

Business Use of Private Vehicles

Resources:

- Travel information and [forms](#) visit the state website or the [Court's Intranet](#) for form FI40A & FI40B
- [Higher Mileage Reimbursement Request](#) (formerly "Increased Reimbursement Request") court form for approval of higher rate
- Fleet website: <https://fleet.utah.gov/>
- Section [12-01.00 Travel Per Diem Rates](#) for current mileage rate
- [Risk Management Defensive Drivers Test](#)

Purpose:

The state has implemented a mileage reimbursement program that requires the courts to reimburse employees for personal vehicle use at a rate equal to, or less than, the per mile cost of a mid-size sedan operated by the Division of Fleet Operations. Personal vehicles operated for official State business purposes also receive back-up liability insurance coverage under Utah Risk Management but no vehicle physical damage coverage as noted in #2 below.

Policy:

1. Unless permission is given to use a private vehicle or a rental vehicle, State vehicles shall be used for official State business. If no state vehicle is available, management may require an employee to use a rental vehicle in lieu of a personal vehicle
2. All employees (including Senior Judges) and volunteers who use their personal vehicle or a state vehicle for State business, must take the [State Driving Test](#) every two years. Per Risk Management [Rule R37-1-8\(8\)](#) of the Utah Administrative code: *"Covered entities shall require and document that all employees and volunteers who operate entity vehicles, or their own vehicles on entity business, complete a Fund-approved or Fund-provided driver safety program at the time of initial employment and at least once every two years."* **Compliance with this Risk Management Rule is designed to minimize the risk the Courts will have to draw on State-supplied backup liability insurance coverage to a Court employee who uses their personal vehicle for official State business. The State backup policy does not provide physical damage coverage for any personal vehicles that are used for official State business because the state does not have an insurable interest in personal vehicles.**

Court employees should consult with their vehicle insurer to ensure their private auto policies will provide coverage for official State business use.

3. Judges, the State Court Administrator and those authorized by court executives or respective department heads (as defined by the State Court Administrator), and those authorized by Court Executives or respective Department Heads at the local level, may elect to use private vehicles for official state business travel. If a State Vehicle leased by the Court is available or through daily rental from the State Motor Pool, and a private vehicle is used, the reimbursement rate shall be less than if no State Vehicle is available. See [Section 12-01.00](#) for current high and low rates.
4. Prior to authorization for reimbursement at the higher rate for personal vehicle use, the "Higher Mileage Reimbursement Request" form must be filled out by the traveler and signed by the Court Executive or designee, or State Level Administrator. The request form must accompany the "Travel Reimbursement Request". Senior Judges are presumed to have no access to State vehicles and are reimbursed at the higher mileage rate. This policy section exempts Senior Judges from submitting this form with any travel documents.
5. The A/V team in the AOC IT Department is authorized to drive a private vehicle and be reimbursed at the higher mileage rate, due to the urgent need to repair court recording equipment.
6. Since substantial savings are often possible when using State vehicles in lieu of private vehicles, those authorizing the use of private vehicles should carefully review each request. If authorization is granted to use a private vehicle when a State Vehicle is available through State Motor Pool daily rental, or from the current lease of a State Vehicle by the Court, the private vehicle reimbursement shall be at the lower rate.
7. Authorized use of a private vehicle on official business will be reimbursed at the lower rate unless a State Vehicle is not available. The legislature has added another reimbursement object code to determine mileage reimbursed at the lower rate compared to mileage reimbursements at a higher rate. The following object code changes should be used as necessary:
 - Object code 6002 = lower instate rate
 - Object code 6004 = higher instate rate
 - Object code 6052 – lower out-of-state rate
 - Object code 6054 = higher out-of-state rate
8. Mileage reimbursement for Interpreters shall be at the rate set in the interpreter section of the Accounting Manual. Mileage reimbursement for County Employees from Contract Court sites shall be eligible for the higher rate if no state vehicle is available to county employees. Justice Court Clerks and Judges traveling to Judicial Council sponsored functions (i.e. training, board meetings, and conferences) shall be reimbursed at the higher rate. Mileage rates for individuals who contract with the Judiciary for presentations or who are volunteer members of Boards and/or Committees and are eligible for mileage reimbursement shall receive the higher rate.
9. Travelers using private vehicles for business use will be reimbursed for actual out-of-pocket costs for incidental items such as parking fees and tolls.

10. When two or more court employees are traveling in a private car, only one employee will be reimbursed for vehicle costs.
11. Reimbursement will not be allowed for commuting between the employee's place of residence and the court facility or office considered the principal place of assignment.
12. On the FI40A form, employees should generally select wage type 1183. Wage type 1122 should only be selected if:
 - a. the reimbursement is for mileage from a telework location to a primary business office, or
 - b. the telework location is your principal place of assignment.
13. Reimbursement will not be allowed for miles traveled for purposes other than official business.
14. Computation of non-commute mileage will commence from the court facility or office considered the principal place of assignment to the point of destination unless:
 - The distance from the point of origin other than the principal court facility or office to the destination is less; or
 - The travel is between one court facility, or office, and another.
15. Expenses for damage to a private vehicle are the responsibility of the traveler or his/her insurance company. The court reimbursement rate includes an amount for the cost of insurance for a private vehicle. However, a liability claim against a traveler in excess of the limit provided by that traveler's personal policy is subject to payment by the State Risk Management fund.
16. Mileage claims are subject to verification from the latest official State Road Map and the latest UDOT State Mileage Chart. Mileage claims are subject to adjustment to reflect the most economical and usually traveled routes.
17. Requests for reimbursement which involve only mileage must be made on the "Private Vehicle Usage Report" (Form FI-40a) to the local court or department payroll clerk. All information requested on the form should be complete. The form must be signed by both the traveler requesting reimbursement and the appropriate supervisor and a copy provided to the local budget support staff person.
18. Vicinity and/or local travel must be shown separately from mileage between points of travel and must be clearly identified with an explanation for its necessity.
19. Travel should be coordinated to minimize the cost of private vehicles. If one or more employees from a given location are planning to attend the same meeting, and private use of a vehicle is authorized, travel in private vehicles will be approved only for the number of vehicles sufficient to transport those attending.
 - a. Employees from a given location attending the same meeting will not be allowed to take separate vehicles to the meeting and all be reimbursed.
 - b. Any exception must be approved in writing by the appropriate Department Head prior to actual travel and a copy of the approval submitted to the AOC Finance Department with the employee's "Private Vehicle Usage Report"

20. For in-state travel, if an employee desires to fly instead of drive, a quote from state travel must be obtained when seeking approval from the State Court Administrator or designee.
21. For Out-of-State Travel. An employee may choose to drive instead of fly, but must be approved by the State Court Administrator, or designee prior to doing so.
 - a. If the employee drives a private vehicle instead of flying, reimbursement will be at the lower cost per mile or the airfare, **WHICHEVER IS LESS**, unless an exemption is approved by the State Court Administrator in an email. Contact State Travel @ 801 538-3350 for a comparison quote which must accompany the travel reimbursement request.
 - b. If an exemption is approved, the "Request for Out of State Travel Authorization" (Form FI-5) must clearly state that the State Court Administrator has approved a specific exemption from the "lesser of mileage or airfare" rule.
 - c. Allowances for meals and lodging will be paid for the same period of time that would have occurred had the employee flown as will reimbursements for parking and tolls.
 - d. If during the employee's normal work week, an employee opts to drive a rental car instead of fly to an out of state location for court authorized business, and travel time using the rental car is greater than the time which would have been spent had the employee flown the excess time spent driving will be counted as hours of annual leave and will be deducted from any annual leave currently due the employee.
22. If the employee is including personal time while traveling on official state business, and state travel calculations reflect the ticket will cost more; the traveler must write a check to the state for the difference at the time the ticket is issued.
23. Documentation required for travel reimbursements may include:
 - a. "Private Vehicle Usage Report" (Form FI-40), for commutes and day trips where only mileage reimbursement is due.
 - b. "Request for Out of State Travel Authorization" (Form FI-5), This is required if travel was out-of-state.
 - c. "Travel Reimbursement Request" (Form FI-51A, B, C or D), where mileage reimbursement and per diem reimbursement is due, and the traveler **spent the night** (lodging may be listed or included in a direct bill).
 - d. "Employee Reimbursement/Earnings Request" (Form FI-48), for any advance or reimbursement for **Non-overnight** Taxable Meal.
 - e. See specific travel reimbursement policies for needed documentation for different types of travel.