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THE ULTIMATE GUIDE TO

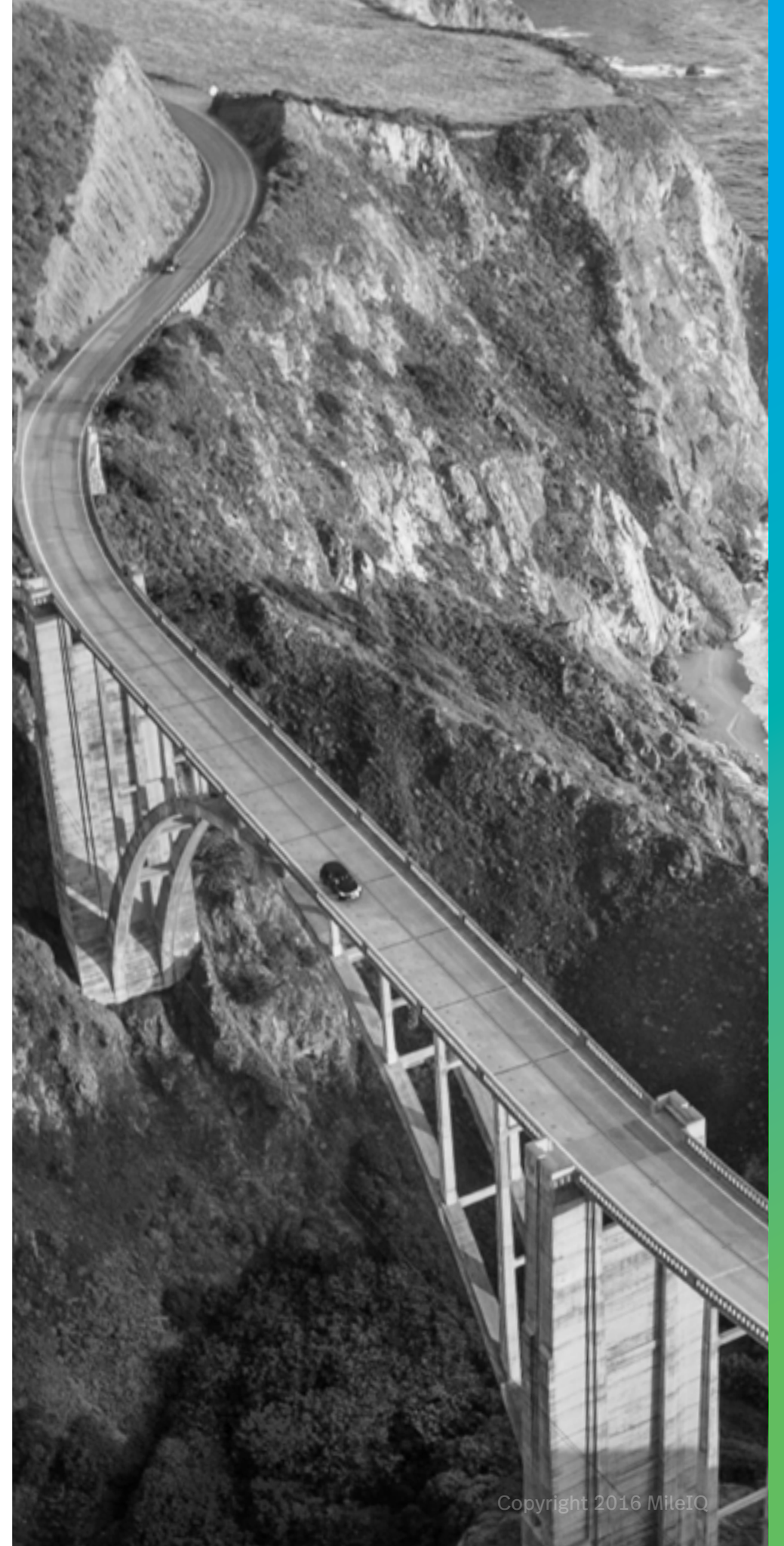
Mileage Deduction

IN THE UNITED STATES.

Best practices for turning your miles into money.

Table of Contents

3	Introduction –Why Track Miles?
5	Deducting Business-Related Driving
8	The Standard Mileage Rate
10	The Actual Expense Method
11	Deducting Mileage as an Employee
13	Deductions with a Company Car
14	Deducting Non-Business Driving
16	Reporting Business Mileage on your Tax Return
18	Why You Must Keep a Mileage Log
21	What Happens If You Fail to Keep a Mileage Log
23	MileIQ Automatic Mile Tracker
24	About Us





Introduction

Why Track Your Miles?

If you drive your car or other vehicle for business purposes, you need to track your miles. Why? Because you don't want to end up like Jim Chapin.

Chapin, a California real estate broker, used his Toyota Sequoia SUV for his real estate business. He figured that he drove a total of 11,135 miles for business one recent year and deducted \$5,309 for car expenses. Unfortunately, the IRS audited him and disallowed his entire deduction because he failed to keep adequate records tracking his mileage. (Chapin v. Comm'r, T.C. Summ. Op. 2014-31.)

Driving for business is a tax-deductible business expense. The business mileage deduction can put money in your pocket—often, quite a lot. If you use the standard

mileage method to calculate your deduction, you can, in 2016, deduct 54 cents for every business mile you drive. For example, if you drive 10,000 miles for business during the year, you'll be entitled to a \$5,400 tax deduction.

How much will a \$5,400 deduction save you on your taxes? It depends on your income. But, when you consider that it will save you not only federal income tax, but Social Security and Medicare taxes, and state income tax as well, a \$5,400 deduction could easily be worth more than \$2,375 in tax savings (which is money in your pocket).

Even if you drive much less than 10,000 miles per year for business, your mileage deduction can still add up. For example, if you only drove 50 miles per week for business reasons throughout the year, you could claim a \$1,404 deduction on your 2016 tax return.

But, as Jim Chapin discovered, there's a catch. The IRS requires that you keep accurate contemporaneous mileage records to back up your deductions for business driving. Ballpark estimates

made long after the fact are not acceptable. If you're audited by the IRS and lack adequate records, the IRS will likely deny your entire deduction, and may require you to pay interest and penalties as well—for example, the IRS imposed a 20% negligence penalty on poor Jim Chapin.

Why all the fuss? Because for decades taxpayers have been abusing the business mileage deduction by padding their mileage. The IRS is well aware of this fact. That's why the business mileage deduction is among the most closely scrutinized tax deductions. The more business miles you claim, the more likely the IRS will ask you for proof.

By far the most common reason taxpayers lose the business mileage deduction when they are audited by the IRS is because, like Jim Chapin, they lack adequate records.

A \$5,400 deduction could easily be worth more than \$2,230 in tax savings every year. That's money back in your pocket.



Tip No. 1

Not all Business-Related Driving is Deductible

Most people understand that when they drive their car for business you have real costs associated with operating your vehicle. The IRS doesn't expect you to pay for your business driving with after-tax dollars but they do have some very strict rules on what constitutes business driving.

You can only deduct trips that are for business—that is, driving to a business location. This includes:

TRAVEL BETWEEN OFFICES: Travel from your office or work site and your drive to a second place of business.

ERRANDS/SUPPLIES: Driving for business-related errands such as trips to the bank, office supply store, or post office.

BUSINESS MEALS AND ENTERTAINMENT: Trips to meet with clients for meals or entertainment.

AIRPORT/TRAVEL: Driving to and from the airport for business trips that are in another city, state or country.

ODD JOBS: Driving to odd jobs such as babysitting, pet care or lawn work.

CUSTOMER VISITS: Driving from your office or other work site to meet with customers or clients for business at an office or job site.

TEMPORARY JOB SITES: Driving from home to a temporary work location that you expect to last (and does in fact last) less than one year.

JOB SEEKING: If you are a job-seeker, you may deduct the miles that you drive to find a new job in your current occupation (but you get no deduction if you are looking for a job for the first time).

In addition, commuting is never deductible because the IRS considers it to be a personal expense. Commuting occurs when you go from home to a permanent work location—either your:

- office or other principal place of business, or
- another place where you have worked or expect to work for more than one year.

Even if a trip from home to your office (or other principal place of business) has a specific business purpose—for example, to meet with a client at your office—it is still considered commuting and is not deductible if you start out from your home. Nor can you deduct a commuting trip because you work during the trip—for example, you make business calls on your cell phone, listen to work-related tapes, or have a business discussion with an associate or employee.

Avoiding commuting rule if you have a home office

One exception to the rule limiting deductions for commutes is if you have a home office that qualifies as your principal place of business. In this event, you can deduct the cost of any trips you make from your home office to another business location. For example, you can deduct the cost of driving from home to your second office, a client's office, or to attend a business-related seminar.

The commuting rule doesn't apply if you work at home because, with a home office, you never commute to work (you're there already). Your home office will qualify as your principal place of business if it is the place where you earn most of your income or perform the administrative or management tasks for your practice. If your home office qualifies as your principal place of business, you can vastly increase your deductions for business trips.

Avoiding commuting rule if you go to a temporary work location

The commuting rule also doesn't apply when you travel between your home and a temporary work location. A temporary work location is any place where you realistically expect to work less than one year. It can be inside or outside of the metropolitan area where you live. However, if the location is inside your metropolitan area, this exception applies only where you have an outside office or other regular work location away from your home.

Summary of Deductions



Home

The place where you reside. Transportation expenses between your home and your main or regular place of work are personal commuting expenses. (Exception: see “Home-Office rule”)



Regular or Main Job

Your principal place of business. If you have more than one job, you must determine which one is your regular or main job. Consider the time you spend at each, the activity you have at each, and the income you earn at each.



Temporary Work Location

A place where your work assignment is realistically expected to last (and does in fact last) one year or less. Unless you have a regular place of business, you can only deduct your transportation expenses to a temporary work location outside your metropolitan area.



Second Job

If you regularly work at two or more places in one day, whether or not for the same employer, you can deduct your transportation expenses of getting from one workplace to another. It is important to note that you may only deduct transportation expense if you are going directly from your first job to your second job. You cannot deduct your transportation expenses between your home and a second job on a day off from your main job.

Tip No. 2

The Standard Mileage Rate is Easy to Use.

If you drive a car, SUV, minivan, van, or pickup truck for business, you have two options for deducting your vehicle expenses: You can use the standard mileage rate or you can deduct your actual expenses. The standard mileage rate is the easiest to use.

With the standard mileage rate, you deduct a specified number of cents for every business mile you drive. The IRS sets the standard mileage rate each year. For 2016 the rate is 54 cents per mile. To figure out your deduction, simply multiply your business miles by the applicable standard mileage rate.

The big advantage of the standard mileage rate is that it requires less record keeping. You need to keep track of how many miles you drive for business and the total miles you drive, but you do not need to record actual expenses for your car, such as gas, maintenance, and repairs.

If you choose the standard mileage rate, you cannot deduct actual car operating expenses—for example, maintenance and repairs, gasoline and its taxes, oil, insurance, and vehicle registration fees. All of these items, as well as depreciation, are factored into the standard mileage rate set by the IRS. However, you can deduct the interest you pay on a car loan, as well as

Example:

Ed, a salesperson, drove his car 20,000 miles for business during 2016. To determine his mileage deduction, he simply multiplies his business miles by the applicable standard mileage rate (54 cents per mile in 2016). This gives him a total mileage deduction for the year of \$10,800.

$$\begin{array}{r} \text{STANDARD} \\ \text{MILEAGE RATE} \\ \mathbf{54 \text{ cents}} \end{array} \times \begin{array}{r} \text{BUSINESS} \\ \text{MILEAGE} \\ \mathbf{20,000} \end{array} = \begin{array}{r} \text{MILEAGE DEDUCTION} \\ \mathbf{\$10,800} \end{array}$$



How Much Does It Cost To Drive An Automobile?

parking fees and tolls for business trips (but you can't deduct parking ticket fines or the cost of parking your car at your place of work).

There are some important restrictions on who can use the standard mileage rate. If you don't qualify to use it, you must use the more complicated actual expense method. First, and most important, you must use the standard mileage rate the first year you use a car for business. If you fail to do so, you are forever foreclosed from using that method for that car.

If you use the standard mileage rate the first year, you can switch to the actual expense method in a later year, and then switch back and forth between the two methods after that, subject to certain restrictions. For this reason, if you're not sure which method you want to use, it's a good idea to use the standard mileage rate the first year you use the car for business. This leaves all your options open for later years. However, if you use the standard mileage rate method for a car you lease, you must use that method for the entire lease period (including renewals).

Also, you may only use the standard mileage rate method for a maximum of four cars at the same time.

Every year the American Automobile Association estimates how much it costs per mile to drive a car in the United States. Its latest report, *Your Driving Costs*, shows that it costs on average anywhere from 38 cents to 75.9 cents per mile to drive a car (a sedan) in 2015. The difference depends on the size of your car and how much you drive during the year—the more miles you drive, the less your cost per mile. Driving a minivan costs an average of 65 cents to 81.2 cents per mile; while a 4-wheel-drive SUV costs 59.7 cents to 92.6 cents per mile.

Tip No. 3

The Actual Expense Method Might Give You Larger Deductions

Instead of using the standard mileage rate, you can deduct the actual cost of using your car for business, plus depreciation. This requires much more record keeping, but in some cases it might result in a larger deduction. If you use this method, you must not only track your mileage, but also keep careful track of all the costs you incur for your car during the year.

You then get to deduct your business percentage of all these expenses, plus depreciation.

Example: Laura, a salesperson, drove her car 8,000 miles for her business and

a total of 16,000 miles. Her business use percentage is 50% ($8,000 \div 16,000 = 50\%$). She can deduct 50% of the actual costs of operating her car, plus the full cost of any business-related tolls and parking fees. Her expenses amount to \$10,000 for the year, so she gets a \$5,000 deduction, plus \$500 in tolls and parking for business, plus \$3,160 for depreciation.

The actual expense method is more likely to give you a larger deduction than the standard mileage rate if you drive a car that is more expensive than average to operate.

Car Costs for Actual Expense Deduction:

- Gas And Oil
- Repairs And Maintenance
- Car Repair Tools
- License Fees
- Parking Fees For Business Trips
- Insurance
- Registration Fees
- Tires
- Car Washing
- Lease Payments
- Towing Charges
- Auto Club Dues




Tip No. 4

Employees Can Deduct Mileage, too.

If you're an employee and use your personal car for work-related business trips (not including commuting), you may deduct your mileage if, and to the extent, you are not reimbursed by your employer for your expenses.

You may use either the standard mileage rate or actual expense method to calculate your deduction. However, your deduction is subject to a significant limitation: it is classified as a miscellaneous itemized deduction. This means you can deduct it only if you itemize your personal deductions on IRS



In 2016, the standard deduction is \$6,300 for single taxpayers, and \$12,600 for a married couple filing jointly.

Schedule A. If you don't itemize, you get no deduction. You should itemize only if all your personal itemized deductions exceed your standard deduction.

If you do itemize, you may deduct your unreimbursed business mileage expenses only to the extent that they, along with your other miscellaneous itemized deductions (if any), exceed 2% of your adjusted gross income. Miscellaneous itemized deductions include amounts you spent during the year for all your unreimbursed employee expenses (including business mileage), investment expenses, tax preparation fees, and hobby expenses (up to hobby income).

Because of these limitations, employees are always better off if they are reimbursed by their employers for the cost of using their personal cars for work. Such reimbursement is tax-free to the employee provided that it is made under an "accountable plan." Basically, this requires that the employee document the expenses in a timely manner and return any excess payments to the employer.

Example:

Melinda, a single taxpayer, is an employee for a consulting firm. During the year, she drove her personal car 5,000 miles for work visiting clients, and was not reimbursed for her car expenses by her employer (other than parking). Using the standard mileage rate, she is entitled to a \$2,700 business mileage deduction for this unreimbursed employee expense.

Her adjusted gross income (AGI) is \$100,000. She may deduct her miscellaneous itemized deductions only to the extent that they exceed 2% of this amount, or \$2,000. Her total miscellaneous itemized deductions, including her business mileage, amount to \$3,000. Because of the 2% of AGI limit, she may only deduct \$1,000 of this amount—the amount that exceeds \$2,000.

ADJUSTED GROSS
INCOME
\$100,000

MISCELLANEOUS ITEMIZED
DEDUCTIONS
\$3,000

AMOUNT ELIGIBLE TO
DEDUCT
\$1,000

ITEMIZED DEDUCTIONS MUST
EXCEED 2% OF AGI
\$2,000

Tip No. 5

Deductions When You Drive a Company Car.

If you own (or co-own) a business that buys a car that you use (that is, your business holds the title to the car, not you personally), the dollar value of your business driving is a tax-free working condition fringe benefit provided to you by your business. In addition, the business gets to deduct all of its actual car expenses on its tax return—for example, depreciation, interest on a car loan, maintenance, fuel it pays for, and insurance costs.

You get no personal deduction for these expenses; but, if your business is a pass-through entity (an S corporation, limited liability company, or partnership), the deduction on its return will reduce

the amount of taxable profit passed on to your tax return. However, you can personally deduct the actual cost of fuel or maintenance you pay for yourself, and the cost of anything else you buy for the car. You can't use the standard mileage rate to figure your costs.

Things get more complicated if, as is often the case, you use a company car for both business and personal driving. The dollar value of your personal use of the car is treated as a taxable fringe benefit. The amount must be added to your annual compensation and income, Social Security and Medicare taxes must be paid on it.

Here's a key question: How do you place a dollar value on your personal use of a company car? This determines how much money must be added to your income for such use. You may be able to use any of three different methods to figure this out, and they may yield very different results. The easiest way is to use the IRS Annual Lease Value Table contained in IRS Publication 15-B, Employer's Tax Guide to Fringe Benefits.

If your company leases a car it provides you, all the rules above still apply. But it's much easier to figure out the value of your personal use of the car—simply multiply the annual lease payments by the percentage of personal use.

Deducting Non-Business Driving.

Certain types of non-business driving are tax-deductible. However, to deduct any non-business driving, you must itemize your personal deductions on your tax return instead of taking the standard deduction. If you don't itemize, you get no deduction.

DRIVING AS A MEDICAL EXPENSE:

If you do itemize, you can deduct medical-related driving costs as part of your medical expense deduction. However, this deduction has its own limitations. You may deduct your medical expenses only to the extent they exceed 10% of your annual adjusted gross income. (If you're over 65, the threshold is 7.5% of AGI through 2017.)

You can include in your medical expenses amounts paid for transportation primarily for, and essential to, medical care. This includes things like driving to the doctor, dentist, hospital, or pharmacy. You can also include the cost of driving your child for medical care. Regular visits to see a mentally ill dependent may also be

deducted, if they're recommended as a part of treatment.

You can deduct your medical-related driving costs one of two ways: using your actual expenses, or the standard medical mileage rate.

If you use the actual expense method, you can only deduct the cost of gas and oil when you use your car for medical reasons. You cannot include depreciation, insurance, general repair, or maintenance expenses. This differs from the way the actual expense method works when you drive for business.

If you use the standard medical mileage rate, you may deduct 19 cents per mile driven for medical reasons. This is lower

than the standard mileage rate applicable to business driving (54 cents per mile) but can still add up to a significant deduction for someone who does a lot of driving for medical reasons.

No matter which method you use, you can also include parking fees and tolls.

You should use whichever method gives you the largest deduction.

DRIVING FOR CHARITY:

Charitable contributions are also deductible when you itemize your personal deductions. You can deduct as a charitable contribution any unreimbursed out-of-pocket expenses that are directly related to the use of your car in giving services to a charitable organization. For example, you can deduct your driving expenses if you drive each week to a local hospital to volunteer.

There are two ways to deduct charitable driving. You can deduct your actual expenses, which primarily consist of gas and oil. You cannot deduct general repair and maintenance expenses, depreciation,

registration fees, or the costs of tires or insurance.

Instead of deducting your actual expenses, you can use the standard charitable mileage rate of 14 cents a mile. The 14 cents per mile rate is very low—it hasn't been adjusted in many years. Thus, you'll likely get a larger deduction if you use the actual expense method.

You can deduct parking fees and tolls whether you use your actual expenses or the standard mileage rate.

As you can see, you're required to tell the IRS:

- the date you placed your car in service for your business
- the total miles you drove during the year for business
- the total miles you commuted during the year
- the total miles you drove when you were not on business and were not commuting
- whether your vehicle was available for personal use during the year, and
- whether you (or your spouse) have another vehicle available for personal use.

Finally, you are asked whether you have evidence to support your deduction, and if so, whether it is written. If you answer "no" to these two questions you do not qualify for the deduction. This is yet another reason why it is so important to keep an accurate mileage log.

If you use the actual expense method to calculate your deduction, you must also file IRS Form 4562, Depreciation and Amortization. This form is used to report your depreciation deductions for the vehicle.



Deducting Interest on a Car Loan

You can deduct the interest you pay on a loan for a vehicle you use for business whether you use the standard mileage rate or actual expense method. If you deduct the interest you pay on a car loan, you have the option of reporting the amount in two different places on your Schedule C: You can lump it in with all your other car expenses on line 9 of the schedule, titled "Car and truck expenses," or you can list it separately on line 16b as an "other interest" cost. Reporting your interest expense separately from your other car expenses reduces the total car expense shown on your Schedule C. This can help avoid an IRS audit.

Why You Must Keep a Mileage Log.

If you don't have exact, reliable records, the IRS will disallow your entire mileage deduction, each year!

It is up to you to keep track of your miles, calculate the amount of your business mileage tax deduction (and non-business mileage deduction as well, if you qualify), and claim your deduction on your tax return.

You don't have to file any evidence with your tax return showing how many business miles you drove during the year, or how much you spent on parking and tolls while on business. But this does not mean you don't need such proof. The IRS requires that you have adequate records backing up your mileage deduction. If you're audited, the IRS examiner will

ask to see your records. If you don't have exact, reliable records, the IRS will disallow your entire mileage deduction, even if it is clear that you did in fact drive for business during the year.

You are not allowed to rely on estimates of your mileage or records you create long after the fact when you learn you're being audited. Rather, you must keep contemporaneous records of your business driving. "Contemporaneous" means your records are created each day you drive for business, or soon thereafter—at least weekly.

For all your business-related drives, you must keep a record of the:

- time and date of the drive
- total distance of the drive
- destination of the drive (although not strictly required, it's wise to record the start and stop location for more thorough records), and
- business purpose of the drive.

There is no requirement to have odometer readings for every drive—while that is one way to track distance, nowhere is it explicitly required.

The IRS permits you to use any reliable method to keep such records. You can use a paper mileage logbook that you keep in your car, an electronic spreadsheet template, or a mileage tracking application.

The IRS also wants to know the total number of miles you drove during the year for business, commuting, and other personal driving.



Paper Mileage Log Books

The traditional method of mileage tracking is a paper mileage log book that you keep in your car and fill out each day. It's still commonly used, but the IRS does not require paper mileage log books. Reliable electronic records are accepted by the IRS.

You can find inexpensive paper mileage log books in most office supply stores, as well as sites like Amazon.com. All mileage log books prompt you to fill out the information you need to substantiate your mileage deduction. You have to remember to record the data for all your drives as they happen, which can be difficult to do when you're focusing on all the other aspects of doing business. There are downsides to using them, including the risk of losing months of records if you misplace your logbook. Moreover, you'll need to keep your logbook for at least three years after you file your tax returns for the year it covers.

Mileage Log Templates

Mileage log templates are pre-filled electronic spreadsheets that remind you what information you need to record about your drives. Free templates are readily downloadable from the Internet. Since a spreadsheet is electronic, not paper, you don't have to worry about clutter or deciphering your own handwriting. The risk of loss is also lessened, provided that you make sure to keep copies of the file in multiple locations in case your computer crashes or you lose access to your server. Obviously, you won't be typing on your laptop as you drive, so you'll have to record the information after your driving is completed. Be sure to log your miles at least once per week—preferably more often.

Mileage Tracking Apps

There are several kinds of mileage tracking apps—ranging from manual entry of distances to automatic drive detection—that can be used on a smartphone or a tablet device. They all aim to streamline the record-keeping process and ensure you have the appropriate information you need come tax season. If you spend your days glued to your smartphone, a mileage tracking app is for you. On the other hand, if you're a technophobe or don't have a smartphone, you might want to stick with a paper logbook or mileage log template.

What Happens If You Fail to Keep a Mileage Log

If you claim a mileage deduction on your income taxes and are audited by the IRS, the auditor will want to see a mileage log to back it up. Bad things happen to taxpayers who lack an accurate mileage log.

Bad Thing No. 1

You'll Lose Your Deduction and Have to Pay Extra Tax

Typically taxpayers lose their entire claimed mileage deduction when they are audited. This is so even if they have other evidence that supports their deduction, and it's clear that they did, in fact, drive for business. In one recent case, for example, a salesman who claimed more than \$20,000 in business driving deductions kept track of his driving by making notations of his destinations on his daily calendar and kept his gas receipts.

Unfortunately, this was not good enough for the IRS or Tax Court. Because he didn't keep a mileage log, he lost his

entire deduction. This meant he had to pay tax on an extra \$20,149 in income for the year involved in the audit. If he was in the 28% income tax bracket, he had to pay an extra \$5,642 in federal income taxes. He also likely had to pay self-employment tax (Social Security and Medicare tax) on the additional income. This is an additional 15.3% tax, resulting \$3,083 more due to the IRS. (Crawford v. Comm'r, T.C. Memo. 2014-156.)

Bad Thing No. 2

You'll Have to Pay Interest to the IRS

Losing a valuable driving deduction is bad, but it gets even worse. You'll also have to pay interest to the IRS on the amount you underpaid your taxes because your driving deduction was denied. Such interest must be paid from the date your return for the year was originally due (which may have been several years ago). The interest is calculated for each day your balance due is not paid in full. You'll also have to pay interest on any penalties the IRS imposes until you pay them in full. (Internal Revenue Code section 6601.) Currently, the IRS interest rate for underpayments of tax is 3% per year.

Bad Thing No. 3

You May Have to Pay Substantial IRS Penalties

Far worse than having to pay interest on your tax underpayment, is the very real possibility that the IRS will impose penalties as well. As the word implies, a "penalty" is an amount you're required to pay in order to punish you for your bad conduct and deter you from being bad in the future.

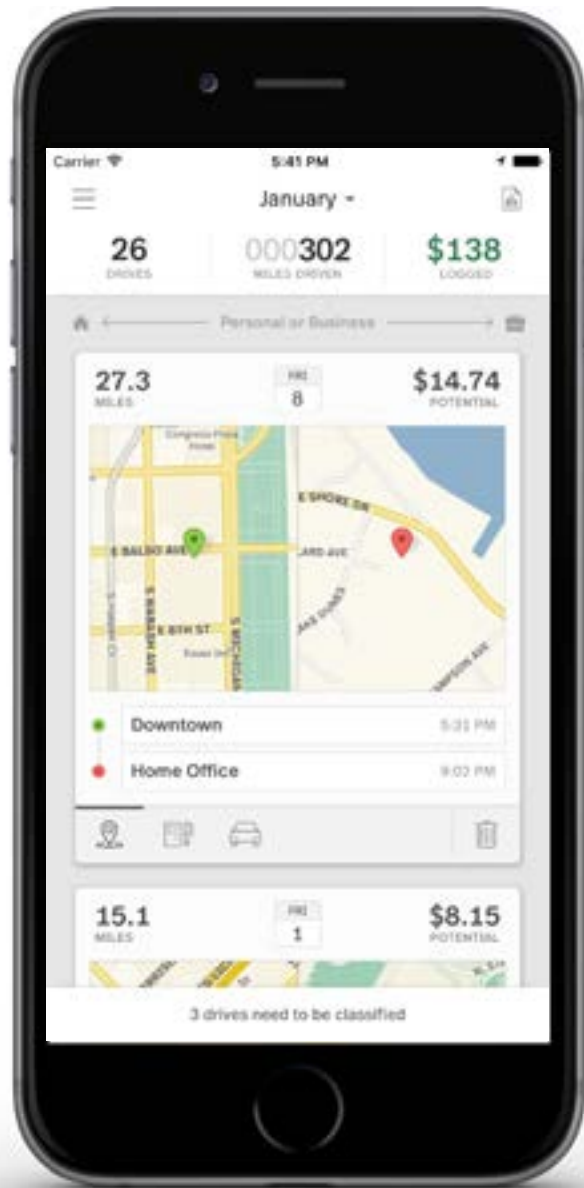
By far the most common penalty imposed by the IRS on taxpayers who lose driving deductions due to failure to keep mileage logs is the 20% negligence penalty. The penalty is imposed where an underpayment of tax is attributable to the taxpayer's negligence or disregard of the rules or regulations; or where the underpayment was substantial—more than \$5,000 or 10% of the property tax due. "Negligence" includes any failure to make a reasonable attempt to comply with the tax code, including failure to keep adequate books and records or to

substantiate items properly. (Internal Revenue Code Section 6662.)

Failure to keep a proper mileage log is routinely viewed by the IRS and Tax Court as grounds for imposing the 20% negligence penalty. This penalty is equal to 20% of the tax underpayment. Thus, for example, if Mr. Crawford from case mentioned above had underpaid his taxes by \$8,725 because he took a mileage deduction that was later denied by the IRS, and the IRS elected to impose the negligence penalty, it would have been \$1,745.

Failure to keep a proper mileage log is routinely viewed by the IRS and Tax Court as grounds for imposing the 20% negligence penalty.

Meet MileIQ



Catch every mile automatically.

Automatic drive detection makes it easy to capture every mile you drive. Say goodbye to the headache of manually logging every trip.



Classify every drive effortlessly.

Give your drives a purpose; a swipe is all it takes. Mark them as business, personal, medical, charity or any custom category you wish.



Personalize to suit your needs.

When you're ready to personalize, you can set your preferences, add the vehicles, purposes and locations that define your driving and let MileIQ cater to your needs.



See what your miles are worth.

MileIQ automatically calculates the value of your drives, and at 54 cents/mile – the 2016 IRS standard mileage rate.



Trusted service.

With MileIQ, you can be confident that your drive data is accurate, complete and secured financial-grade security and an unwavering commitment to your privacy.



Simple pricing.

Try MileIQ for free, then pick the plan that works for you. All include automatic tracking, secure storage and the full MileIQ feature set.

About.



MileIQ is dedicated to providing products and services to support the 53 million independent contractors, consultants, real estate agents, and business owners that form the lifeblood of the U.S. economy. Our smart mileage-tracking technology alleviates a time-consuming administrative burden so users can focus on what matters to their businesses without having to forego the thousands of dollars in mileage deductions and reimbursements they're due. The MileIQ mobile app captures every mile

users drive without taxing battery life or requiring any interaction, and our proprietary algorithms automate much of the classification and calculation of their drives. Integrations with FreshBooks, Concur, and other popular accounting, expense and tax platforms make it easy to report mileage, providing users with peace of mind and putting money back in their pockets. Download MileIQ for iOS on the App Store or MileIQ for Android on Google Play. More information is available at [MileIQ.com](https://www.mileiq.com).



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