

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

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

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

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

14 Section 1. Background.

15 (a) Administrative Code Chapter 19B establishes requirements that City departments
16 must follow before they may use or acquire new Surveillance Technology. Under
17 Administrative Code Section 19B.2(a), a City department must obtain Board of Supervisors
18 approval by ordinance of a Surveillance Technology Policy before: (1) seeking funds for
19 Surveillance Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using
20 new or existing Surveillance Technology for a purpose, in a manner, or in a location not
21 specified in a Board-approved Surveillance Technology ordinance; (4) entering into
22 agreement with a non-City entity to acquire, share, or otherwise use Surveillance Technology;
23 or (5) entering into an oral or written agreement under which a non-City entity or individual
24 regularly provides the department with data or information acquired through the entity's use of
25 Surveillance Technology.

1 (b) Under Administrative Code Section 19B.2(b), the Board of Supervisors may
2 approve a Surveillance Technology Policy ordinance under Section 19B.2(a) only if: (1) the
3 department seeking Board approval first submits to the Committee on Information Technology
4 (COIT) a Surveillance Impact Report for the Surveillance Technology to be acquired or used;
5 (2) based on the Surveillance Impact Report, COIT develops a Surveillance Technology
6 Policy for the Surveillance Technology to be acquired or used; and (3) at a public meeting at
7 which COIT considers the Surveillance Technology Policy, COIT recommends that the Board
8 adopt, adopt with modification, or decline to adopt the Surveillance Technology Policy for the
9 Surveillance Technology to be acquired or used.

10 (c) Under Administrative Code Section 19B.4, the City policy is that the Board of
11 Supervisors will approve a Surveillance Technology Policy ordinance only if it determines that
12 the benefits that the Surveillance Technology ordinance authorizes outweigh its costs, that the
13 Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that
14 the uses and deployments of the Surveillance Technology under the ordinance will not be
15 based upon discriminatory or viewpoint-based factors or have a disparate impact on any
16 community or Protected Class.

17 Section 2. Surveillance Technology Policy Ordinance for SFMTA Use of Automated
18 Speed Enforcement System.

19 (a) Purpose. The San Francisco Municipal Transportation Agency (“SFMTA” or “the
20 Department”) seeks Board of Supervisors authorization under Section 19B.2(a) to use
21 Automated Speed Enforcement System technology as follows: (1) To enforce speed limits on
22 City streets in accordance with California Vehicle Code Sections 22425-22434 (Speed Safety
23 System Pilot Program); and (2) To perform analysis of and reporting on speed enforcement,
24 as required under the Speed Safety System Pilot Program.

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

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

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

17 (b) Surveillance Impact Report. The Department submitted to COIT a Surveillance
18 Impact Report for Automated Speed Enforcement Systems. A copy of the Department's
19 Surveillance Impact Report for Automated Speed Enforcement Systems is in Board File
20 No. 240367, and is incorporated herein by reference.

21 (c) Public Hearings. On February 22, 2024 and March 21, 2024, COIT and its Privacy
22 and Surveillance Advisory Board (PSAB) conducted two public hearings at which they
23 considered the Surveillance Impact Report referenced in subsection (b) and developed a
24 Surveillance Technology Policy for the Department's use of an Automated Speed
25 Enforcement System. A copy of the Surveillance Technology Policy for SFMTA's use of an

