

1 [Administrative Code - Telematic Vehicle Tracking Systems for City Vehicles]

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3 **Ordinance amending the Administrative Code to require the installation and use of**
4 **telematic vehicle tracking systems in all motor vehicles owned or leased by the City**
5 **and submission of an annual report by the City Administrator on vehicle use based on**
6 **data derived from those systems; and affirming the Planning Department's**
7 **determination under the California Environmental Quality Act.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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13 Be it ordained by the People of the City and County of San Francisco:

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15 Section 1. The Planning Department has determined that the actions contemplated in
16 this ordinance comply with the California Environmental Quality Act (California Public
17 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the
18 Board of Supervisors in File No. 150682 and is incorporated herein by reference. The Board
19 affirms this determination.

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21 Section 2. Findings.

22 (a) On March 18, 2014, the Board of Supervisors adopted Resolution No. 91-14,
23 endorsing a VISION ZERO Three Point Plan to reduce pedestrian fatalities to zero in the next
24 ten years through better engineering, education and enforcement.

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1 (b) Other jurisdictions have successfully implemented a vehicle telematics programs
2 as part of their commitment to VISION ZERO.

3 (c) Vehicle telematics, sometimes known as black boxes or global positioning system
4 (GPS) tracking, allow for tracking vehicles individually and collecting and reporting data on
5 their location, history, speed, mechanical diagnostics, safety and other information.

6 (d) Vehicle telematics systems have the potential to save the City significant time,
7 money and, potentially, lives.

8 (e) Data collected from vehicle telematics devices in City vehicles can help the City
9 correct and improve unsafe driving habits, inappropriate use of City vehicles, and missed
10 vehicle maintenance.

11 (f) The systems can provide information to refute groundless claims against the City
12 regarding vehicle accidents.

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14 Section 3. The Administrative Code is hereby amended by adding Section 4.10-2, to
15 read as follows:

16 **SEC. 4.10-2. TELEMATIC VEHICLE TRACKING SYSTEMS.**

17 (a) No later than January 1, 2017, the City Administrator and each department head or other
18 City official with jurisdiction over motor vehicles shall cause those vehicles to be equipped with
19 telematic vehicle tracking systems. The City Administrator and each department head or other City
20 official shall monitor the use of the motor vehicles over which he or she has jurisdiction using the
21 systems, and shall use that information to monitor and analyze subjects such as vehicle cost efficiency,
22 use optimization, and post-incident investigation, and to promote other potential benefits such as
23 preventing waste and fraud and encouraging safer driving practices.

24 (b) For purposes of this Section 4.10-2, "motor vehicle" shall mean a motor vehicle as defined
25 in Division 1 of the California Vehicle Code, as amended. "Telematic vehicle tracking system" shall

1 mean a system that combines the use of automatic vehicle location equipment in individual vehicles
2 with software that monitors in real time the location, movements, and status of a vehicle or fleet of
3 vehicles to provide a comprehensive picture of vehicle locations and usage.

4 (c) Each department head or other City official with jurisdiction over motor vehicles shall
5 submit a report with telematic data for those vehicles, including but not limited to usage and mileage
6 data, to the City Administrator, or his or her designee, at the end of each fiscal year. By October 1 of
7 each year, the City Administrator shall submit to the Mayor and the Board of Supervisors a report on
8 motor vehicle use by City officers and employees.

9 (d) The City Administrator may, after a noticed public hearing, adopt regulations and
10 guidelines to implement and administer this Section 4.10-2. Subject to the provisions of subsection (e),
11 the City Administrator may waive the requirements of this Section 4.10-2, in whole or in part, upon
12 written application by the department head or other City official with jurisdiction over motor vehicles
13 where the City Administrator concludes that compliance with the requirements would not be feasible or
14 would unduly interfere with the department's ability to discharge its official functions.

15 (e) If the City Administrator approves an application for a waiver, he or she shall provide
16 written notice of the approval to the Clerk of the Board within five business days of the approval, and
17 the Clerk of the Board shall forward such notice to all members of the Board of Supervisors. Within 10
18 business days of receipt of such notice, any member of the Board may submit to the Clerk of the Board
19 for introduction a written motion to approve or reject the waiver. Approval of an application for a
20 waiver under subsection (d) shall be final when either: the 10 days have passed for a member of the
21 Board to submit a written motion without any member having done so; or, if a Board member has
22 submitted a motion for introduction, the Board adopts a motion affirming the City Administrator's
23 approval of the application for a waiver, or 45 days have passed without the Board adopting a motion
24 reversing the City Administrator's approval. Rejection of an application for a waiver shall be final
25 when either: the City Administrator rejects the application; or, if the City Administrator has approved

1 the application and a Board member has submitted a motion for introduction, the Board adopts a
2 motion reversing the City Administrator's approval of the application for a waiver.

3 (f) Consistent with the Charter and other applicable State and Federal law, this Section 4.10-2
4 shall not apply to the Public Utilities Commission, Airport, Port, or Municipal Transportation
5 Authority to the extent its requirements would conflict with those laws or otherwise interfere with the
6 discharge of those functions placed under the direct jurisdiction of the department.

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8 Section 4. Effective Date. This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor's veto of the ordinance.

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13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

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16 By: _____
17 THOMAS J. OWEN
18 Deputy City Attorney

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