by the County that is included in the insurance coverage. Or, any network of transportation for use by the public running on set routes, usually at set times, and charging set fares.
- N. **“Travel”** means for per diem purposes, being on official County business away from home and at least 35 miles from the designated post of duty of the public officer or employee.
- O. **“Travel Destination”** means the location the public officer or employee is traveling to, as noted on the Travel Approval and Advance Request form.
- P. **“Travel Voucher”** means a payment voucher submitted for the purpose of claiming reimbursement for travel expenditures.

### III. **Requirements to Travel**

- A. **Travel Requests:** Travel requests must be approved by the department head, or County Manager, prior to departure. If the traveler is requesting a travel advance, it must be submitted on the approved travel advance form to the Finance Department not less than one (1) week prior to travel, or the traveler may not receive their advance prior to departure.
- B. **Travel Information:** The travel request should include all necessary and relevant information to include appropriate brochures, agendas, schedules, itineraries or other information detailing the travel, for the Department Head to determine the total expenditure for budgetary purposes and approval of travel.
- C. **Destination:** Public officers and employees will not be eligible to receive partial day per diem or reimbursement of actual expenses for destinations 35 miles or less from the designated post of duty.
- D. **Signature Authority:** All County employees must have their travel requests and travel vouchers approved by their department head. All non-elected official department heads must have their travel requests and travel vouchers approved by the County Manager. Elected Officials and Appointed Deputies may approve of each other’s travel requests and travel vouchers.
- E. **Travel for Educational Purposes:** Travel for educational purposes for all public officers or employees shall be limited to no more than 30 calendar days of per diem or actual expense reimbursement in any fiscal year, unless approval by the County Manager is obtained.

F. **Travel in Conjunction with Other Leave:** While traveling, if a public officer or employee takes sick, annual, or authorized leave without pay for more than four (4) hours of a normal workday, per diem shall not be allowed for that day, unless authorized by the County Manager.

G. **Illness or Emergency:** The County Manager may grant permission, in writing, to pay per diem rates and travel reimbursement to a public officer or employee who becomes ill or is notified of a family emergency while traveling on official County business and must either remain away from home or discontinue the official business to return home.

H. **Travel Restrictions:** When traveling by County vehicle, public officers and employees must not drive further than an area within a 20-mile radius of their travel destination, unless they are conducting official County business, or if there are no services available in that area, to include hotels, restaurants, and gas stations. Services must be obtained from the closest available location to the travel destination.

I. **Other Miscellaneous Requirements:** Public officers and employees must have a valid driver license, and must have taken the County's Defensive Driver Course to drive a County vehicle when traveling on County business. A County vehicle should be used for work-related travel whenever possible, and persons attending the same function should make an effort to travel together to save on fuel and mileage expense.

#### IV. **Per Diem Rates**

A. **Applicability:** *Per diem rates apply specifically to lodging and meals*, and shall be paid to public officers and employees only in accordance with this section. Per diem rates shall be paid without regard to whether expenses are actually incurred, and receipts are not required. Where lodging and/or meals are provided or paid for by another organization or entity, the public officer or employee is entitled to reimbursement only for actual expenses.

B. **Partial Day Per Diem Rate:** Public officers or employees who occasionally and irregularly travel shall be reimbursed for travel which does not require overnight lodging, but extends beyond a normal work day as follows:

1. For less than 2 hours beyond a normal workday, \$0.00;
2. For 2 hours, but less than 6 hours beyond a normal work day, \$20.00;
3. For 6 hours, but less than 12 hours beyond a normal work day, \$42.00;
4. For 12 hours or more beyond a normal workday, \$59.00.

C. **Restrictions:** Public officers and employees are not entitled to payment of partial day per diem for any travel less than eleven (11) hours in duration. Additionally, public officers and employees are not entitled to payment of partial day per diem for travel that occurs regularly, for example, once a week, or the fourth Thursday of each month.

D. **Overnight Travel:** Regardless of the number of hours traveled, travel for public officers and employees where overnight lodging is required, shall be reimbursed as follows:

- |    |  |          |
|----|--|----------|
| 1. | In-State                                   | \$155.00 |
| 2. | In-State County of Santa Fe (Special Area) | \$202.00 |
| 3. | Out-of-State                               | \$155.00 |

E. **Return from Overnight Travel:** On the last day of travel, when overnight lodging is no longer required, partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed. Divide the total number of hours traveled by 24. The remaining hours constitute the partial day which shall be reimbursed as follows:

1. For less than 2 hours, \$0.00;
2. For 2 hours but less than 6 hours, \$20.00;
3. For 6 hours but less than 12 hours, \$42.00;
4. For 12 hours or more, \$59.00.

## V. **Reimbursement of Actual Expenses in Lieu of Per Diem Rates**

A. **Applicability:** Upon written request of a public officer or employee, department heads may grant approval of reimbursement of actual expenses in lieu of the per diem rate where overnight travel is required. ***Partial day travel is not eligible for actual expense reimbursement*** and shall be reimbursed by per diem rates only, per Section IV.B. of this policy.

B. **Lodging Reimbursement:** For overnight travel where lodging is required, actual expense reimbursement will be as follows:

1. Reimbursement for lodging shall not exceed the single occupancy room charge, including tax;
2. Whenever possible, hotels which offer government rates should be utilized;
3. Lodging expenses in excess of \$215 per night require the approval of the County Manager.

C. **Meal Reimbursement:** Meals cannot be purchased before travel begins, or after travel ends. Meals must be purchased during the travel period. Actual expense reimbursement for meals is limited to the following for a 24-hour period, (gratuities will not be reimbursed):

1. In-State \$59.00
2. Out-of-State \$59.00

D. **Receipts Required:** The public officer or employee must submit ***itemized receipts***, for the actual lodging and meal expenses incurred, that include the vendor or business name, date of purchase or delivery, description of the item and/or service, and total cost for the actual expense being requested for reimbursement. ***Credit card receipts showing only the total charge without itemized detail will not be accepted.*** Public officers or employees who habitually violate this section of the travel policy will not be authorized to submit for reimbursement of actual expenses in lieu of per diem, as determined by the County Manager.

E. **Affidavit for Lost Receipts:** Under circumstances where the loss of receipts would create a hardship, an *Affidavit for Lost Receipts* may be submitted detailing the date, type, and amount of the expense. The affidavit must accompany the travel voucher and include the signature of the department head of the traveler and the signature of the County Manager.

## VI. Mileage Reimbursement

A. **Applicability:** County vehicles shall be utilized whenever possible to conduct official County business. When a County vehicle is not available, the department head may approve the use of a privately owned automobile.

B. **Reimbursement Rate:** Public officers and employees shall be reimbursed for mileage accrued in a privately owned automobile as follows:

1. Reimbursement shall be 80% of the Internal Revenue Service standard mileage rate set January 1 of the previous year.
  - a) For calendar year 2022 the rate is 44.8 cents per mile
2. The mileage chart of the official state map published by the State of New Mexico Department of Transportation shall be used for distances in New Mexico, and the most recent edition of the Rand McNally road atlas for distances outside New Mexico; or
3. For destinations not included in the official state map or on the Rand McNally road atlas, actual mileage may be used if the beginning and ending odometer reading is provided and certified as true and correct by the traveler.



4. Under no circumstances shall a public official or employee fuel a privately owned automobile with County fleet fueling cards in lieu of mileage computation.

C. **Reimbursement Limit for Out-of-State Travel:** Total mileage reimbursement for out-of-state travel by privately owned automobile shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling had they traveled by common carrier.

## VII. Reimbursement for Other Expenses

A. **Applicability:** Public officers and employees may be reimbursed for certain actual expenses *in addition to per diem rates*.

B. **Receipts Required:** Public officers and employees may be reimbursed for the following expenses provided that itemized receipts for all such expenses are attached to the travel voucher:

1. **Airfare:** Actual costs for travel by common carrier, provided such travel is accomplished in the most economical manner practical, (i.e., coach class);
2. **Rental Cars:** Actual costs for car rental at the traveler's destination, provided less expensive public transportation is not available or appropriate;
3. **Registration Fees:** Actual costs for registration fees for educational programs or conferences, provided, ***if the fee includes lodging or meals, then no per diem rates shall be paid and only actual expenses not included in the fee shall be reimbursed;***
4. **Other Expenses:** Actual cost for other expenses on a case-by-case basis, as determined by the County Manager.

C. **Items Not Eligible for Reimbursement:** The following items will not be considered for reimbursement under any circumstances:

1. Alcohol purchases;
2. Tobacco purchases;
3. Gratuities;
4. Personal items;
5. Gifts or souvenirs;
6. Entertainment charges;
7. Gasoline in a private vehicle;
8. Hotel charges beyond the nightly occupancy rate (plus tax).

## VIII. Travel Advances

- A. **Applicability:** Upon written request, department heads may approve a public officer's or employee's request to be advanced up to 80% of per diem rates and mileage, or for the actual cost of lodging and meals, and for other applicable travel expenses that may be incurred which are eligible for reimbursement. **Travel advances may only be requested when overnight travel is required.**
- B. **Deadline:** **Requests for travel advances must be submitted no less than one (1) week prior to travel** unless there are extenuating circumstances preventing the traveler from doing so, which must be documented in writing and submitted with the request for travel advance, along with a signature of the department head of the traveler.
- C. **Return from Travel:** Upon return from travel, a public officer or employee shall remit to the County, within five (5) business days, a refund of any excess advance payment, as determined by the amount of total expenses paid for the trip by the traveler as claimed on their travel voucher.
- D. **Penalty:** If there are amounts due to the County from a public official or employee as a result of travel after a period of thirty (30) days from return of travel, a *Travel Policy Violation Memo* will be issued. It is the responsibility of a public official or employee in arrears to the County in any amount, to reimburse the County within thirty (30) days of receipt of the Travel Policy Violation Memo. Amounts left unpaid after such date will be subject to wage withholding from the next pay period, with possible personnel action, up to and including termination from County employment.
- E. **County Records:** The County is responsible for maintaining records of travel advances authorized by department heads.
1. **Employee Ledgers:** The County shall keep individual employee ledgers for travel advances. The ledger shall include the following information to provide an adequate audit trail:
    - a) *Employee name*
    - b) *Employee number*
    - c) *Employee department*
    - d) *Dates of travel*
    - e) *Travel destination*
    - f) *Date of travel advance payment*
    - g) *Check number of travel advance*
    - h) *Amount of travel advance*

- i) *Total reimbursement claimed*
- j) *Additional per diem or refund due*

2. **Year-End Closing:** The County shall review all travel advances prior to the end of the fiscal year and collect or pay all outstanding amounts if possible. Any receivables or payables outstanding at year-end must be recorded on the books and records of the County.

## IX. **Travel Vouchers**

A. **Applicability:** Travel vouchers and supporting schedules and documents shall conform to the policies and procedures manuals issued by the financial control division of the department of finance and administration.

B. **Return from Travel:** Upon return from travel, a public officer or employee shall submit to the County, within five (5) business days, a completed travel voucher along with any itemized receipts that are being claimed for reimbursement.

## X. **Compliance**

Any provision which is not addressed specifically in this policy shall be in accordance with the most recent version of 2.42.2 NMAC and NMSA 1978 §10-8-1 thru §10-8-8, relating to reimbursement of public officials and employees for per diem, mileage, and other travel related expenses.

## XI. **Appendix**

- A. Travel Approval and Advance Request
- B. Travel Reimbursement Request
- C. Affidavit for Lost Receipts
- D. Travel Policy Violation Memo
- E. Official State Mileage Map
- F. 2.42.2 NMAC
- G. NMSA 1978 §10-8-1 thru §10-8-8
- H. FY22-23 State of NM DFA Travel and Per Diem Rates