# COUNTY AGENDA REQUEST

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| Department: | Finance | Presenter(s): | Mary S. Holland |
| Meeting Date: | Thursday, January 10, 2013 | Type of Request: | Consent |

Wording for the Agenda:

Approval of staff's request to adjust the county's travel expense rate from 45.51 cents to 46.33 cents per mile effective January 1, 2013.

Background/History/Details:

Fayette County's travel policy provides for mileage reimbursement when a privately owned vehicle is used for official county business in lieu of using a county owned vehicle. The rate of reimbursement is based on 82% of the Internal Revenue Services (IRS) standard mileage rate.

The IRS has issued Notice 2012-72 which states the standard mileage rate is increasing one-cent from 56.5 from 55.5 cents per mile effective January 1, 2013. 82% of 56.5 cents equates to 46.33 cents for mileage reimbursement.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to adjust the county's travel expense rate from 45.51 cents to 46.33 cents per mile effective January 1, 2013.

If this item requires funding, please describe:

Not Applicable.

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| Has this request been considered within the past two years? | Yes | If so, when? | Annually |
| Is Audio-Visual Equipment Required for this Request?* | No | Backup Provided with Request? | Yes |

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

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| Approved by Finance | | Reviewed by Legal | |
| Approved by Purchasing | Not Applicable | County Clerk's Approval | Yes |
| Administrator's Approval | | | |

Staff Notes:

IRS

Internal Revenue Bulletin: 2012-50

December 10, 2012

**Notice 2012-72**

***2013 Standard Mileage Rates***

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## SECTION 1. PURPOSE

This notice provides the optional 2013 standard mileage rates for taxpayers to use in computing the deductible costs of operating an automobile for business, charitable, medical, or moving expense purposes. This notice also provides the amount taxpayers must use in calculating reductions to basis for depreciation taken under the business standard mileage rate, and the maximum standard automobile cost that may be used in computing the allowance under a fixed and variable rate (FAVR) plan.

## SECTION 2. BACKGROUND

Rev. Proc. 2010-51, 2010-51 I.R.B. 883, provides rules for computing the deductible costs of operating an automobile for business, charitable, medical, or moving expense purposes, and for substantiating, under § 274(d) of the Internal Revenue Code and § 1.274-5 of the Income Tax Regulations, the amount of ordinary and necessary business expenses of local transportation or travel away from home. Taxpayers using the standard mileage rates must comply with Rev. Proc. 2010-51. However, a taxpayer is not required to use the substantiation methods described in Rev. Proc. 2010-51, but instead may substantiate using actual allowable expense amounts if the taxpayer maintains adequate records or other sufficient evidence.

An independent contractor conducts an annual study for the Internal Revenue Service of the fixed and variable costs of operating an automobile to determine the standard mileage rates for business, medical, and moving use reflected in this notice. The standard mileage rate for charitable use is set by § 170(i).

## SECTION 2. STANDARD MILEAGE RATES

The standard mileage rate for transportation or travel expenses is 56.5 cents per mile for all miles of business use (business standard mileage rate). See section 4 of Rev. Proc. 2010-51.

The standard mileage rate is 14 cents per mile for use of an automobile in rendering gratuitous services to a charitable organization under § 170. See section 5 of Rev. Proc. 2010-51.

The standard mileage rate is 24 cents per mile for use of an automobile (1) for medical care described in § 213, or (2) as part of a move for which the expenses are deductible under § 217. See section 5 of Rev. Proc. 2010-51.

## SECTION 3. BASIS REDUCTION AMOUNT

For automobiles a taxpayer uses for business purposes, the portion of the business standard mileage rate treated as depreciation is 21 cents per mile for 2009, 23 cents per mile for 2010, 22 cents per mile for 2011, 23 cents per mile for 2012, and 23 cents per mile for 2013. See section 4.04 of Rev. Proc. 2010-51.

## SECTION 4. MAXIMUM STANDARD AUTOMOBILE COST

For purposes of computing the allowance under a FAVR plan, the standard automobile cost may not exceed $28,100 for automobiles (excluding trucks and vans) or $29,900 for trucks and vans. See section 6.02(6) of Rev. Proc. 2010-51.

## SECTION 5. EFFECTIVE DATE

This notice is effective for (1) deductible transportation expenses paid or incurred on or after January 1, 2013, and (2) mileage allowances or reimbursements paid to an employee or to a charitable volunteer (a) on or after January 1, 2013, and (b) for transportation expenses the employee or charitable volunteer pays or incurs on or after January 1, 2013.

## SECTION 6. EFFECT ON OTHER DOCUMENTS

Notice 2012-1 is superseded.

## DRAFTING INFORMATION

The principal author of this notice is Bernard P. Harvey of the Office of Associate Chief Counsel (Income Tax and Accounting). For further information on this notice, contact Bernard