

Enrolled
Senate Bill 556

Sponsored by Senator EDWARDS; Senator BURDICK, Representatives GILLIAM, MATTHEWS,
READ (Presession filed.)

CHAPTER

AN ACT

Relating to mileage reimbursement rates by state agencies; creating new provisions; amending ORS 292.220 and 292.250; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 292.250 is amended to read:

292.250. (1) *[No person shall]* **A person may not** be reimbursed by *[the state]* **a state agency** for the use on official or state related business of a privately owned motor vehicle at a rate to exceed the *[rate]* **rates** established and regulated by the Oregon Department of Administrative Services. Reimbursement shall be paid only for distances actually traveled and trips made in the performance of official or state related duties.

(2) The department shall adopt a statewide policy for implementation of a tiered mileage reimbursement rate schedule for reimbursement by state agencies for the use of a privately owned motor vehicle while conducting state business.

(3) The reimbursement rates adopted by the department must be equivalent to the reimbursement rates established by the United States General Services Administration for reimbursement for the use of privately owned motor vehicles when conducting government business.

[(2)] **(4) [The rate prescribed in subsection (1)] The rates adopted under subsection (2)** of this section shall be deemed to be in full compensation for all and every expense, charge or liability incurred through the use of the privately owned motor vehicle, including the cost of gasoline, oil, repair parts, depreciation, taxes, insurance and maintenance and upkeep of every kind and nature.

[(3)] **(5)** No law enacted before August 2, 1951, allowing the recovery by any person of necessary and reasonable traveling expenses incurred in the performance of official duties shall be construed to authorize payment by the state for the use of a privately owned motor vehicle on a basis in excess of the rate provided in subsection (1) of this section.

SECTION 2. The Oregon Department of Administrative Services shall periodically report to the Legislative Assembly, by January 2 of 2013, 2015 and 2017, findings about the use of the tiered mileage reimbursement rate schedule adopted under the amendments to ORS 292.250 by section 1 of this 2011 Act. The report shall be made in the manner prescribed by ORS 192.245.

SECTION 3. ORS 292.220 is amended to read:

292.220. The amounts and nature of subsistence allowances for travel, and the rate of mileage allowance for travel by private automobile, payable by state agencies, shall be *[established]* **adopted** and regulated by the Oregon Department of Administrative Services within any limits that may be

prescribed by statute. The department shall prescribe by rule the conditions under which allowances for travel by private automobile may be made.

SECTION 4. The amendments to ORS 292.220 and 292.250 by sections 1 and 3 of this 2011 Act apply to requests for mileage reimbursement made on or after January 1, 2012.

SECTION 5. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by Senate March 24, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 12, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State