

Title 4
ADMINISTRATION
Part V. Policy and Procedure Memoranda
Chapter 29. Travel in State-Owned Aircraft CPM Number 67
Subchapter A. Introduction

§2901. Authority and Legal Basis

A. In accordance with the authority vested in the commissioner of Administration by §231 of Title 39 of the Revised Statutes of 1950 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950-970, as amended, notice is hereby given of this intent to issue Policy and Procedure Memorandum Number 67, Travel in State-Owned Aircraft Policy, effective March 20, 1984. These regulations are both substantive and technical in nature and are intended to specify the conditions under which aircraft owned and operated by the state of Louisiana may be utilized to transport state personnel, to identify personnel of state government who may utilize state-owned and operated aircraft, and to specify the rates to be charged for usage of state-owned and operated aircraft. These regulations apply to all state departments, boards, and commissions created by the legislature or executive order, with the exceptions noted below, and operating from funds appropriated, dedicated, or self-sustaining; federal funds, or funds generated from any other source.

B. Legal Basis: R.S. 39:231: "The commissioner, with the approval of the governor, shall, by rule or regulation, prescribe the conditions under which each of the various forms of transportation may be used by state officers and employees in the discharge of the duties of their respective offices and positions in the state service and the conditions under which allowances will be granted for traveling expenses."

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:200 (March 1984).

Subchapter B. Definitions

§2903. Aircraft

A. When used in these regulations, the following terms shall have meanings as set forth below:

General Transportation Aircraft Aircraft owned and operated by any state agency routinely for the general transportation of state officers or state employees in the conduct of official state business.

Special Purpose Aircraft Aircraft owned and operated by any state agency which has been:

1. specially designed or modified to perform specific technical functions; or
2. specifically assigned to the performance of a specialized technical function, and which is being utilized in the performance of its designated special purpose.

State-Owned Aircraft All aircraft owned and operated by any agency of state government. Unless otherwise indicated, this term shall be deemed synonymous to general transportation aircraft as defined above.

B. When designated special purpose aircraft are being utilized for the general transportation of personnel, such aircraft shall be considered general transportation aircraft under this policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

§2905. Classes of Travelers

A. State Officer

1. Statewide elected officials: governor, lieutenant governor, attorney general, secretary of state, state treasurer, superintendent of Education, commissioner of Agriculture, commissioner of Elections, commissioner of Insurance.

2. Duly elected members of the Louisiana Legislature.

3. Department head as defined by Title 36 of the Louisiana Revised Statutes (secretary, deputy secretary, undersecretary, assistant secretary, and the equivalent positions in higher education and the offices of elected

officials). For the purposes of this policy, the speaker of the House of Representatives and the president of the Senate shall be considered as being equivalent to secretary of their respective chambers. No additional hierarchical levels of the chambers shall assume department head status for the Legislature without prior written approval of the commissioner of Administration.

B. State Employee

1. All employees below the level of state officer.

C. Advisors and consultants who are called upon to contribute time and services to the state who are not otherwise required to be reimbursed through a contract for professional, personal, consulting services in accordance with R.S. 39:1481 et seq.

D. Members of boards, commissions, and advisory councils required by federal or state legislation or regulation.

E. Sponsored Travelers

1. Industrial inducement prospects, when accompanied by a sponsoring state officer or employee, when engaged in official state business.

2. Spouses of statewide elected officials and other state officers to the level of secretary of departments, when accompanied by the sponsoring state officer, and when engaged in official state business. Spouses may only be transported on state-owned and operated aircraft on a space-available, standby basis. The provisions of this part shall not apply to the spouse of the duly elected governor of the state of Louisiana, when same is performing travel instead of or on behalf of the governor, and thus is engaged in official business of the state.

F. Sponsoring State Traveler

1. The state officer or employee who assumes responsibility for the travel of a sponsored traveler in state-owned and operated aircraft by physically accompanying that sponsored traveler.

G Other persons performing official state business who have prior written approval for travel from the commissioner of Administration, subject to the general provisions of air travel authorization provided in Subchapter D, §2915; Subchapter E, §2919; and Subchapter F, §2925 of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

Subchapter C. Usage of State-Owned Aircraft

§2907. Official State Business

A. Any state officer or state employee may utilize the aircraft owned and operated by the state for general transportation purposes in the conduct of official state business, in connection with the function of the department of the state officer or employee, subject to the provisions of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

§2909. Personal Usage

A. Aircraft owned and operated by the Office of Aviation and Public Transportation may be utilized for the personal transport of state officers or employees on a space-available standby basis, subject to the following conditions:

1. such travel shall be approved, in writing, by the appropriate department head on an individual trip basis prior to commencement of travel, and normal air travel authorization requirements shall be observed;

2. such travel shall occur only on flights already scheduled by the OAPT to the desired destination of the requesting state officer or employee;

3. such travel shall occur only in the event that vacant seats are available on the desired flight;

4. such travel shall not occur in the event that previously vacant seats become required for travel by other personnel on official state business; and

5. payment for such travel shall be the personal responsibility of the state officer or employee requesting the travel, at rates established in Subchapter D, Section 2917.D of these rules. Charges for such travel shall in no way be the responsibility of the department of the state officer or employee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

§2911. Political Usage

A. State-owned aircraft shall not be utilized to transport state officers or state employees covered by these policies to any event, meeting, function, or other occasion which is primarily political in nature, or for any other political purpose.

B. Any statewide elected official who determines, under the authority of R.S. 39:231(B), that personal or political usage of state-owned and operated aircraft is necessary in performing the duties of his/her office and should, therefore, be conducted at public expense, is specifically exempted from the provisions of Subchapter D, §2917 D.2, pertaining to personal responsibility for costs of such flights; Subchapter C, §2909.E, and §2911 of this policy. For the purposes of fee determination to the agency, flights of political nature scheduled by statewide elected officials shall be billed in accordance with the schedule established for personal flights in Subchapter D, §2917.D.2 of this policy. All other provisions of this policy shall be applicable to travel in state-owned and operated aircraft by statewide elected officials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

§2913. Purpose of Flight

A. In order to effect these provisions of this policy, all passengers in state-owned aircraft shall provide specific information on the purpose of their travel at the time of reserving space and/or during check-in procedures. In the event that there is any question about the purpose of the flight for any particular passenger, it shall be assumed to be a personal usage request and shall be billed accordingly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

Subchapter D. Aircraft Owned and Operated by the Office of Aviation and Public Transportation (OAPT)

§2915. Authorization for Air Travel

A. Department heads shall be directly responsible for flights scheduled by their organizations on OAPT aircraft.

B. All air travel in aircraft owned and operated by OAPT must be authorized and approved, in writing, by the head of the department, board, or commission from whose funds the traveler is paid, on forms designed or approved by the Division of Administration. A written record and file shall be maintained on all approved air travel authorizations. This authority shall not be delegated by the department head to any other persons within the department.

C. The department head may approve an authorization for routine air travel for an employee who must travel in the course of performing his/her duties. A routine air travel authorization must be renewed each fiscal year, and must be submitted to the OAPT.

D. An authorization for routine air travel shall not cover travel out-of-state, travel to conferences and conventions, nor sponsored travel. All such air travel must receive prior, written approval from the department head on a case-by-case basis, and written justification for the request and approval must be maintained within the department's travel files.

E. Prior to departure, all passengers must have presented proper written authorization from the relevant department head to the OAPT. If necessary, passengers may present such authorization during check-in procedures.

F. Travelers for whom no authorization is on file shall not be transported in state-owned and operated aircraft, and the OAPT shall refuse to transport any traveler who fails to provide an air travel authorization form in accordance with this policy.

G. State officers may be transported in state-owned and operated aircraft upon their own written authorization; however, travel authorization requirements of the general state travel regulations must be observed.

H. In no case shall any sponsored traveler be transported on any state-owned and operated aircraft when unaccompanied by the sponsoring traveler. The provisions of this part shall not apply to the spouse of the elected governor of the state of Louisiana when same is acting instead of or on behalf of the governor, and is therefore engaged in official business of the state.

I. All sponsored travel shall be in connection with official state business.

J. Each passenger to be transported in state-owned and operated aircraft shall be required to sign in for his/her flight prior to departure, identifying him/herself by name, position and agency, as well as the purpose of travel and destination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:201 (March 1984).

§2917. Prioritization of Passengers

A. Except for travel by the governor of the state of Louisiana, all air travel shall be reserved and accommodated on a first-reserved, first-served basis.

B. Each agency is responsible for adequately determining its air travel needs and arranging sufficient space in aircraft owned and operated by the OAPT at least 48 hours prior to anticipated departure time.

C. Reservations for air travel made prior to the 48 hour period shall not be invalidated nor canceled by later reservations by any other party, except in the event of true emergency situations, natural disaster, or the air travel needs of the governor.

D. All passengers in aircraft owned and operated by the OAPT shall be billed for air travel in accordance with the following fee schedule.

1. Official State Business Charges. Agencies shall be charged 40 cents per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour per pilot per agency charge for ground waiting times.

2. Personal Business Charges. Passengers shall be charged 50 cents per seat per mile for each seat reserved, with a minimum charge of \$100 per passenger per flight, plus a \$25 per hour per pilot charge for ground waiting time. An advance deposit of \$100 must be received, prior to departure, from all passengers reserving space for personal reasons.

E. It is the responsibility of each agency to expeditiously handle any charges for air travel in connection with official state business provided in state-owned and operated aircraft. Agencies shall bear no responsibility for charges resulting from personal business flights of state officers or employees. Failure by an agency or individual passenger to meet its payment obligations for flights shall result in the loss of flight privileges on OAPT aircraft.

F. Cancellations of reserved space shall be made at least 48 hours prior to anticipated departure time. Any later cancellations may result in a cancellation charge of \$50 being assessed against the agency/individual, unless sufficient justification for the late cancellation is provided to the commissioner of Administration.

G. OAPT shall have full authority to arrange for shared flights, based upon the destinations and reservations of agencies, in order to achieve full utilization of its aircraft. Agencies requiring private flights shall be responsible for the costs of all seats upon the aircraft reserved, in accordance with the preceding schedule of fees.

H. In the event that sufficient space is not available on OAPT aircraft, and time is of the essence, OAPT shall be contacted to arrange alternate transportation, either via commercial air charter service or on other state-owned aircraft. In no case should any agency personnel secure commercial air charter service without the assistance of OAPT personnel, unless a specific written authorization for same has been provided by the commissioner of Administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:202 (March 1984).

Subchapter E. Aircraft Owned and Operated by Other State Agencies Utilized for General Transport

§2919. Authorization for Air Travel

A. All general transport air travel in aircraft owned and operated by state agencies must be authorized and approved, in writing, by the head of the department, board, or commission from whose funds the traveler is paid, on forms designed or approved by the Division of Administration. Additionally, all air travel must be authorized and approved, in writing, by the head of the agency operating the aircraft. A file shall be maintained on all approved air travel authorizations. These authorities shall not be delegated by the department or agency heads to any other person within the department.

B. The department head may approve an authorization for routine air travel for an employee who must travel in the course of performing his/her duties. This routine air travel authorization must be renewed each fiscal year, and must be maintained by the department in its files.

C. An authorization for routine air travel shall not cover travel out-of-state, travel to conferences and conventions, nor sponsored travel. All such air travel must receive prior, written approval from the department head on a case-by-case individual basis.

D. Prior to departure, all passengers must have presented proper written authorization from the relevant department head to the head of the agency operating the aircraft.

E. Travelers for whom no authorization is received shall not be transported in state-owned and operated aircraft.

F. State officers may be transported upon their own written authorization, subject to approval of the particular travel by the head of the agency operating the aircraft. State officers must observe the travel authorization requirements of the general state travel regulations.

G. The provisions of Subchapter D, §2915.H and Subchapter D, §2915.1 of this policy relative to sponsored travelers shall apply to travel in non-OAPT owned and operated aircraft.

H. Each passenger to be transported in state-owned and operated aircraft shall be required to sign in for his/her flight prior to departure, identifying him/herself by name, position and agency, as well as the purpose of travel and destination.

I. Each state agency owning and operating aircraft may devise procedures for identification and authorization of all passengers on its aircraft. Such procedures and policies shall be subject to the review and approval of the commissioner of Administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:202 (March 1984).

§2921. Full Utilization of State-owned Aircraft

A. Each agency owning and operating state-owned aircraft shall assist the OAPT, as far as is feasible, in providing services to state travelers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:202 (March 1984).

§2923. Payment for Usage of State-Owned Aircraft

A. All passengers in aircraft owned and operated by state agencies shall be billed for air travel in accordance with the following fee schedule:

1. Official State Business Charges. Agencies shall be charged \$0.40 per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour, per pilot, per agency charge for ground waiting times.

2. Personal Business Charges. Passengers shall be charged \$.50 per seat per mile for each seat reserved, with a minimum charge of \$100 per passenger per flight, plus a \$25 per hour, per pilot, charge for ground waiting time. An advance deposit of \$100 must be received, prior to departure, from all passenger reserving space for personal reasons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:203 (March 1984).

Subchapter F. Special Purpose Aircraft

§2925. Authorizations

A. All air travel in special purpose aircraft owned and operated by the state must be authorized and approved, in writing, by the head of the department, board, or commission from whose funds the traveler is paid, on forms designed or approved by the Division of Administration. A file shall be maintained on all approved air travel authorizations.

B. Those state personnel who must regularly use special purpose aircraft for the special purpose for which the aircraft was designed/modified in the performance of their job duties may be authorized to do so via a routine air travel authorization approved by the appropriate department head. This routine air travel authorization must be renewed at least once each fiscal year and must be maintained by the department in its files.

C. Other state travelers who must utilize special purpose aircraft in the performance of their job duties for the special purpose for which the aircraft was designed/modified must receive prior written authorization from the appropriate department head on a case-by-case individual trip basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:203 (March 1984).

§2927. Restrictions on Usage

A. Special purpose aircraft shall not be utilized for general transportation purposes without the prior, written approval of such usage by the head of the agency owning and operating the aircraft. Complete justification for such usage of these aircraft must be submitted and maintained by the agency owning and operating the aircraft.

B. Sponsored travelers shall not be transported in special purpose aircraft without prior written approval of such travel by the commissioner of Administration. Full justification of usage of the special aircraft must be provided with any request for such approval, to include name(s) of sponsored traveler, name(s) of sponsor and agency, time and date of flight, purpose of flight, and reason why alternate aircraft cannot be utilized.

C. Special purpose aircraft shall not be utilized for any transportation of state travelers which is personal or political in nature, nor shall they be utilized for conference or convention travel. Special purpose aircraft may be utilized for out-of-state travel only if such travel is conducted as an integral part of the special purpose for which the aircraft was designed/modified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:203 (March 1984).

§2929. Official State Business Charges

A. Agencies shall be charged \$.40 per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour, per pilot, per agency charge for ground waiting times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:203 (March 1984).

Subchapter G. Waiver of Provisions

§2931. Authority of Commissioner of Administration

A. The commissioner of Administration may waive, in writing, any provision of these regulations when the best interest of the state will be served. Such waiver shall be based upon adequate written documentation from the requesting agency. The request from the agency must be received by the commissioner at least seven working days prior to the anticipated date of the travel, and must contain full particulars on the specific exception requested, including the name(s) of affected traveler(s), date of travel, purpose of travel, and an explanation of how the requested exception will serve the best interest of the state. Late or after-the-fact requests shall not be considered, except under the most unusual of circumstances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 10:203 (March 1984).