

DECISION



12641 PLM-1
Mr. Heitman

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-194166

DATE: January 22, 1980

MATTER OF: Thomas D. Salter - [Constructive Travel
Expenses] - Rental Car

DIGEST: Employee, who voluntarily returned home from temporary duty on weekend, may not include constructive cost of car rental for period in which no official business was performed. Employee contends Government would have saved money if car had been retained over weekend since constructive cost of returning car to rental agency would have exceeded cost of returning. However, rental car was used by employee incident to travel to and from airport and such cost equals or exceeds alleged constructive savings.

This action is in response to a request for reconsideration by Mr. Thomas D. Salter of our decision B-194166, June 4, 1979. Mr. Salter's claim for constructive cost of a car rental was denied because no official business was performed during the weekend when he voluntarily returned home from temporary duty.

Mr. Salter has provided a cost comparison in support of his contention that it would have been impractical to return the rental car over the weekend. The cost comparison includes traveltime, mileage, round-trip bus fare, and a rental car drop-off charge. Mr. Salter also says that in order to return the car over the weekend, he would have had to drive the car downtown to the hotel. The reverse procedure would be used to pick up the car on the following workday.

Mr. Salter also says that Internal Revenue Service (IRS) - AB600004 travel regulations allow the use of Government-furnished vehicles on nonworkdays; therefore, such use should also apply to commercially rented vehicles. The IRS travel regulation, Internal Revenue Manual Transmittal 1763, section 211(7), is similar in nature to paragraph 1-2.6a of the Federal Travel Regulations (FTR) (FPMR 101-7) (May 1973), which provides that Government-owned or Government-furnished vehicles may be used by employees in certain instances.

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Before addressing the question of returning the car to the rental agency we note, as Mr. Salter states, that FTR para. 1-2.6a allows the use of a Government-owned or Government-furnished vehicle for travel to restaurants, etc. under certain circumstances. However, the regulation does not apply to commercial rental cars, and states that the use of such cars is limited to official purposes. Further, its use for other purposes such as eating, etc., is limited to those instances where public transportation is unavailable or its use is impractical. This is apparently not the case since Mr. Salter has mentioned the availability of bus service from downtown to his hotel. Also, there is no showing that any car was necessary for travel to restaurants, etc., on a weekend. Accordingly, there is no basis to determine what constructive cost would be allowable under FTR para. 1-2.6a.

Mr. Salter specifically states that the following cost comparison shows that it would have been impractical to return the rental car over the weekend:

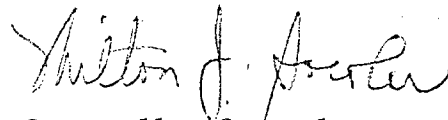
"Travel Time: 3-1/2 hours	\$39.50
Travel Costs: Mileage, 30 miles @ 9¢/mile	2.70
: Roundtrip Bus Fare	1.80
Rental Car 'Drop-off' charge	5.00
Estimated Cost of returning car	49.00
Cost of keeping car	27.00
Net Savings by keeping car over the weekend	<u>22.00</u>

Mr. Salter states that he rented the car at the Kansas City International Airport and that it was used to commute between the IRS Center and his hotel. He states that the IRS Center and his hotel are south of Kansas City, Missouri, whereas the airport is north of Kansas City. He also states that there is no public transportation available between the Center and his hotel and that the nearest rental car office is located in downtown Kansas City. The rental car company also charges \$5 when a car rented at the airport is dropped off at the downtown office. He states that in order to return the car over the weekend he would have had to drive the car downtown on Government time and ride a bus from downtown to his hotel. The reverse procedure would be used to pick up the car on the following day.

Mr. Salter's travel voucher shows that he left the IRS Center at 12:30 p.m., October 6, 1978, and returned there at 9:30 a.m., October 10, 1978. We do not know what Mr. Salter's working hours are. However, assuming that he has an 8-hour tour of duty with a 45-minute lunch period, such as 8:15 a.m. to 5 p.m., it appears that he spent more Government time in traveling to and from the Kansas City Airport than he would have if he had returned the car to the downtown office and picked it up there. The voucher also shows that Mr. Salter claimed and was paid round-trip mileage between the IRS Center and the airport. Since the airport is north of Kansas City and the IRS Center is south of that city, it appears that he has been paid mileage that equals or exceeds the estimated mileage and bus fare that would have been paid had Mr. Salter returned the car to the rental car Kansas City downtown office.

Since the IRS approved payment of the car rental, we believe the drop-off charge would be payable if the record showed a savings resulting from turning the car in at the downtown office of the rental car agency. However, since there does not appear to be any savings because Mr. Salter traveled on Government time and was paid mileage, and since the monetary value of these items may very well exceed the \$5 drop-off charge, we have no basis for authorizing the payment of such charge. Accordingly, our decision of June 4, 1979, is sustained.

While we have not been presented with the question of charging Mr. Salter leave for the time he spent traveling home on the weekend, we point out that weekend return travel constitutes an exception to the directive of scheduling of travel contained at 5 U.S.C. § 6101(b)(2) and should be performed outside the employee's regular duty hours or during periods of authorized leave. 55 Comp. Gen. 1291 (1976). Inasmuch as that principle was set out in a case involving authorized weekend return travel, it applies also to voluntary weekend return travel.



For The Comptroller General
of the United States