



STATE OF ALABAMA  
Department of Finance  
Office of the State Comptroller

100 North Union Street, Suite 220  
Montgomery, Alabama 36130-2620  
Telephone (334) 242-7050 Fax (334) 242-7466  
www.comptroller.alabama.gov

Robert Bentley  
Governor

Bill Newton  
Acting Director of Finance

Thomas L. White, Jr., CPA  
State Comptroller

Janice A. Hamm, CPA  
Deputy State Comptroller

**MEMORANDUM**

**TO:** Chief Fiscal Officers

**FROM:** Thomas L. White, Jr.   
State Comptroller

**DATE:** September 20, 2013

**RE:** Taxation and Reporting of Personal Use of State Owned/Leased Vehicles

In accordance with IRS regulations, the total value of personal use of state owned/leased vehicles is taxable for federal, state and FICA purposes and must be reported on the employee's Form W-2. Since the State of Alabama has a written policy prohibiting any personal use of an employer-provided vehicle other than for commuting purposes (Section 41-17-9, 1975 Code of Alabama), the State elects the commuting valuation rule of \$3.00 per day for employees who earn less than \$146,400 annually and are not elected officials. Employees who are paid \$146,400 or more annually or are elected officials are considered "control employees". The only options available to control employees are (1) the annual lease value rule and (2) the vehicle cents-per-mile valuation rule.

FICA and Medicare tax must be computed on the value of this personal use, matched and paid by the department. This will require the Comptroller to calculate and collect the required FICA and Medicare tax due on the affected employee's payroll check in December before issuing a Form W-2 to the employees. It is mandatory that employees be notified within 30 days, after being provided a vehicle, of the effect this benefit may have on withholdings. The State's share of FICA and Medicare tax will be charged to the payroll fund(s) designated in GHRS for the employee. The charge will be reflected on the department's fringe benefit payroll journal voucher. Departments will receive detail listings supporting this charge in December 2013.

The data required to accurately report and compute the taxes due on this fringe benefit must be provided by all State departments **no later than November 15, 2013**. Unlike the taxable status of meal allowances and per diem for non-overnight trips, which cover the calendar year January 1, 2013 – December 31, 2013 the \$3.00 per day charge for commuting use of State owned/leased vehicles is reported for the period November 1, 2012 – October 31, 2013. The State of Alabama selected the IRS option to cut off calculation for taxable fringe benefits on October 31 of any tax year. The data required for that period for each employee is the total number of days or total number of miles the vehicle was used for commuting purposes.

Please use the Excel workbook FRMS-16 for employees using the \$3.00 per day commuting valuation rule. This form will do the computations for you and is in the exact format required by this office for non-control employees. For control employees who choose to use the vehicle cents-per-mile method, please use the Cents-per-Mile computation worksheet FRMS-16CPM. The Excel version of both worksheets can be found on our website at [www.comptroller.alabama.gov](http://www.comptroller.alabama.gov). Move your cursor over "Reports and Forms" then select "Online Forms" from the drop down menu. The forms may also be printed and filled out manually. The FRMS-16 workbook is set up with 9 pages/tabs to accommodate the listing of up to 462 employees. Only the page(s) with data need to be sent to GHR. Be sure to include a contact name and phone number for your department on the first page, as well as the department head signature. The grand total for all pages with data will automatically compute. Contact this office if you wish to substitute our forms or **if you have employees that are not paid by your department.**

It is imperative that the information reported is 100% accurate. Ensure that all vehicles used for commuting are reported except those specifically exempt by IRS. Vehicles, either marked or unmarked, that are used for law enforcement functions are exempt from reporting. **If your department owns no State vehicles or no commuting occurs, return the form marked "No Vehicles".**

The personal use of employer-provided aircraft is also taxable for federal, state and FICA purposes and must be reported for W-2 purposes. Specific valuation rules in assessing the personal use of a flight on an employer-provided aircraft must be used in determining this taxable value. If your department has an employee who has used an employer-provided aircraft for personal reasons, contact this office for the valuation rules and additional instructions.

In addition to the data required for the period ending October 31, 2013, those employees who drive state owned vehicles and terminate between November 1, 2013 and October 31, 2014 must submit interim data from November 1, 2013 through the termination date immediately upon notice of termination and prior to the issuance of their last payroll warrant.

For control purposes, please designate one employee in your department as the contact person to aid us in problem resolution and include their telephone number on the form in the space provided. This employee should also be responsible for submitting your departmental information to this office. Unless special arrangements have been made with this office, all lists for your department must be submitted simultaneously.

**It is imperative that all departments return this form by November 15, 2013. Failure to return this form may result in a delay of processing payroll data and the issuance of Form W-2's for your department.**

If you have questions or need further instructions, please contact the GHR Hotline at 334-242-2188.

TLWjr/SHC/dt