

**75-3203. Mileage and other allowances for official travel by privately owned conveyance; rates, how fixed; additional costs allowed; privately owned conveyance defined; exceptions authorized.** (a) Except as otherwise provided in this section, wherever in the statutes of the state of Kansas any mileage is allowed to any public official of the state or any political subdivision thereof, or to witnesses, jurors or other persons, the rate thereof shall be in the applicable amount fixed and established by the secretary of administration under K.S.A. 75-3203a, and amendments thereto, for each mile actually and necessarily traveled, by way of the most direct route by privately owned conveyance for official purposes.

(b) No mileage in excess of that amount for each mile actually and necessarily traveled, regardless of the number of passengers, shall be paid or taxed as costs in any case.

(c) The governing body of any county, city or school district may prescribe a rate different from that provided for in this section as to officers and employees of such county, city or school district. If a different rate is not prescribed by the governing body of a county, city or school district, the rate established by the secretary of administration shall be the rate applicable to officers and employees of such county, city or school district. Only one mileage allowance at the rate fixed by the secretary per mile or the rate prescribed by the governing body of a county, city or school district for officers and employees of such county, city or school district is authorized for the use of a privately owned conveyance in official travel and no claim shall be presented for mileage traveled as a passenger in a privately owned conveyance in which the mileage allowance is claimed by the owner or operator.

(d) Privately owned conveyances shall include, but not be limited to automobiles, motorcycles and aircraft. Privately owned conveyances shall not include any conveyances offered publicly for temporary and occasional hire on a trip basis by a traveler including those normally intended to be operated by the traveler if their use has been authorized under appropriate statutes or rules and regulations governing official travel.

(e) The rate prescribed under this act shall be construed to cover all costs related to the use of privately owned conveyances including but not limited to gas, oil, tires, repairs, insurance, license fees and depreciation costs. Parking charges, turnpike tolls and bridge tolls may be allowed in addition to the mileage allowance provided herein.

(f) This act shall not be construed to repeal any provision of any existing statute as to the method of computing mileage, but shall relate solely to the amount to be charged as mileage.

(g) The secretary of administration may adopt rules and regulations as provided in K.S.A. 75-3706, and amendments thereto, relating to official travel by privately owned conveyance.

(h) Notwithstanding anything in this section, exceptions to the same may be made in any other statute or in any appropriation act, and all such exceptions heretofore made shall be valid.

**History:** L. 1933, ch. 302, § 1; L. 1949, ch. 445, § 2; L. 1965, ch. 467, § 1; L. 1971, ch. 275, § 1; L. 1972, ch. 321, § 1; L. 1974, ch. 384, § 1; L. 1974, ch. 385, § 1; L. 1976, ch. 383, § 1; L. 1978, ch. 353, § 1; L. 1985, ch. 279, § 1; L. 2001, ch. 109, § 2; July 1.