

Chapter 3. Mileage Reimbursement Regulation

Regulation #R100-04: AC-03

Section 1. Authority; Purpose

1-1. *Purpose.* The Tribe recognizes that representatives of the Tribe may travel for business purposes while utilizing a personally owned vehicle. Accordingly, the Tribe will make efforts to provide accommodations for reimbursement of mileage to offset the costs associated with the use of a personally owned vehicle. However, the Tribe reserves the right to deny reimbursement of expenses that are considered unreasonable.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word “shall” is always mandatory and not merely advisory.

Section 3. Overall, Policy

3-1. *General Policy Statements.* The policy statements in this Section provide a foundation for all policies and procedures for a sound travel reimbursement system.

3-2. *Guidelines.* Reimbursements will be made only with proper documentation and as established in this Regulation.

3-3. *Application.* All employees, elected officials and appointed officials shall comply with the requirements of this Regulation.

3-4. *Purpose of Travel.* Travel should be for approved business purposes only and shall not be used for personal gain. Mileage cannot be claimed for staff meetings or as stated by the Tribal Ogema, Speaker or Recorder, or Chief Judge as may be appropriate.

3-5. *Responsibility of Traveler.* All travelers are responsible for complying with these policies and procedures and for the completion of the paperwork to obtain reimbursement. Mileage will be reimbursed only for miles actually driven by specific vehicles. Mileage will not be paid for trips not taken or for vehicles not driven. Persons sharing a ride will not be paid mileage expenses that they did not incur.

3-6. *Type of Travel.* The easiest way to prepare a Travel Reimbursement Form is to determine which type of travel is being taken and complete the appropriate form. The type of travel and related forms are:

- a. Travel not including an overnight stay, and within 100 miles of the traveler’s departure address fill out the Travel Reimbursement Request.
- b. All other travel not including overnight stay and over 100 miles shall abide by Chapter 2, Travel Regulations requirements.

Section 4. Procedures

4-1. *General.* The following procedures must be used by all representatives of the Tribe when on Tribal business and utilizing a personally owned vehicle.

4-2. *Authorization.* A Mileage Reimbursement Request must be completed in full and signed by the traveler and their supervisor to begin the processing of the reimbursement. All incomplete forms will be returned to the traveler.

4-3. *Accounts Payable.* After the Mileage Reimbursement Request has been completed and authorized, the traveler will forward the form to Accounts Payable.

- a. All Mileage Reimbursement Request forms must be turned into Accounts Payable no later than the 5th of the month for the prior month's mileage.

4-4. *Mileage rates.* Reimbursements will not exceed the mileage rate as stated in the Federal Register. The mileage rate may be amended periodically as publicized in the Federal Register. The Purchasing and Travel Office will notify employees of changes to the mileage rate in a timely manner.

4-5. *GSA and Tribally Owned Vehicles.* When a GSA or Tribally owned vehicle is not available, travelers may use his or her own POV.

Section 5. Adoption; Amendment; Repeal

5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on March 9, 2004, and approved by the Tribal Council on March 10, 2004.

- a. *Amendment.* The Ogema approved amendments on November 17, 2004, and approved by the Tribal Council by resolutions # 04-1117-459 and 04-1218-526. As further amended by resolution # 25-0507-101.

5-2. *Amendment.* This regulation may be amended by the Tribal Council, or by submission of amendments by the Tribal Ogema approved by the Tribal Council, in accordance with the Constitution and any rules set forth governing amendment of regulations of the Little River Band of Ottawa Indians. Provided that, any amendments must be approved or adopted in the same manner as set forth in Section

5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provision of this regulation are severable.

5-4. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

5-5. *Effective Date.* This Regulation shall take effect on March 16, 2004, upon approval of the amendment by Tribal Council.