
	SAN MARCOS POLICE DEPARTMENT	
	Policy 4.6.1 Secondary Employment Vehicle Use	
	Effective Date:	Replaces:
	Approved: _____  _____ Chief of Police	
	Reference:	

I. POLICY

The City of San Marcos recognizes that use of departmental vehicles for secondary employment provide a community impact, where research confirms that both crashes and crime are reduced through visible police presence. Such presence reduces overall social harm. To ensure fiscal responsibility while also continuing to reduce social harm through visible presence and immediate availability, the department will continue to allow the use of departmental vehicles for secondary employment while now charging a surcharge based on an hourly rate that will be evaluated annually. This policy outlines procedures to ensure reimbursement for use of a departmental vehicle during secondary employment when appropriate.

II. PURPOSE

The purpose of this policy is to outline billing expectations when using a departmental vehicle for secondary employment. This policy does not apply to any personal vehicle used in secondary employment.

III. SECONDARY EMPLOYMENT COVERAGE

Employees **MUST** consider the following before engaging in secondary employment:

- A. **Officers may not be covered by the City of San Marcos Workers' Compensation if injured while working in a secondary employment capacity since the officer is "contract labor" for a private entity and not working in the furtherance of the City's behalf. An officer may be covered if they are acting under circumstances while performing a law enforcement function under the color of office that would require intervention under department policy and/or state law.**
- B. **Officers may not be covered by the City of San Marcos health insurance plan if injured while working in a secondary employment capacity.**
- C. **Officers should (and are encouraged) to obtain their own supplemental occupational accident insurance policy in case of an injury received while working in a secondary employment capacity for a private entity.**

IV. VEHICLE USE FOR SECONDARY EMPLOYMENT

- A. Officers are allowed to use departmental vehicles only when working secondary employment within the city limits, unless otherwise approved by the Chief of Police.
- B. The police radio should be on and monitored at all times when the unit is operated. Officers actively utilizing a departmental vehicle for secondary employment shall be logged onto

their mobile data computer (MDC) and running the computer-aided dispatch (CAD) mobile client while on duty.

- C. All employees performing police-related secondary employment will inform Police Communications of their location and expected start and stop times of the detail.
- D. The needs of the greater community are superior to those of any individual establishment or detail. An off-duty officer, while operating their departmental vehicle shall:
 - 1. Respond to all felony in-progress calls, when it is reasonable to believe additional police resources are needed, or a supervisor directs;
 - 2. Respond to all officer needs assistance calls when it is reasonable to believe additional police resources are needed, or a supervisor directs;
 - 3. Detain and arrest, or notify the local jurisdiction, of any suspected DWI offender which comes to the officer's attention;
 - 4. Apprehend and arrest any suspects committing a felony or crime of violence in the officer's presence, or notify the appropriate local jurisdiction;
 - 5. Stop and assist any citizens who flag down the officer;
 - 6. Assist stranded motorists; and
 - 7. Conduct traffic direction where needed until on-duty units arrive.
- E. If it becomes necessary for an officer engaged in secondary employment to leave the extra-duty assignment to render assistance to another officer or agency, permission will first be granted by the on-duty supervisor. In an emergency, the officer will notify a supervisor as soon as practical. The officer will then be on overtime status, and the extra-duty employer will not be charged for the time the officer is absent from the extra-duty assignment.
- F. The on-duty supervisor will have general supervisory authority over officers working secondary employment. All violations of the secondary employment policy will be reported to the commander to whom the officer is regularly assigned.
- G. When engaging in secondary employment, officers are to adhere to all Department policies, procedures, rules and regulations, and applicable operational guidelines.

V. REIMBURSEMENT FOR USE OF A DEPARTMENTAL VEHICLE

- A. Officers will reimburse the City of San Marcos through the Employee Self-Service portal, based on an hourly rate of \$6.80 as follows:
 - 1. Active use of a departmental vehicle is billed in quarter hour increments during the secondary employment assignment. Active use includes idling while parked, whether or not the vehicle is required by the employer.
 - 2. Officers who live outside the city are billed one half hour (\$3.40) for commuting to secondary employment where the departmental vehicle is not required.
 - a. Commuting reimbursement is not applicable if the secondary employment was at the beginning or end of a regular assigned shift.
 - b. Commuting reimbursement is not applicable if the employee remains after secondary employment to cover a shift as requested by a supervisor.
 - 3. The hourly rate is reviewed annually.