

A-Engrossed
Senate Bill 556

Ordered by the Senate March 21
Including Senate Amendments dated March 21

Sponsored by Senator EDWARDS; Senator BURDICK, Representatives GILLIAM, MATTHEWS, READ (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon Department of Administrative Services to adopt *[by rule]* **statewide policy for implementation of** tiered rate schedule for reimbursement by state agency of mileage expenses of persons using privately owned motor vehicle while conducting state business.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to mileage reimbursement rates by state agencies; creating new provisions; amending ORS
3 292.220 and 292.250; and declaring an emergency.

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

5 **SECTION 1.** ORS 292.250 is amended to read:

6 292.250. (1) *[No person shall]* **A person may not** be reimbursed by *[the state]* **a state agency** for
7 the use on official or state related business of a privately owned motor vehicle at a rate to exceed
8 the *[rate]* **rates** established and regulated by the Oregon Department of Administrative Services.
9 Reimbursement shall be paid only for distances actually traveled and trips made in the performance
10 of official or state related duties.

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

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

18 *[(2)]* **(4) [The rate prescribed in subsection (1)] The rates adopted under subsection (2)** of this
19 section shall be deemed to be in full compensation for all and every expense, charge or liability in-
20 curred through the use of the privately owned motor vehicle, including the cost of gasoline, oil, re-
21 pair parts, depreciation, taxes, insurance and maintenance and upkeep of every kind and nature.

22 *[(3)]* **(5)** No law enacted before August 2, 1951, allowing the recovery by any person of necessary
23 and reasonable traveling expenses incurred in the performance of official duties shall be construed
24 to authorize payment by the state for the use of a privately owned motor vehicle on a basis in ex-
25 cess of the rate provided in subsection (1) of this section.

26 **SECTION 2. The Oregon Department of Administrative Services shall periodically report**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 to the Legislative Assembly, by January 2 of 2013, 2015 and 2017, findings about the use of
2 the tiered mileage reimbursement rate schedule adopted under the amendments to ORS
3 292.250 by section 1 of this 2011 Act. The report shall be made in the manner prescribed by
4 ORS 192.245.

5 **SECTION 3.** ORS 292.220 is amended to read:

6 292.220. The amounts and nature of subsistence allowances for travel, and the rate of mileage
7 allowance for travel by private automobile, payable by state agencies, shall be [*established*] **adopted**
8 and regulated by the Oregon Department of Administrative Services within any limits that may be
9 prescribed by statute. The department shall prescribe by rule the conditions under which allowances
10 for travel by private automobile may be made.

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

13 **SECTION 5.** This 2011 Act being necessary for the immediate preservation of the public
14 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
15 on its passage.
16
