

**DECISION**

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

FILE: B-182277

DATE: AUG 14 1975

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**MATTER OF: Daniel S. Linhardt - Travel Expenses: Hotel Bill  
in Lieu of Taxicab Fare to Residence**

**DIGEST:** Employee stationed in Washington, D.C., was authorized per diem while performing temporary duty in Newark, New Jersey. His train arrived back in Washington, D.C., at 10:45 p.m., and he elected to stay in hotel because of late hour and lack of public transportation to his residence in Taylorstown, Virginia. Employee is entitled to be reimbursed the cost of hotel lodging in lieu of taxicab fare to his residence. Reimbursement may not exceed maximum taxicab fare otherwise allowable.

This matter is before us on a request for an advance decision from an authorized certifying officer of the Interstate Commerce Commission as to the propriety of certifying for payment the travel voucher of Mr. Daniel S. Linhardt for expenses incurred on a temporary duty assignment from his headquarters in Washington, D.C., to Newark, New Jersey.

The record shows that by Travel Authorization dated August 27, 1974, Mr. Linhardt was authorized to travel for temporary duty from Washington, D.C., to Newark, New Jersey, and return and that the travel cost was estimated at \$39.50 consisting of \$12 per diem, \$22.50 transportation, and \$5 other expenses. Mr. Linhardt was also authorized a per diem allowance of supportable lodging costs plus \$12 per day not to exceed \$25 per day.

The record further shows that the travel to Newark, New Jersey, was performed on August 28, 1974, and that Mr. Linhardt returned to Washington, D.C., by train at 10:45 p.m. He states on his travel voucher that due to the lateness of the hour he was unable to secure reasonable transportation to his home and that if a taxicab had been used it would have cost about \$35. He elected to stay overnight in Washington and is claiming one full day's per diem at \$25, based on \$14.84 for lodging accommodations at the Harrington Hotel plus \$12, not to exceed \$25. He also claims \$2 for subway and taxicab fares.

The pertinent regulation applicable to Mr. Linhardt's case is section 1-7.6a of the Federal Travel Regulations (FPMR 101-7) (May 1, 1973), which provides in pertinent part as follows:

"1-7.6. Per diem computation rules.

"a. No allowance at permanent duty station. Per diem in lieu of subsistence may not be allowed an employee either at his permanent duty station or at his place of abode from which he commutes daily to his official station.\* \* \*"

It is a well-established rule that the subsistence of civilian employees at their official duty stations is personal to such employees and in the absence of specific statutory authority may not be provided at Government expense. 42 Comp. Gen. 149 (1962), cf. 53 id. 457 (1974).

Since under the above-cited regulations, per diem is not allowed at a permanent duty station, and since the actual time of arrival thereat must be used in computing per diem payable, no basis exists for allowing per diem after 10:45 p.m., August 28, 1974, the actual time of arrival at the employee's headquarters.

As to the proper amount of reimbursement for travel of 24 hours or less, section 1-7.6d of FPMR 101-7 provides:

"(1) Travel of 24 hours or less. For continuous travel of 24 hours or less, the travel period shall be regarded as commencing with the beginning of the travel and ending with its completion, and for each 6-hour portion of the period, or fraction of such portion, one-fourth of the per diem rate for a calendar day will be allowed.\* \* \*"

Under this rule Mr. Linhardt would be entitled to three-fourths of the per diem allowance of \$12 stated in his travel authorization, or \$9.

Although the full day's per diem claimed may not be allowed, Mr. Linhardt is entitled to be reimbursed for his hotel room. Section 1-2.3c of FPMR 101-7 provides as follows:

"c. To and from carrier terminals. Reimbursement will be allowed for the usual taxicab and airport limousine fares, plus tip, from common carrier or other terminal to either the employee's home or place of business, from the employee's home or place of business to common carrier or other terminal, or between an airport and airport limousine terminal.

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However, an agency shall, when appropriate, restrict the use of taxicabs hereunder or place a monetary limit on the amount of taxicab reimbursement when suitable Government or common carrier transportation service, including airport limousine service, is available for all or a part of the distance involved."

It appears that there was no suitable Government or public transportation available to Taylorstown, Virginia, at 10:45 p.m. when the employee arrived in Washington, D.C. Hence, Mr. Linhardt was entitled to take a taxicab to his home which he estimates would have cost approximately \$35. B-179823, July 14, 1975. An employee on official travel is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. FPMR, para. 1-1.3a. Since the estimated amount of \$35 for taxicab service exceeded Mr. Linhardt's expenses for staying overnight at the Harrington Hotel, we conclude that the hotel bill of \$14.84 may be reimbursed in lieu of taxicab fare to Taylorstown, upon submission of a proper receipt. For future reference, we believe such reimbursement may not exceed the maximum taxicab or limousine fare otherwise allowable.

The \$1 subway fare and the \$1 taxicab fare to the hotel may also be paid. Accordingly, the voucher may be certified for payment in the amount of \$25.84, upon submission of proper receipts.

R.F. KELLER

Deputy Comptroller General  
of the United States