

LEGISLATIVE DIGEST

[Administrative Code - Surveillance Technology Policy - Automated Speed Enforcement System - SFMTA]

Ordinance approving the Surveillance Technology Policy for the San Francisco Municipal Transportation Agency (SFMTA) use of Automated Speed Enforcement System.

Existing Law

Administrative Code Section 19B.02(a) requires that City departments obtain Board of Supervisors approval by ordinance of a Surveillance Technology Policy under which the Department will acquire and use Surveillance Technology, prior to engaging in any of the following:

- (1) Seeking funds for Surveillance Technology, including but not limited to applying for a grant, or accepting state or federal funds, or public or private in-kind or other donations;
- (2) Acquiring or borrowing new Surveillance Technology, including but not limited to acquiring Surveillance Technology without the exchange of monies or other consideration;
- (3) Using new or existing Surveillance Technology for a purpose, in a manner, or in a location not specified in a Surveillance Technology Policy ordinance approved by the Board in accordance with this Chapter 19B;
- (4) Entering into agreement with a non-City entity to acquire, share, or otherwise use Surveillance Technology; or
- (5) Entering into an oral or written agreement under which a non-City entity or individual regularly provides the Department with data or information acquired through the entity's use of Surveillance Technology.

Amendments to Current Law

The proposed ordinance would not change existing law. In accordance Administrative Code Section 19B.02(a), the proposed ordinance would approve the Surveillance Technology Policy under which the SFMTA would be authorized to implement an Automated Speed Enforcement System in San Francisco for the following purposes:

- (1) To enforce speed limits on City streets in accordance with California Vehicle Code sections 22425-22434 (Speed Safety System Pilot Program); and

- (2) To perform analysis of and reporting on speed enforcement, as required under the Speed Safety System Pilot Program.

Background Information

In October 2023, the State of California enacted Assembly Bill 645 (“AB 645”), authorizing six jurisdictions, including the City and County of San Francisco, to implement an Automated Speed Enforcement System pilot program (“Pilot Program”). The Pilot Program involves the use of Automated Speed Enforcement System technology to improve road safety and is authorized to be operational for five years or until January 1, 2032, whichever comes first. The City actively supported AB 645 throughout the legislative process.

The Surveillance Technology Policy for the SFMTA’s use of Automated Speed Enforcement Systems safeguards residents’ civil rights and liberties. It defines the authorized and restricted uses of the technology, applying to all SFMTA personnel and contractors. The policy restricts the use of the technology to authorized uses, ensuring it’s not used for unlawful discrimination or other purposes.

Automated Speed Enforcement System technology supports the SFMTA’s mission to create a safe, equitable, and sustainable transportation system by efficiently enforcing vehicle speed laws. It aims to reduce traffic-related fatalities and injuries, aligning with the Vision Zero Policy. The technology, which captures images of speeding vehicles’ rear license plates, helps improve public health and safety by reducing speed-related collisions and providing valuable data for policy-making.

The Surveillance Technology Policy outlines strict requirements for data management, including encryption, data classification, notification to the public, and access control. It prohibits internal and external sharing of data unless required by law and specifies data retention and disposal procedures. Compliance is overseen by designated personnel, with sanctions for violations, ensuring accountability and transparency in the use of the technology.

On February 22, 2024, the Committee on Information Technology (“COIT”) and its Privacy and Surveillance Advisory Board conducted a public hearings at which they considered the Surveillance Impact Report for SFMTA’s use of Automated Speed Enforcement System technology and developed a Surveillance Technology Policy.

On March 21, 2024, COIT voted to recommend that the Board of Supervisors adopt SFMTA’s Surveillance Technology Policy for the use of Automated Speed Enforcement System technology.