

BOARD of SUPERVISORS



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MEMORANDUM

TO: Naomi Kelly, City Administrator
John Martin, Director, San Francisco Airport
Carmen Chu, Assessor-Recorder
Tom Hui, Director, Department of Building Inspection
Tiffany Bohee, Director, Office of Community Investment & Infrastructure
Ben Rosenfield, City Controller
George Gascon, District Attorney
Todd Rufo, Director, Office of Economic and Workforce Development
John Arntz, Director, Department of Elections
Anne Kronenberg, Executive Director, Department of Emergency Management
Deborah Raphael, Director, Department of the Environment
Chief Joanne Hayes-White, Fire Department
Barbara Smith, Executive Director, Housing Authority
Olson Lee, Director, Mayor's Office of Housing and Community Development
Micki Callahan, Director, Department of Human Resources
Trent Rhorer, Executive Director, Human Services Agency
Luis Herrera, City Librarian, San Francisco Library
Ed Reiskin, Executive Director, Municipal Transportation Agency
John Rahaim, Director, Planning Department
Chief Greg Suhr, Police Department
Monique Moyer, Executive Director, San Francisco Port
Jeff Adachi, Public Defender
Barbara Garcia, Director, Department of Public Health
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Mohammed, Nuru, Director, Public Works
Phil Ginsburg, General Manager, Recreation and Park Department
Richard Carranza, Superintendent, San Francisco Unified School District
Sheriff Ross Mirkarimi, Sheriff's Department
Jose Cisneros, Treasurer, Office of the Treasurer & Tax Collector

FROM: Alisa Somera, Assistant Clerk, Rules Committee
Board of Supervisors

DATE: June 29, 2015

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Yee on June 23, 2015. This matter is being referred to you for informational purposes since it may affect your department.

File No. 150682

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

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 or by email at alisa.somera@sfgov.org.

- c: Cathy Widener, San Francisco Airport
Edward McCaffrey, Office of the Assessor-Recorder
William Straw, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Claudia Guerra, Office of Community Investment & Infrastructure
Todd Rydstrom, Office of the City Controller
Cristine Soto DeBerry, Office of the District Attorney
Guillermo Rodriguez, Department of the Environment
Kelly Alves, Fire Department
Velma Navarro, Housing Authority
Linda Martin-Mason, Housing Authority
Sophie Hayward, Mayor's Office of Housing and Community Development
Susan Gard, Department of Human Resources
Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Christine Fountain, Police Department
Elaine Forbes, San Francisco Port
Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health
Juliet Ellis, Public Utilities Commission
Frank Lee, Public Works
Sarah Ballard, Recreation and Park Department
Chris Armentrout, San Francisco Unified School District
Jamila Brooks, San Francisco Unified School District
Katherine Gorwood, Sheriff's Department
Amanda Kahn Fried, Office of the Treasurer & Tax Collector

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 ~~*italics Times New Roman font*~~.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

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

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.
25

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.

13
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.

7
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.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15
16 By:


THOMAS J. OWEN
Deputy City Attorney

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LEGISLATIVE DIGEST

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

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

Existing Law

Current law does not specifically require the installation of vehicle tracking systems in City vehicles.

Amendments to Current Law

The proposal is an ordinance that would amend the Administrative Code to require the City Administrator and each department head or other City official with jurisdiction over motor vehicles to install telematic vehicle tracking systems in those vehicles by January 1, 2017. A "telematic vehicle tracking system" is a system that combines the use of automatic vehicle location equipment (such as GPS locators) in individual vehicles with software that monitors in real time the location, movements, and status of a vehicle or fleet of vehicles to provide a comprehensive picture of vehicle locations and usage.

The City Administrator and department heads would monitor the systems and use the information to analyze subjects such as vehicle cost efficiency, use optimization, and post-incident investigation, and to promote other potential benefits such as preventing waste and fraud and encouraging safer driving practices.

Each department head would submit an annual report to the City Administrator with the telematic data, including vehicle usage and mileage data. The City Administrator would submit a Citywide report to the Mayor and the Board of Supervisors on motor vehicle use by City officers and employees.

The City Administrator could waive the requirements of the ordinance, in whole or in part, if the department seeking the waiver demonstrated that compliance would not be feasible or would unduly interfere with the department's ability to discharge its official functions. The Board of Supervisors could, by motion, override a waiver granted by the City Administrator.

The ordinance would not be applied to conflict with the powers of the Public Utilities Commission, Airport, Port, or Municipal Transportation Authority under the Charter or other superseding law, or to otherwise interfere with the discharge of functions placed under the direct jurisdiction of those departments.