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DECISION



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

FILE: B-203978

DATE: March 11, 1982

MATTER OF: Lloyd Chynoweth - Privately owned conveyance - Local travel

DIGEST: Employee of Bureau of Reclamation who uses his car for local travel is not entitled to reimbursement for commuting from his residence to his work station except, and subject to the agency's discretion, on those days when travel which requires overnight lodging is performed. However, again in the agency's discretion, employee is entitled to reimbursement for use of his car for travel between his two regular places of duty.

The issue in this case is whether Mr. Lloyd Chynoweth, an employee of the Bureau of Reclamation, is entitled to reimbursement for use of his privately owned vehicle for local travel between his residence and his work stations in any of the circumstances presented below. We hold that Mr. Chynoweth is not entitled to reimbursement for use of his car to commute to his duty stations except on those days when he will be going on a trip which requires overnight lodging. However, within the agency's discretion, he is entitled to reimbursement for travel performed between two locations within his duty station.

The issue is presented by Mr. Paul D. Rachetto, an authorized certifying officer with the Bureau of Reclamation (Bureau), Department of the Interior. Mr. Chynoweth is employed by the Bureau as a pilot. Although the Federal Building in Billings, Montana, is designated as his official duty station, the Bureau informs us that he has no office there and spends only one-half day there each week. Normally he reports directly to duty to an airplane hangar at the Billings Airport. The Federal Building is approximately 7 miles from his residence, while the hangar is approximately 8 miles from his residence. Both the Federal Building and the airport are reportedly within the corporate limits of Billings; the distance between the two is approximately 5 miles.

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The Bureau determined it would be advantageous to the Government if Mr. Chynoweth used his privately owned vehicle (POV) when commuting from his residence to the airport and from the Federal Building to the airport.

The certifying officer asks whether, and to what extent, Mr. Chynoweth can be reimbursed for use of his POV under the following circumstances:

"1. Mr. Chynoweth drives directly from his residence to the airplane hangar to work on official business. No flights are scheduled for him on this day.

"2. Mr. Chynoweth drives directly from his residence to the airplane hangar. He is scheduled for an 8 hour flight.

"3. Mr. Chynoweth drives directly from his residence to the airplane hangar. He is scheduled for a flight which involves overnight lodging.

"4. Mr. Chynoweth drives directly from his residence to the Federal Building and does not report to the airplane hangar."

We have consistently held that an employee must bear the cost of transportation between his residence and his place of duty at his official station, absent statutory or regulatory authority to the contrary. Gilbert C. Morgan, 55 Comp. Gen. 1323 (1976); 36 Comp. Gen. 450 (1956); Bollinger and Muckenfuss, B-189061, March 15, 1978.

In the present situation, Mr. Chynoweth has two places of duty to which he regularly reports, although he spends the preponderance of his time at the airport. However, both places of duty are within the limits of his official station (Billings, Montana) and neither is a temporary duty station.

The Federal Travel Regulations, FPMR 101-7 (September 1981) (FTR) define official station as bounded by the corporate limits of the city or town in which the

officer or employee is stationed. FTR para. 1-1.3(c) (1). Temporary duty has been interpreted to denote work performed in a travel status, and, therefore, necessarily involves the travel of an employee away from his official station. See 21 Comp. Gen. 591 (1941).

Therefore, since an employee is responsible for his own commuting expenses Mr. Chynoweth is not entitled to reimbursement for use of his car to commute between his residence and the airport or the Federal Building.

However, on those days when travel is performed by the employee, mileage expenses may be allowed in certain instances for travel between the employee's residence and his official duty station. Paragraph 1-2.3d of the FTR provides:

"Between residence and office on day travel is performed. Reimbursement may be authorized or approved for the usual taxicab fares, plus tip, from the employee's home to his/her office on the day he/she departs from the office on an official trip requiring at least one night's lodging and from the office to his/her home on the day he/she returns to the office from the trip, in addition to taxi fares for travel between office and carrier terminal."

Paragraph 1-4.2c(2), FTR, states as follows:

"Round trip when instead of taxicab between residence and office on day of travel. Instead of using a taxicab under 1-2.3d, payment on a mileage basis at the rate of 22.5 cents per mile [the current rate] and other allowable costs as set forth in 1-4.1c shall be allowed for round-trip mileage of a privately owned automobile used by an employee going from the employee's

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residence to the employee's place of business or returning from place of business to residence on a day travel is performed. However, the amount of reimbursement for the round-trip shall not exceed the taxicab fare, including tip, allowable under 1-2.3d for a one-way trip between the points involved."

The exception to the general rule that an employee must bear the cost of transportation between his residence and his place of duty as provided in paragraphs 1-2.3d and 1-4.c(2) of the FTR is in recognition of the fact that an employee may incur additional expenses, above the ordinary commuting cost for which he should be reimbursed on days he departs from his office on an official trip requiring at least one night's lodging. Expenses such as transporting luggage and traveling to a carrier terminal or using a POV are comparable to the additional expenses incurred when an employee travels directly to a carrier terminal or travels by POV directly from his residence on an official trip. See 48 Comp. Gen. 447 (1968); 44 Comp. Gen. 505 (1965); 36 Comp. Gen. 476 (1956).

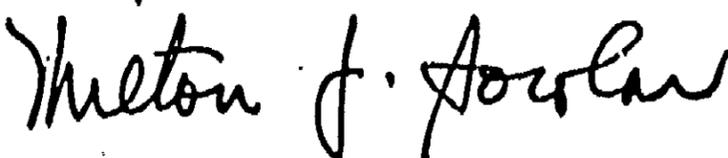
Under the above provisions, the allowance for reimbursement for use of a POV is discretionary with the agency involved. 59 Comp. Gen. 333 (1980). In the present circumstances, since it does not appear that Mr. Chynoweth incurs additional costs above those he would incur on days when no travel is performed, it would not be an abuse of discretion for the Bureau to determine that mileage in lieu of the taxicab fare should not be paid. However, the final discretion as to whether mileage should be allowed in the circumstances is within the discretion of the agency to be exercised in light of all pertinent facts.

Regarding the travel for official business performed by Mr. Chynoweth between the Federal Building and the airport, FTR para. 1-4.1 authorizes the reimbursement to employees of the expense of the use of privately owned conveyance within or outside their official station. An employee's travel to a different workplace within his

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official station, e.g., other than his usual workplace, may be considered travel for official business within the exercise of administrative discretion. See 36 Comp. Gen. 795 (1957); Arthur K. Henning, B-186065, October 8, 1976. Therefore, it is within the Bureau's discretion to reimburse Mr. Chynoweth for such travel.

Accordingly, reimbursement may be authorized as set out above.

for 
Comptroller General
of the United States