



Office of the State Comptroller  
**PAYROLL BULLETIN**

<b>Subject</b> Procedures for Reporting the Value of Personal Use of Employer Provided Vehicles for 1997	<b>Bulletin No.</b> P-958
	<b>Date</b> October 28, 1997

This Bulletin contains instructions for reporting the taxable value of State provided vehicles for 1997.

OSC will report as income on 1997 W-2's the value of personal use of a State provided vehicle for the period November 1, 1996 through October 31, 1997. The taxable amounts for 1997 should be reported as soon as possible, but no later than Institution Period 19-Lag and 20-Current and Administration Period 18-Lag and 19-Current.

Since the period covered for determination of the taxable amount ends on October 31, 1997, your employees should be able to prepare and submit the data to you so that you can meet the deadlines. Your cooperation in meeting these deadlines is appreciated.

**DETERMINING THE VALUE OF PERSONAL USE OF A VEHICLE**

The rules for determining the taxable value are contained in Bulletin P-750 issued December 1, 1992. The following rules were in effect January 1, 1997.

- (1) **Special Commuting Rule**  
Employees whose annual salary is equal to or greater than \$108,200 are not permitted to use the Special Commuting Rule.
- (2) **Fixed Rate Per Mile**  
The Fixed Rate Per Mile Method cannot be used for automobiles first made available for employees' personal use in 1997 if the fair market value exceeds \$15,700.

The rate per mile, if gasoline is not supplied or reimbursed, is 26 cents per mile for all miles. If gasoline is supplied or reimbursed by the employer, the rate is 31.5 cents per mile.

State Officers who have a vehicle for unrestricted use (as defined on Page 3 of Bulletin P-750) should be reminded of the following provisions of the rules:

- (a) These officers who have the same vehicle as they had in 1996 must use the same method to determine the taxable value as they used last year and must use that method for all future periods during which they have the same vehicle.

Officers who have had the same vehicle since January 1, 1993 (4 full years) may recompute the annual lease value effective January 1, 1997.

- (b) Officers newly assigned a vehicle or who receive a replacement vehicle may choose either the ALV method or the Fixed Rate Method for the new vehicle but then must use that method for all future periods during which they have that vehicle. Once the Annual Lease Value has been established it must be used for a four-year period or until the individual no longer has the vehicle.
- (c) Officers are responsible for maintaining documentation to support the business use of the vehicle. The standard for record keeping is that there be "adequate records or sufficient evidence" to support any business use of their vehicle. Examples of acceptable substantiation would be account books, diaries, logs, receipts, bills, trip sheets or expense forms. Written records made at or near the time the expense was incurred should be maintained to document the time, date, place and purpose of business travel.

### **REPORTING THE VALUE OF PERSONAL USE OF A VEHICLE**

A form similar to the sample attached to this Bulletin should be completed and signed by each employee covered by the regulations and retained by the agency.

The taxable value of use of an employer provided vehicle is subject to income and Social Security/Medicare taxes and must be reported as income on the W-2. Although New York State will not withhold income taxes, Social Security/Medicare tax must be withheld. The amount is not considered salary for the purposes of computing retirement benefits. Report to OSC as described below:

1. Active Employees

PR-75's reporting the taxable value should be submitted.

2. Inactive Employees

Do not submit PR-75's. Prepare a letter including the line number, name, SS# and taxable amount for each employee and submit the letter with your payroll for the period.

Transaction code-**FRINGE BEN**-is used for reporting the information for active employees.

Transaction Code: **FRINGE BEN**

Group 3  
Class B

Block Requirements: 01 thru 06 and the following  
07 Transaction Code - **FRINGE BEN**  
49 Misc. Block A - Taxable Amount

Do not include the Fringe Benefit amount in the Gross (Add). It is not an amount to be paid, but only reported as gross income. The Fringe Benefit information must be in the Miscellaneous Blocks. Do not report it in Remarks.

In processing, the taxable amount will be added to the Biweekly Gross prior to the calculation of Social Security/Medicare tax and the tax will be computed on the full amount, unless the employee has paid the maximum tax.

The amount will be shown on the check stub in the **ADDT'L SAL INFO** block with the code **TFB** and will be included in the **YTD GROSS**. It will also appear on the salary register and in the **YTD GROSS** and in the **YTD FRINGE BENEFITS** on the **YTD SUMMARY**.

If additions or adjustments must be made for 1997 after the payroll period listed above, **do not** submit PR-75's. Contact Eileen Cooper of the Payroll Deduction Section at (518) 473-1989.

Attachment

STATEMENT OF PERSONAL USAGE OF STATE PROVIDED VEHICLES

AGENCY CODE \_\_\_\_\_

AGENCY NAME \_\_\_\_\_

LINE NUMBER \_\_\_\_\_

EMPLOYEE NAME \_\_\_\_\_ SOCIAL SECURITY \_\_\_\_\_

ANNUAL LEASE VALUE METHOD

YEAR MAKE MODEL \_\_\_\_\_

AUTOMOBILE FAIR MARKET VALUE \_\_\_\_\_

TOTAL MILES - PERSONAL USAGE = BUSINESS MILES

\*ANNUAL LEASE VALUE X BUSINESS MILES / TOTAL MILES = \$ AMT. FOR BUSINESS USE

GASOLINE CALCULATION 5.5¢ X NO. OF PERSONAL MILES = \$ AMT. OF GASOLINE

OR

TOTAL COST OF GASOLINE X % OF PERSONAL MILES = \$ AMT. OF GASOLINE

\$ ANNUAL LEASE VALUE - \$ BUSINESS USE + \$ AMT. OF GASOLINE + \$ CHAUFFEUR TAXABLE FRINGE BENEFIT AMT. = \$

\*ONCE THE ALV AMOUNT IS ESTABLISHED, USE IT FOR THE NEXT FOUR YEARS OR UNTIL THE AUTOMOBILE IS REPLACED

FIXED RATE METHOD

NO. OF MILES COMMUTING OR PERSONAL (TAXABLE FRINGE BENEFIT TOTAL) X 31.5 ¢ =

\*IF GASOLINE IS NOT SUPPLIED OR REIMBURSED USE 26¢

SPECIAL COMMUTING RULE

NO. OF TRIPS COMMUTING (EACH WAY) X 1.50 = TAXABLE FRINGE BENEFIT AMT.

TO EMPLOYEE

COMPLETE AND SIGN THIS FORM AND RETURN IT TO YOUR PERSONNEL OFFICE

EMPLOYEE SIGNATURE/DATE

PERSONNEL - ENTER "TAXABLE FRINGE BENEFIT AMOUNT" IN BLOCK 49 WHEN PREPARING THE PR-75. RETAIN THIS FORM FOR YOUR RECORDS.