

STATE OF NEW MEXICO
COUNTY OF EDDY

RESOLUTION R-21-109

EDDY COUNTY TRAVEL POLICY AND PROCEDURES MANUAL

WHEREAS, the state Per Diem and Mileage Act (§§10-8-1 to 10-8-8 NMSA 1978) and the state Administrative Code (2.42.2 NMAC) governs the reimbursement for travel of all public officers and employees of local public bodies; and

WHEREAS, the state Per Diem and Mileage Act authorizes the County to adopt, by resolution, regulations relating to the Per Diem and Mileage act including reducing or eliminating per diem and mileage reimbursement (§10-8-8B NMSA 1978);

WHEREAS, this policy repeals and replaces previous travel policies with the adoption of this policy.

WHEREAS, personnel is to include any grant funded personnel and persons acting on behalf of Eddy County,

NOW, THEREFORE BE IT RESOLVED by the Eddy County Board of Commissioners, that the following rules and regulations regarding per diem, mileage and travel shall become effective on January 1st, 2022:

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Objective

The objective of this policy is to establish uniform rules, regulations, and guidelines related to the approval of travel requests, reimbursement of expenses, and per diem while conducting county business.

Definitions

- A. "Actuals" means any expenses charged to a County purchasing card or out of pocket expenses that are reimbursable to the traveler.
- B. "Designated post of duty" means the address of a public officer's or employee's assignment, such as County Seat, designated work place, office, etc. Designated post of duty does not include a place of residence.
- C. "Travel" means for per diem purposes, being on official business away from home and at least 35 miles from the designated post of duty of the public officer or employee.
- D. "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.
- E. "Normal work day"
 - 1. 8 hours within a nine-hour period for all public officers and employees of both salaried and non-salaried, regardless of the officers' or employees' regular work schedule.
 - 2. 10 hours within a eleven-hour period for all public officers and employees of both salaried and non-salaried, regardless of the officers' or employees' regular work schedule.
 - 3. 12 hours within a thirteen-hour period for all public officers and employees of both salaried and non-salaried, regardless of the officers' or employees' regular work schedule.
- F. "Occasionally and irregularly" means not on a regular basis and infrequently as determined by the agency. For example, an employee is not entitled to meal rates under this subparagraph if the employee either travels once a week or travels every fourth Thursday of the month. However, the employee is entitled to meal rates under this subparagraph if the employee either travels once a month with irregular destinations and at irregular times and travels four times in one month and then does not travel again the next two months, so long as this is not a regular pattern.
- G. "Board or committee meeting" means the formal convening of public officers who comprise a board, advisory board, commission or committee even if no further business can take place because of the lack of a quorum.
- H. "Private Transportation" means: An automobile owned by an individual for private use, an aircraft owned by an individual for private use
- I. "Public Transportation" means: An automobile owned by Eddy County that is included in the insurance coverage. Any network of transportation for use by the public running on set routes, usually at set times and charging set fares.
- J. "Official County Business" means: Business directly associated with County Government and duties directly related to the primary functions of the requestors responsibilities in the County Government.
- K. "Partial Day" means: Travel which does not require overnight lodging, but extends beyond a normal workday, OR the last day of travel where overnight lodging is no longer required.

****All elected officials, department heads, and county employees with a valid county purchasing card are encouraged to utilize their p-card for travel expenses. If a cardholder utilized the P-card for any travel expense it will be deemed actual expenses.**

Travel Requirements

- A. All requests for in-state and out-of-state travel requiring an approval in accordance with the sections County Day Travel and In-State and Out-of-State Travel Where Lodging is Required on page 6 of this policy, by a public officer or employee shall be requested on approved travel forms. Any request not completed on the required forms will not be processed. Requests must be approved by the Department Head and the Board of County Commissioners in accordance to in-state and out-of-state travel on page 6, prior to departure, except as otherwise noted. The request to travel must include **ALL** necessary documentation as required by the approved form and appropriate brochures, agendas, schedules, or other information detailing the travel. Any requests not completed with the required information will not be processed. It is the responsibility of the department and individual, who is requesting funds, to ensure that all information is included.
- B. County Employees can only receive either per diem or actual expenses when overnight lodging is required, **NOT BOTH**. Public officers or employees will not be eligible to receive per diem or actual expenses for destinations thirty-five (35) miles or less from the designated post of duty. Destinations exceeding thirty-five (35) miles will be eligible for per diem or actual expenses. Overnight travel will only be granted for destinations exceeding 75 miles from the designated post of duty or when determined necessary by the Board of County Commissioners.
- C. Travel for educational purposes shall be limited to, for any and all public officers or employees, no more than 30 calendar days of per diem or actual expenses in any fiscal year, unless approval by the Board of County Commission is obtained.
- D. An employee, public-officer or non-salaried public official must have a valid driver's license to travel on any county-approved functions. A County vehicle should be used for work-related travel and persons attending the same functions should make an effort to travel together to save mileage costs.
- E. Cardholders are required to use their own pcard for the travel expenses. If a traveler does not have a county issued pcard then another party, such as department head, Chief, Assistant Chief or an accompanying traveler may pay for travel expenses, **EXCEPT** meals. Another cardholder **CANNOT** pay for meals for a traveler who does not have a pcard. If a traveler does not have a pcard they will be reimbursed meal expense as long as all receipts are itemized and provided to the Finance Department upon return. You must also provide a travel form and documentation of the reason for the travel. Actuals expenses will not exceed the daily (24 hour period) limit as specified in this policy.
- F. Confidential travel will be exempt from Board of County Commission approval due to the nature of the travel and public notice of the travel. The travel form will require the County Manager's signature in accordance with the in-state and out-of-state requirements on page 6 of this policy.

Per Diem Rates

Applicability: Per Diem shall be paid only in accordance with the provisions set forth in this section without regard to whether expenses are actually incurred. When lodging and/or meals are provided or paid for by Eddy County, or another governmental entity, the public officer or employee is only entitled to reimbursement of actual expenses. Per Diem will not be authorized for any public officer or employee who, while traveling, takes sick annual or authorized leave without pay for more than four 4 hours of the normal work day.

- A. Overnight Per Diem (meals and lodging) Computation:
 1. In state areas \$151.00
 2. In state special area \$194.00
 3. Out of state areas \$151.00

Reimbursement of Actual Expenses

Travel rates for reimbursement of actual expenses or use of pcard for travel will be as follows:

- A. Actual lodging rates: A public officer or an employee may elect to be reimbursed actual expenses for lodging not exceeding the single occupancy room charge (including tax). Whenever possible, public officers and employees should stay in hotels which offer government rates.

- B. Actual meal rates: Actual expenses for meals are limited by Section 10-8-4(K)(2) NMSA 1978 to a maximum of \$55.00 for in-state travel and \$55.00 for out-of-state travel for a 24-hour period.
- C. Receipts required: The public officer or employee must submit receipts for the actual meal and lodging expenses incurred. Under circumstances where the loss of receipts would create a hardship, an affidavit from the officer or employee attesting to the expenses may be substituted for actual receipts. The affidavit must accompany the travel form and include the signature of the employee and Elected Official/Department Head.
 - 1. The affidavit is a replacement of a lost receipt and a statutory requirement that itemized receipts are submitted for reimbursement and with your pcard statement. In the description, specific purchases are required and the price of the purchase.
 - 2. Public officers or employees who habitually violate this section of the travel policy will not be authorized to submit for reimbursement of actual expenditures in lieu of per diem.
 - 3. Non-itemized receipts: Under circumstances where an itemized receipt is unobtainable and a hardship would be created without reimbursement, an affidavit from the officer or employee attesting to the expense may be submitted for itemized receipts. The affidavit must accompany the non-itemized receipt the travel voucher and must include the signature of the employee and Elected Official/Department Head. Over using the affidavit form will result in the cancellation of a pcard. The cardholder must take necessary steps to contact the vendor and request a copy of the itemized receipt and avoid using the affidavit.
- D. Gratuity: Not to exceed 20% of the initial charge or exceed the maximum \$55.00 for in-state travel and \$55.00 for out-of-state for a 24-hour period.

Partial Day Where Over-Night Travel is No Longer Required

- A. Return from overnight travel: On the last day of travel when overnight lodging is no longer required, actual expenses will be limited to the partial day per diem rates. To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel; divide the total number of hours traveled by 24; the number of hours remaining constitute the partial day which shall be reimbursed as follows;
 - 1. For less than 2 hours of travel beyond the normal workday, none;
 - 2. For 2 hours, but less than 6 hours beyond the normal work day, \$18.00;
 - 3. For 6 hours, but less than 12 hours beyond the normal workday, \$40.00;
 - 4. For 12 hours or more beyond the normal workday, \$55.00

Reimbursement for Other Expenses

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

- A. Receipts required: Public officers and employees may be reimbursed for the following expenses provided that receipts for all such expenses are attached to the travel form;
 - 1. Actual costs for travel by common carrier, provided such travel is accomplished in the most economical manner practical;
 - 2. Rental cars or charter aircraft, provided less expensive transportation is not available or appropriate;
 - 3. 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 paid by the officer or employee and not included in the fee shall be reimbursed with the limits based on the Reimbursement of Actual Expenses section of this policy;
 - 4. Professional fees or dues that are beneficial to the agency's operations or mission;

Mileage

- A. Mileage will be reimbursed at the following rate as specified in Section 10-8-4 Subsection D.
 - 1. Fifty-six cents (\$.56) per mile for each mile traveled in a privately owned vehicle.
 - 2. One Dollar and twenty-six cents (\$1.26) for each mile traveled in a privately owned airplane.
- B. Mileage accrued shall be reimbursed at the rate set forth as followed:
 - 1. pursuant to the mileage chart of the official state map published by the state highway and transportation department for distance in New Mexico and the most recent edition of the Rand-McNally (<http://maps.randmcnally.com/mileage-calculator.do>) road atlas for distances outside of New Mexico; or

2. Mileage will be determined by designated post of duty in accordance with NMAC 2.42.2.11. If official business is transacted while commuting from home to post of duty or from post of duty to home, mileage shall not be paid for the number of miles between the post of duty and home; or
 3. In determining mileage you may also use address to address only to and from official county business when on business travel.
- C. When at all possible, use a county vehicle when traveling for county business.
 - D. Mileage reimbursements only must be requested on an Eddy County Mileage Reimbursement Form.
 - E. Elected Officials and county employees may not be eligible for mileage reimbursement if a county vehicle is made available for use during travel. Exceptions to this must have elected official or department head approval prior to travel.
 - F. Rental cars should be acquired at government rates or lower, and placed on the p-card. ***Wells Fargo provides insurance when paid by the p-card, so employees should decline the optional insurance.***

Travel Advances

- A. All county employees may apply for up to 80% of anticipated travel expenses in advance of travel at least 2 weeks prior to the scheduled travel date. Requests for advanced travel expenses after that time frame may not be honored. All requests for 20% reimbursement of travel expenses must be turned in within 10 days of your trip or the expense report will be denied. Documentation must be included with travel advances when requesting an advance.

County Day Travel

- A. County day travel, in-state or out-of-state, not requiring reimbursement or not utilizing the county pcard does not require a travel form.
- B. County day travel, in-state or out-of-state, requiring reimbursement or utilizing the county pcard will require a travel form that must be signed and approved by the Elected Official/Department Head.
- C. A copy of the approved travel form requesting reimbursement must have all required documentation and be correct and complete, with all signatures required, to obtain a reimbursement.
- D. All county employees must request and obtain approval for any day travel requiring reimbursement or utilizing the county pcard for travel expenses.
- E. According to NMAC 2.42.2.8:
County day travel will be on partial day meal rates:
 1. for less than 2 hours of travel beyond normal work day, none
 2. for 2 hours, but less than 6 hours beyond normal work day, \$18.00
 3. for 6 hours, but less than 12 hours beyond normal work day, \$40.00
 4. for 12 hours or more beyond the normal work day, \$55.00

In-State and Out-of-State Travel Where Overnight Lodging is Required:

- A. In-State: travel form approval by the Elected Official/Department Head.
- B. Out-of-State: travel form approval by the Elected Official/Department Head and County Manager, and must be taken to Commission for approval.

Airline Vouchers

- A. In the event you have to cancel a trip or are delayed during a trip and an airline's policy does not allow for reimbursement of airline tickets and a voucher is issued instead of a refund, the public officer or county employee may purchase the voucher from the county for the amount of the voucher for personal use.
- B. The public officer or county employee must turn in the travel voucher to the Finance Department immediately upon issuance from the airline, prior to the purchase of the voucher from the county. You must submit the original voucher and not a copy.
- C. All purchases of vouchers are final.
- D. According to the airline's policy, only the purchaser of the airline ticket can redeem the voucher. The vouchers are not transferable.
- E. The name on the voucher is the only individual allowed to purchase the voucher from the county. If your name is not on the voucher, you will not be authorized to purchase the voucher from the

- county and your purchase form will be rejected by the Finance Department.
- F. In order to purchase your voucher from the county please follow the guidelines below:
1. Fill out the Eddy County Airline Voucher Purchase Form which is given to you when the voucher is brought to the Finance Department.
 2. Include all information on the form.
 3. Get required signatures
 4. Issue a copy of the form to the Treasurer's office with your payment for the voucher.
 5. Submit the Treasurer's receipt to the Finance Department.
 6. You will be given your voucher at the time the Finance Department receives your receipt.
 7. According to the vouchers you have a limited time to use the voucher and an expiration date will be on the voucher. This is in accordance with the airline policy and not related to this policy or the contents of this policy.
 8. All airline vouchers purchases are final. You cannot sell your voucher back to the county.

Unauthorized Charges

- A. Disallowed expenses include (*but not limited to*) the list below:
1. Movie charges
 2. Internet charges (unless prior approval was granted on travel request)
 3. Alcohol charges
 4. Any personal charge
 5. Spousal or family charges
 6. Splitting travel expenses on two separate cards. Each cardholder must use their own card for their own travel.

****NOTE: Unauthorized charges WILL be subject to card cancellation.**

Miscellaneous

- A. Under no circumstances are alcoholic beverages to be charged on the p-card or reimbursed to the employee. If alcohol is charged to a county p-card the card will be cancelled.
- B. If the request for travel cannot be approved at a regular commission meeting due to time constraints or other extenuating circumstances, the Department Head may authorize emergency travel.
- C. Room service charge and lounge charges MUST have an itemized receipt. Affidavits will not be allowed in place of a receipt. If these charges are not accompanied by an itemized receipt, the employee will be required to reimburse the county for the full amount.
- D. If any travel expense outside the boundaries of Eddy County is charged to the County P-Card, an approved travel request must accompany P-card statement.
- E. Internet charges are for business purposes ONLY and must be signed by the department head as approved on the actual travel request form.
- F. Any questions or clarifications should be addressed through the Eddy County Finance Department.
- G. Under no circumstances will total meal reimbursements exceed \$55 per day for in-state travel or \$55 per day for out-of-state travel.
- H. Requests for reimbursement checks will only be processed during normal check runs.
- I. Non county employees are limited to \$1,500 for travel expenses per fiscal year unless otherwise approved by the Department of Finance and Administration (DFA).
- J. A "Working Lunch" is not allowed in accordance with this policy determined by a 24 hour period of travel and partial day definition where overnight lodging is not required.
- K. It is ultimately the cardholder's responsibility to turn their statement into their approver for review, whether they reconcile their pcard statement themselves or designate a reconciler within their department to reconcile their pcard statement. Cardholders can choose to have their designated reconciler turn it in to the cardholder's approver, but any findings pertaining to the statement will be a violation towards the cardholder, not the reconciler.
- L. Travel forms are required to be complete and correct and will result in a violation to the cardholder if they are not. No travel form will be accepted for reimbursement if it is incomplete or incorrect. A violation will be issued if a travel form attached to pcard statement is incomplete or incorrect. Submitting a second form once you have returned from your trip is not necessary unless your trip charges from the first travel form changed significantly. For example, you were going to take a county vehicle and ended up taking your personal vehicle, or you ended up

changing the dates of your travel. Those situations are examples of what changes would require an updated form.

- M. Affidavits are not to be used in excess. As a cardholder, it is your responsibility to keep your receipts and turn them in with your statement.
- N. Meal overages or gratuity overages will result in a violation even though the overage was reimbursed to the county prior to turning in statements because the overage was a violation at the time of the transaction.

PASSED AND ADOPTED this 7th day of December, 2021 in an open meeting of the Eddy County Commission in Carlsbad, NM.

EDDY COUNTY BOARD OF COMMISSIONERS
EDDY COUNTY, NEW MEXICO

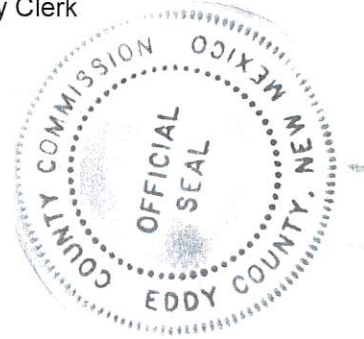
ATTEST:



Steven McCutcheon, Commission Chairman

by 

Darlene Rosprim, County Clerk



State of New Mexico Per Diem Rates

As Published by DFA on May 1, 2021

Per Diem Rate for Overnight Travel	FY21	FY22
In-State	85.00	151.00
In-State - County of Santa Fe (Special Area)	135.00	194.00
Out-of-State	115.00	151.00
<i>With the exception of Santa Fe County, per diem rates are set at the standard GSA rate.</i>		
Meal Rates for Actual Reimbursements	FY21	FY22
In-State	30.00	55.00
Out-of-State	45.00	55.00
<i>Note: Meals are only reimbursable when using approved actual rates (per 24-hour period)</i>		
Partial Day/Return from Travel/Same Day	FY21	FY22
less than 2 hours	-	-
2 hours but less than 6	12.00	18.00
6 hours but less than 12	20.00	40.00
12 hours but less then 24	30.00	55.00
<i>The Travel & Per Diem Act allows for actual reimbursement when per diem rates are insufficient.</i>		