

BOARD of SUPERVISORS



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MEMORANDUM

TO: Naomi Kelly, City Administrator, Office of the City Administrator
Ken Bukowski, Acting Executive Director/CIO, Department of Technology

FROM: *al*
fm Alisa Somera, Legislative Deputy Director
Rules Committee

DATE: October 24, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Yee on October 17, 2017:

File No. 171123

Resolution adopting guiding principles that the Board of Supervisors shall use to inform and adopt future legislation regulating businesses that utilize emerging technologies and to urge the Office of the City Administrator to convene a Task Force on Emerging Technology.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Lynn Khaw, Office of the City Administrator
Lihmei Leu, Office of the City Administrator
David German, Department of Technology

1 [Adopting Principles for Regulation of Emerging Technology and Urging the City Administrator
2 to Convene an Emerging Technology Task Force]

3 **Resolution adopting guiding principles that the Board of Supervisors shall use to**
4 **inform and adopt future legislation regulating businesses that utilize emerging**
5 **technologies and to urge the Office of the City Administrator to convene a Task Force**
6 **on Emerging Technology.**

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8 WHEREAS, The City and County of San Francisco is recognized as the hub of
9 innovation throughout the world and continues to be a leader for new ideas and emerging
10 technology; and

11 WHEREAS, The City’s tradition of welcoming all cultures and fostering diversity in its
12 people and its businesses has organically led to it embracing technological innovation; and

13 WHEREAS, The Board of Supervisors is proud to have encouraged and facilitated this
14 environment of creative innovation, and will continue to play that role in the future; and

15 WHEREAS, Technology has many positive effects, but its unchecked deployment,
16 without conscientious regulation, has at times caused unwitting harm to the community
17 interest, morale, the environment, and the economy; and

18 WHEREAS, The pace and impact of technological change is ever-increasing, while the
19 speed of government in considering and adopting regulatory legislation has not kept pace;
20 and

21 WHEREAS, As a result, many businesses—and in some cases entire industries—have
22 launched and grown with almost no governmental regulation or oversight, resulting in grave
23 public harm; and

24 WHEREAS, “Emerging Technologies” shall be defined as technology in active
25 development and intend to function or operate within the City and County of San Francisco,

1 which can reasonably be predicted to have a measurable impact economically, socially, or
2 morally in the next five to ten years; and

3 WHEREAS, Such technologies, because of their emergence, are not currently
4 regulated either by charter, ordinance, administrative code, and will likely have an impact on
5 one or more of the following interests of the constituency: public safety, morale, public
6 property use, privacy, rights of way, labor, environment, housing, transportation, or social-
7 economic community welfare; and

8 WHEREAS, The Board of Supervisors urges the City to adopt appropriate, effective,
9 structured regulation and a permitting process for businesses that use emerging technologies
10 in order to minimize their negative impacts on society; and

11 WHEREAS, The Board of Supervisors urges that the framework to regulate emerging
12 technologies shall be guided by the following principles:

- 13 • Ensure that business in the City provides a net common good, and
14 consideration on whether the emerging technology benefits the few at the
15 expense of the many;
- 16 • Ensure that when emerging technology relies on City infrastructure or scarce
17 resources, that infrastructure and those resources are available and prioritized
18 for people;
- 19 • Ensure that any technologies in the public sphere are of such design, speed,
20 and size that they are non-threatening and appropriate;
- 21 • Ensure that any deployed iteration of such technologies is amenable and
22 accountable to the historical, intended, and expected use of infrastructure by
23 the most vulnerable members of the community, including seniors, children,
24 those with limited vision, mobility or use of other assistive devices are able to
25

1 conduct their business and live their lives in the manner they have always
2 known;

- 3 • Ensure that technologies are designed and manufactured to the professional
4 standards of all relevant engineering authorities, and specifically that testing,
5 risk management and risk remediation efforts are made, and can be provided;
- 6 • Ensure that, where indicated, the design and manufacturing of emerging
7 technologies provides for manual human override;
- 8 • Ensure that appropriate fees or taxes are levied for cost recovery, enforcement,
9 and where allowable, mitigate impact to public infrastructure;
- 10 • Ensure data sharing from companies so that the City and the public can
11 effectively evaluate the services' benefits and impacts;
- 12 • Ensure that technologies do not contribute to congestion on roads, sidewalks,
13 and public spaces;
- 14 • Ensure that preference be given to those technologies that grow rather than
15 reduce the labor force;
- 16 • Ensure that, wherever possible, technologies include labeling, individual permit
17 identifiers, business information, and emergency contact information for those
18 responsible for the deployment of products;
- 19 • Ensure that businesses using emerging technologies that could pose a safety
20 threat to the public carry appropriate insurance;
- 21 • Ensure that any technology that utilizes individuals' private information obtains
22 informed consent for any use of that information; and
- 23 • Ensuring that in the event that the City explores Public-Private partnerships that
24 there is a criteria developed to evaluate impact, benefit, and liability to the City
25 and its infrastructure; now, therefore, be it

1 RESOLVED, That the Board of Supervisors is committed to investigating and adopting
2 legislation to ensure that City government is adequately nimble and responsive to address the
3 impacts of emerging technologies in San Francisco; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors urges the Office of the City
5 Administrator to develop a plan within 90 days to convene a Task Force to advise City
6 departments on a comprehensive regulatory and streamlined permitting process informed by
7 the aforementioned Guiding Principles for Emerging Technology; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors recommends that the Task
9 Force consist of representatives from a broad range of expertise, including individuals in the
10 technology industry, small business owners, labor leaders, and community stakeholders; and,
11 be it

12 FURTHER RESOLVED, That in considering and adopting legislation regulating
13 emerging technologies, the Board of Supervisors will be guided by the principles set forth in
14 this resolution.

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