

LEGISLATIVE DIGEST

(Amended in Committee, 6/10/2015)

[Environment, Administrative Codes - Healthy Air and Clean Transportation Program]

Ordinance amending the Environment and Administrative Codes to: 1) transfer the fleet management and vehicle selection elements of the Healthy Air and Clean Transportation Program from the Department of the Environment to the City Administrator; 2) replace mandatory fleet reduction requirements with policies to optimize the size and use of the City's vehicle fleet, use technology to promote the safe and environmentally-friendly use of vehicles, and reduce average per-mile greenhouse gas emissions from City fleet vehicles; 3) authorize master contracts for City use of car-sharing services; and, 4) make other technical and conforming changes; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Chapter 4 of the Environment Code, adopted in 2010, is the City's Healthy Air and Clean Transportation Ordinance ("HACTO"). The Director of the Department of the Environment administers the program. Portions of HACTO, along with Administrative Code 4.10-1, govern the size and composition of the City's vehicle fleet. Specifically, the City Administrator and individual department heads each year must remove from service, without replacement, at least 5 percent of the motor vehicles then under the department's jurisdiction. This requirement expires after Fiscal Year 2014-15. And beginning with Fiscal Year 2015-16, the City Administrator and individual department heads each year must remove from service all passenger vehicles and light-duty trucks then under the department's jurisdiction that are 12 years old or older. If the department demonstrates to the Director that the mandated fleet reductions would unduly interfere with the department's ability to discharge its official functions, the Director may waive the requirement in whole or in part.

City departments may only purchase passenger vehicles or light duty trucks listed as compliant vehicles in the Online Green Vehicle Purchase Criteria Document prepared each year by the Department of the Environment. The Director the Department of the Environment may waive these requirements where (1) no passenger vehicle or light duty truck listed in the Online Green Vehicle Purchase Criteria Document can safely perform the intended function; or (2) the vehicle will be used primarily outside the City and County of San Francisco and in places where adequate fueling or other facilities needed for a compliant vehicle are unavailable. These requirements do not apply to emergency vehicles, Municipal Railway buses, or vehicles purchased to respond to an emergency. Departments acting under any of these exemptions must still purchase the vehicle with the lowest emissions and highest fuel efficiency ratings feasible.

HACTO does not apply to the Public Utilities Commission, the Airport, the Port, or the Municipal Railway where application would conflict with controlling law or otherwise interfere with the discharge of functions placed under the direct jurisdiction of these departments.

Existing law makes no provision for the use of shared vehicles through car-sharing services. Master agreements for use of car sharing services would be governed by the requirements of the Administrative Code and Environment Code, subject to several contracting restrictions.

Amendments to Current Law

The proposal is an ordinance that would amend the Environment and Administrative Codes to make a number of changes in HACTO.

First, the proposal would transfer responsibility for administration of the fleet management and vehicle selection elements of HACTO from the Department of the Environment to the City Administrator.

Second, the proposal would replace the specific fleet reduction requirements with policies to optimize the size and use of the City's vehicle fleet, with an emphasis on right-sizing the fleet and eliminating unnecessary or non-essential vehicles. The City Administrator would adopt and implement policies to use technology, such as vehicle telematics and assignment systems, to promote the safe use of vehicles, minimize environmentally-harmful practices such as excessive vehicle idling, and reduce underutilization of vehicles. And the City Administrator would align the greenhouse gas reduction goals for the City fleet with the federal executive order reducing average per-mile greenhouse gas emissions from general purpose, light-duty fleet vehicles, relative to a baseline of emissions in fiscal year 2014, by not less than 4 percent by the end of fiscal year 2017, and not less than 15 percent by the end of fiscal year 2021. The City Administrator would be responsible for the continued implementation of the current vehicle selection restrictions.

And, third, the proposal would authorize the City Administrator, or his or her designee, to enter into master agreements with vendors for car-sharing services. The contracts would have to give the City priority use of the vehicles during an emergency. When contracting for car-sharing services, the City could waive some of the City's special contracting requirements in the Administrative or Environment Codes, but still would be required to competitively bid the contracts.