

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

Amendment of Chapter 3-10
Hawaii Administrative Rules

June 23, 1999

SUMMARY

1. §§3-10-1 to 3-10-4 are amended.
2. §§3-10-6 to 3-10-14 are amended.
3. Chapter 3-10 is compiled.

HAWAII ADMINISTRATIVE RULES

TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

CHAPTER 10

TRAVEL RULES

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- §3-10-14 Exemptions and rulings by comptroller

Historical Note: Chapter 10 of Title 3, Hawaii Administrative Rules, is based substantially upon the Rules and Regulations Governing Travel and Transportation Expenses. [Eff 1/15/76; am 12/12/78; R 6/01/81]

§3-10-1 Purpose. The purpose of these rules is to provide uniform application of the Hawaii Revised Statutes and administrative policies, as they relate to travel expenses incurred by state employees and representatives in connection with official business of the State. [Eff 6/01/81; am and comp **JUL 23 1999**]
(Auth: HRS §40-13) (Imp: HRS §40-13)

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§3-10-2 Effect of rules. These rules work in conjunction with comptroller's regulations, policies and memorandum governing travel and transportation expenses. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-3 Applicability. (a) Except as otherwise provided by statute, these rules apply to all persons employed by the State and to all other persons representing the state on official business.

(b) Except as otherwise provided by statute, these rules apply to all travel expenses regardless of the source of funding, unless a non-state entity pays for the entire cost of travel (including per diem and all incidental costs) and makes all travel arrangements.

(c) Wherever there is a conflict between these rules and the provisions of a collective bargaining agreement that is in effect, the provisions of the collective bargaining agreement take precedence; excluded employees under chapter 89, HRS, shall receive the same application of such provisions as employees included in the related bargaining unit.

(d) These rules take precedence over conflicting travel policies, written or unwritten, of any department or agency of the state. Written travel policies for internal administration within departments and agencies are encouraged, but are subordinate to these rules. The head of each department is responsible for compliance with the requirements of the rules. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-4 Approval required for out-of-state and intrastate travel. Unless otherwise directed by the governor, and except as otherwise prescribed by statute:

- (1) A department head's written approval is required for out-of-state travel by any officer, employee, or other authorized representative of the department or of

an agency under the department. The governor's written approval is required for out-of-state travel by a department head or the head of any other executive agency not under a department.

- (2) Any delegation by a department head of authority to approve out-of-state travel (where a department head's approval is required) must be filed with the comptroller in writing.
- (3) An amended approval for out-of-state travel is required whenever there is a change in the itinerary, dates, or purpose of the previously approved travel.
- (4) Intrastate travel must be approved by the department head or as delegated by the department head. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-5 Travel status. An employee or representative is considered to be on travel status only during the time when conducting official business away from the employee's or representative's regular place of business and while traveling to and from the place at which official business is transacted. Unless otherwise specified and approved by the comptroller, travel status begins with departure of common carriers from the island on which the traveler's regular place of business is located and terminates upon the traveler's return to that island. [Eff 6/01/81; comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-6 Routing of travel. (a) Travel route(s) shall be the most economical and direct route(s) available to the point(s) of business destination.

(b) Travel tickets shall be for complete routes, including all direct connections. Any charges related to travel not applicable to state business will be the responsibility of the employee. This includes

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stopovers, special or short-run trips, backtracking, personal side trips or any other routing impacting the lowest possible fare. Any specific airline preference that will increase the cost of the fare shall be borne by the traveler.

(c) Any additional cost(s) resulting from changes for personal travel shall be the responsibility of the traveler. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-7 Preferred times of travel. Official business and related travel shall be conducted, whenever practicable, within the typical work week, Monday through Friday, and within the typical work day. The comptroller may disallow any unwarranted expenditure for weekend or holiday travel. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-8 Means of transportation. (a) Departments and agencies authorizing travel shall, in all cases, be sure that the means of transportation are justified by the circumstances.

(b) Unless otherwise justified and approved by the governor, travel shall be by the most economical means consistent with time available and urgency of the trip.

(c) Out-of-state trans-ocean travel shall not be allowed. Travel by train, bus, or private automobile will be allowed only when the traveler can justify that travel by air is not available, feasible or, appropriate.

(d) Inter-island travel shall be by regularly scheduled transportation whenever available, feasible, and otherwise appropriate. In selecting the means of transportation for inter-island travel, departments and agencies shall consider travel time and per diem costs in determining the most economical means. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-9 Allowable travel time involving air transportation. (a) Unless otherwise authorized by comptroller, allowable travel time is the time necessary to travel by the most direct route to and from the points specified in the approved travel plan or request, plus the time necessary to conduct the required official business.

(b) Every effort shall be made to reserve complete travel schedules well in advance to avoid delays at transfer points.

(c) Travel time in excess of allowable travel time as provided in this section may be required by the comptroller to be charged to vacation time or to leave without pay. [Eff 6/01/81; am and comp **JUL 23 1999**]
(Auth: §40-13) (Imp: §40-13)

§3-10-10 Travel allowances. (a) Funds for travel expenses. Funds for travel expenses, including per diem allowances and reimbursable expenditures, may be secured by way of a cash advance, or by way of reimbursement of expenditures upon completion of the trip. Advances shall be limited to the cost itemized on the approved travel plan, request, or form, plus other determinable anticipated expenses.

(b) Per diem allowances. A per diem is a specific allowance for each day to cover the personal expenditures of a traveler, such as meals, lodging, tips, laundry, and other necessary expenditures incident to travel. It is not intended to include expenditures having to do with the conduct of official business.

(1) The rate of per diem is prescribed in section 78-15, HRS. When accommodations or lodging is made available to the traveler without charge, a department head shall prescribe a lower rate of per diem. The per diem allowance shall be granted for time on travel status. (See §3-10-3 (c)).

(2) Per diem allowances are as follows:
(A) If travel requires overnight absence from the traveler's regular place of business, a traveler shall be allowed per diem as prescribed by statute. The rate shall apply uniformly

and equitably for all travelers in all cases, except that when accommodations or lodging is made available to the traveler without charge, a department head shall prescribe a lower rate of per diem:

- (B) In computing the per diem allowance for overnight travel, the calendar day (midnight to midnight) shall be the unit. For fractional parts of the day included at the beginning or end of continuous travel, one quarter of the rate of a calendar day shall be allowed for each period of six hours or fraction thereof.
- (C) Subsistence allowance for trips not requiring overnight absence and for trips when accommodations or lodging is made available to the traveler without charge shall be as follows:
 - Breakfast - Eight percent of per diem rounded to the nearest dollar.
 - Lunch - Twelve percent of per diem rounded to the nearest dollar.
 - Dinner - Twenty percent of per diem rounded to the nearest dollar.
- (D) Breakfast shall be allowed when the travel time begins before 8:00 a.m.
- (E) Lunch shall be allowed for departing travelers when the travel begins before 12:00 noon; lunch shall be allowed for returning travelers when travel time ends after 12:30 p.m.
- (F) Dinner shall be allowed when the travel time ends after 7:00 p.m.
- (G) "Statement of Intra-State Travel Completed," issued by the Comptroller shall be used to document per diem for trips not requiring overnight absence.
- (H) "Statement of Completed Travel," issued by the Comptroller shall be used to document per diem for trips requiring overnight absence.

(3) Except as otherwise authorized by the governor, no per diem or transportation allowance, as such, will be granted when out-of-state travel by train, bus, or private automobile is authorized and air transportation is available and feasible, but the traveler shall be reimbursed to the extent of the total cost for air transportation by the most direct route, including per diem necessitated by such air transportation, as if such air transportation had been utilized.

(4) When meals are furnished to the traveler in connection with an approved training program or other program approved by a department head, the department head must require adjustment of per diem, at the prescribed subsistence rates, to avoid duplicate payment for meals:

Breakfast -Eight percent of per diem rounded to the nearest dollar.
Lunch -Twelve percent of per diem rounded to the nearest dollar.
Dinner -Twenty percent of per diem rounded to the nearest dollar.

(c) Adjustments for vacation or leave without pay. When vacation or leave without pay is added at the beginning or end of official travel, the allowance for transportation shall be the cost of transportation allowable under section 3-10-8 as if such allowable transportation had been utilized.

(d) Other expenses, which meet the stipulated conditions and are supported by receipts where receipts are issued in the normal course of business are allowed in addition to transportation and per diem:

(1) Taxi fare to and from transportation terminals for official travel shall be allowed only when buses or limousines are not available or accessible, when government transportation cannot be economically obtained, and when private automobiles on a mileage basis cannot reasonably be used. Taxi and private automobiles used on mileage basis shall be shared by travelers whenever

- possible. Rental of cars shall be allowed where it would be impractical to obtain necessary transportation in government owned vehicles or privately owned vehicles on a mileage basis, and where public carriers are not available to the point to be visited.
- (2) Other miscellaneous necessary and reasonable expenditures when incurred by the traveler in connection with official business. For example: parking fees; refueling charges; registration fees; telephone fees; telephone calls; radiograms; secretarial fees; baggage transfers (does not include tips for portage); currency exchange fees or cost of traveler's checks for out-of-state travel to the extent that the currency or checks do not exceed the amount of per diem and allowable expenses; fees for passports and visas; cost of photograph; certificates of birth, health, and identity; costs of affidavits necessary; and charges for inoculation which cannot be obtained through state facilities. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-11 Taxes, fees, and commissions on transportation. No separate agency fees or commissions of any kind levied against the State will be allowed. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp. HRS §40-13)

- §3-10-12 Travel expense accounting and reporting.
- (a) Travel advances:
- (1) Payments of travel advances are accounted for as expenditures at the time the related travel advance vouchers are paid. One copy of any approval required under section 3-10-4 must support a voucher for payment of a travel advance.
 - (2) On the accounting records of the comptroller, payments of travel expenses are not recorded as advance receivable; the respective

expending agencies are responsible for accounting for the advances as receivable for the purpose of settlement upon completion of travel.

- (3) Any person receiving a travel advance must report to that person's expending agency the actual travel expenses incurred. The "Statement of Completed Travel", issued by the Comptroller, may be used for this purpose, and must be accompanied by any supporting expenditure details and related receipts.
- (4) Expending agencies are responsible for obtaining and depositing any overadvanced amounts due to the State under this chapter.
- (5) When additional payments are due to the traveler for underadvanced amounts, the voucher for the additional payment must be supported by a statement of completed travel, any expenditure details, and any related receipts applicable to amounts to be reimbursed to the traveler.
- (b) Travel without advances:
 - (1) Payments of travel expenses not involving travel advances are accounted for as expenditures at the time the vouchers are paid for the actual travel allowances under section 3-10-10. One copy of any approval required under section 3-10-4 must support each voucher for payment.
 - (2) Any person traveling on an "overnight" basis must submit, for voucher support, a statement of completed travel. A person traveling on a "less than overnight" basis must submit, for voucher support, a statement entitled "Statement of Intra-State Travel Completed", issued by the Comptroller. The statement must include any expenditure details and any related receipts applicable to amounts to be reimbursed to the traveler. [Eff 6/01/81; am and comp **JUL 23 1999**] (Auth: HRS §40-13) (Imp: HRS §40-13)

§3-10-13 Allowances for privately owned vehicles.

(a) Flat allowances. Flat monthly allowances for the use of private automobiles on official business may be secured in special circumstances by direct request to the comptroller. The amount of any flat monthly allowance shall be adjusted proportionately in the event the payee has not used payee's own car on official business for five or more working days because of vacation, sickness, or any other cause.

(b) Mileage reimbursements.

(1) Authorization for mileage reimbursements.

(A) Although the motorpool shall provide vehicles whenever possible, department heads or their authorized representative may authorize any subordinate to use privately owned vehicles on official business on a mileage allowance basis when publicly owned vehicles of the department or from the motor pool of the department of accounting and general services are not available or are not practical to use.

(B) Each department shall submit to the motor pool, by March 31 and September 30 of each year, a mileage report listing the position and the miles traveled during the preceding six months for each employee who uses the employee's private vehicle an average of 750 miles or more per month on official business.

(2) When authorized as provided in section (b)(1) above, mileage reimbursement is allowed for transportation from place to place as required in the normal course of an employee's or official's performance of assigned duties, including transportation to and from terminals in conjunction with official inter-island or out-of-state travel, and parking fees incurred in connection with such transportation.

(3) Transportation between the home and the regular place of business of an employee or official is not considered official business,

and no mileage or other reimbursements is allowed for such transportation, except:

- (A) If an employee or official, with the approval of the employee's or official's department head or any one of the department head's authorized representatives, finds it more practical to travel directly between home and a job site or other place of official business, rather than to go first to the employee's or official's regular place of business, the employee or official may be reimbursed for miles between home and the job site which are in excess of the miles normally traveled between home and the regular place of business. Except as set forth in subparagraph (b) (3) (C) below, no employee or official will be allowed mileage for traveling directly between home and a job site if the miles traveled are less than the miles normally traveled between home and the regular place of business.
- (B) If an employee or official, with the approval of the employee's or official's department head or any one of the department head's authorized representatives, finds it more practical travel directly between home and the transportation terminal, in conjunction with official inter-island or out-of-state travel, the employee or official may be reimbursed for miles between home and the transportation terminal which are in excess of the miles normally traveled between home and the regular place of business. In no case, however, will mileage reimbursement be allowed if there is no such excess, except as set forth in subparagraph (b) (3) (C) below.
- (C) Mileage reimbursement is allowed to employees or officials for use of privately owned vehicles, when travel between home and a business destination, or between home and the transportation

terminal, is approved by the department head or any one of the department head's authorized representatives, and occurs other than during the employee's or official's normal working hours. If the travel occurs on the employee's or official's normal working day at a time the employee or official usually commutes to or from work, such mileage reimbursement is allowed only for miles that are in addition to the usual commuting trip. If such travel is due to overtime work, such mileage reimbursement is allowed only for miles that are in addition to one roundtrip between home and the regular place of business.

- (4) The mileage allowance rate for automobiles applicable to any officer or employee for whom the rate is not otherwise set by law shall be, for each fiscal year beginning on July 1, the highest rate lawfully applicable to any officer or employee on that date, and the mileage allowance rate for motorcycles shall be one-half of such rate for automobiles. (See §3-10-3 (c)).
- (5) To qualify for this allowance, each employee or officer is required to carry liability insurance as required by chapter 431, HRS.
- (6) State Accounting Form C-33 shall be used to record and report mileage traveled on official business and related parking fees incurred.

(c) Mileage allowance for employees serving as jurors:

- (1) Section 612-8, HRS, prescribes a mileage rate for each mile actually and necessarily traveled in going to court.
 - (2) Each employee serving as juror shall state on oath to the clerk of the court the number of miles traveled for which he is entitled in reimbursement. [Eff 6/01/81; am and comp
- JUL 23 1999**] (Auth: HRS §40-13)
(Imp: HRS §40-13)

§3-10-14 Exemptions and rulings by the comptroller. When the application of any rule in this chapter would create undue hardship for the employee or substantial injury to the interests of the State, the comptroller may waive any part of the rules contained herein as is necessary and proper to avoid such hardship or injury and determine the amount of a reasonable and necessary allowance. Any such waiver by the comptroller shall be documented, and one copy shall be transmitted to the governor. [Eff 6/01/81; am and comp HRS §40-13)] (Auth: HRS §40-13) (Imp: HRS §40-13)

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DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

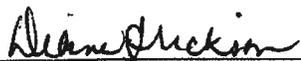
The amendments to chapter 3-10, Hawaii Administrative Rules, on the Summary Page dated June 23, 1999, were adopted on June 23, 1999, following a public hearing held on March 5, 1999, after public notice was given in the Honolulu Star Bulletin on January 29, 1999.

These amendments to chapter 3-10, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.



RAYMOND H. SATO
State Comptroller

APPROVED AS TO FORM:



Deputy Attorney General

LIEUTENANT GOVERNOR'S
OFFICE

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BENJAMIN J. CAYETANO
GOVERNOR
STATE OF HAWAII

Dated: 7/12/99

JUL 13 1999

Filed