

Senate Bill 556

Sponsored by Senator EDWARDS; Senator BURDICK, Representatives GILLIAM, MATTHEWS, READ (Presession 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 **as introduced**.

Requires Oregon Department of Administrative Services to adopt by rule 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 by rule a tiered mileage reimbursement rate schedule for**
12 **reimbursement by state agencies for the use of a privately owned motor vehicle while con-**
13 **ducting state business. The schedule adopted must include reimbursement rates for:**

14 **(a) Use of a privately owned motor vehicle when a state-owned vehicle is not available;**

15 **(b) Use of a privately owned motor vehicle when a state-owned vehicle is available;**

16 **(c) Use of a privately owned motor vehicle when the state agency employing the person**
17 **using the privately owned motor vehicle is committed to use of a state-owned motor vehicle;**

18 **(d) Use of a privately owned motorcycle; and**

19 **(e) Use of a privately owned airplane.**

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

24 [(2)] **(4) [*The rate prescribed in subsection (1)*] The rates adopted under subsection (2) of this**
25 **section shall be deemed to be in full compensation for all and every expense, charge or liability in-**
26 **curred through the use of the privately owned motor vehicle, including the cost of gasoline, oil, re-**
27 **pair parts, depreciation, taxes, insurance and maintenance and upkeep of every kind and nature.**

28 [(3)] **(5) No law enacted before August 2, 1951, allowing the recovery by any person of necessary**
29 **and reasonable traveling expenses incurred in the performance of official duties shall be construed**
30 **to authorize payment by the state for the use of a privately owned motor vehicle on a basis in ex-**

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 cess of the rate provided in subsection (1) of this section.

2 **SECTION 2.** The Oregon Department of Administrative Services shall periodically report
3 to the Legislative Assembly, by January 2 of 2013, 2015 and 2017, findings about the use of
4 the tiered mileage reimbursement rate schedule adopted under the amendments to ORS
5 292.250 by section 1 of this 2011 Act. The report shall be made in the manner prescribed by
6 ORS 192.245.

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

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

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

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

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