

File No. 171123

Committee Item No. 3

Board Item No. 38

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 11, 2018

Board of Supervisors Meeting

Date April 17, 2018

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 700 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
| <input type="checkbox"/> | <input type="checkbox"/> | Information Sheet |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Alisa Somera Date April 6, 2018

Completed by: Alisa Somera Date April 13, 2018

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

3 **Resolution adopting guiding principles to inform future legislation regulating emerging**
4 **technology and urging the City Administrator to inform future legislation by convening**
5 **a Working Group.**

6
7 WHEREAS, The City and County of San Francisco is recognized as the epicenter of
8 innovation throughout the world and continues to be a leader for new ideas and emerging
9 technology; and

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

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

14 WHEREAS, It is estimated that more than 12% of San Francisco's workforce is
15 employed directly and up to 25% indirectly by the innovation economy; and

16 WHEREAS, Technology and innovation have many positive effects, including on our
17 health, safety, overall quality of life, and economy, but thoughtful regulation is also necessary
18 to ensure that social benefits are maximized; and

19 WHEREAS, In 2003 The San Francisco Board of Supervisors adopted the
20 Precautionary Principle as a general City policy and was codified as Chapter One of the San
21 Francisco Environment Code; and

22 WHEREAS, This key element of the Precautionary Principle states that every San
23 Franciscan has an equal right to a healthy and safe environment and requires that our air,
24 water, land, and food be of a sufficiently high standard that individuals and communities can
25 live healthy, fulfilling, and dignified lives; and

1 WHEREAS, Often technological advancements outpace the ability to thoughtfully
2 regulate; and

3 WHEREAS, As a result, many businesses—and in some cases entire industries—have
4 launched and grown with little regulation or oversight, resulting in unnecessary and
5 unmitigated public impact; and

6 WHEREAS, “Emerging Technologies” shall be defined as technology in active
7 development that stands to have a temporary or permanent physical impact on the public
8 realm, and by doing so, has the potential to positively or negatively impact the quality of life for
9 San Franciscans; and

10 WHEREAS, Such technologies, because of their nascence, generally lack regulatory
11 oversight; now, therefore, be it

12 RESOLVED, That the Board of Supervisors urges the City Administrator to convene a
13 Work Group to develop recommendations on a regulatory and permitting process for
14 Emerging Technology; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors urges the City Administrator to
16 develop plans for organizing and convening such a Work Group within 60 days; and, be it

17 FUTHER RESOLVED, That the Board of Supervisors extends its desire that the Work
18 Group consist of representatives from a broad range of expertise, including individuals in the
19 technology industry, manufacturing, small business owners, labor leaders, community
20 stakeholders and City departments; be it

21 FURTHER RESOLVED, That the Board of Supervisors, request the Work Group to
22 submit their recommendations 6 months after it is established, following the submission of
23 recommendations to the Board of Supervisors the Work Group will terminate; and ,be it
24
25

1 FURTHER RESOLVED, That the Board of Supervisors, in adopting this resolution shall
2 use the following guiding principles for Emerging Technology that shall guide both the
3 recommendations of the Work Group and any future legislation;

- 4 • Should provide a net common good, with consideration on whether such
5 emerging technology benefits the few at the expense of the many; and
- 6 • The safety, needs, and convenience of humans shall be prioritized over any
7 emerging technology use; and
- 8 • The needs of the most vulnerable members of our community, including
9 seniors, children, and those with mobility or other limitations are adequately
10 considered; and
- 11 • The testing or piloting of any technology provide the greatest emphasis on
12 ensuring public safety, including a manual human override as appropriate; and
- 13 • Any direct or indirect costs on the use of public infrastructure should be paid by
14 the owner or operator of the technology and not by the public; and
- 15 • Data sharing with relevant public agencies should be a condition of any
16 authorization to use the public realm; and
- 17 • In evaluating the public benefit of any emerging technology, the potential
18 impact on congestion on roads, sidewalks, and public spaces should be
19 carefully considered; and
- 20 • Where appropriate, provide preference to those technologies that support
21 rather than reduce the labor force in San Francisco; and
- 22 • Where appropriate and feasible, technologies should include labeling,
23 individual permit identifiers, business information, and emergency contact
24 information for those responsible for the deployment of products; and
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- Where technology should protect private information of individuals, such information should be protected and appropriate informed consent given; and
- Public-Private partnerships in Emerging Technology should be considered and evaluated to the highest standard, including any benefits, impacts, and costs to the City or the public infrastructure; and
- Any regulation should be nimble and responsive to changing conditions and demands; and

FURTHER RESOLVED, That the Board of Supervisors is committed to investigating and adopting legislation including recommendations for a dedicated Office of Emerging Technology with appropriate staffing to ensure that City government is adequately nimble and responsive to address the impacts of emerging technologies in San Francisco.

✓ AMENDMENTS
ACCEPTED

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

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 technology and to urge urging the Office of the City Administrator to**
6 **convene inform future legislation by convening a Task Force Working Group. on**
7 **Emerging Technology.**

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

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

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

16 WHEREAS, It is estimated that more than 12% of San Francisco's workforce is
17 employed directly and up to 25% indirectly by the innovation economy; and

18 WHEREAS, Technology has and innovation have many positive effects, including on
19 our health, safety, overall quality of life, and economy, but its unchecked deployment, without
20 conscientious thoughtful regulation, has at times caused unwitting harm to the community
21 interest, morale, the environment, and the economy is also necessary to ensure that social
22 benefits are maximized; and

23 WHEREAS, In 2003 The San Francisco Board of Supervisors adopted the
24 Precautionary Principle as a general City policy and was codified as Chapter One of the San
25 Francisco Environment Code; and

1 WHEREAS, This key element of the Precautionary Principle states that every San
2 Franciscan has an equal right to a healthy and safe environment and requires that our air,
3 water, land, and food be of a sufficiently high standard that individuals and communities can
4 live healthy, fulfilling, and dignified lives; and

5 ~~WHEREAS, The pace and impact of technological change is ever increasing, while the~~
6 ~~speed of government in considering and adopting regulatory legislation has not kept~~
7 ~~pace~~Often technological advancements outpace the ability to thoughtfully regulate; and

8 ~~WHEREAS, As a result, many businesses—and in some cases entire industries—have~~
9 ~~launched and grown with almost no governmental~~little regulation or oversight, resulting in
10 ~~grave~~unnecessary and unmitigated public harmimpact; and

11 ~~WHEREAS, “Emerging Technologies” shall be defined as technology in active~~
12 ~~development and intend to function or operate within the City and County of San Francisco,~~
13 ~~which can reasonably be predicted to have a measurable impact economically, socially, or~~
14 ~~morally in the next five to ten years~~that stands to have a temporary or permanent physical
15 impact on the public realm, and by doing so, has the potential to positively or negatively
16 impact the quality of life for San Franciscans; and

17 ~~WHEREAS, Such technologies, because of their emergence, are not currently~~
18 ~~regulated either by charter, ordinance, administrative code, and will likely have an impact on~~
19 ~~one or more of the following interests of the constituency: public safety, morale, public~~
20 ~~property use, privacy, rights of way, labor, environment, housing, transportation, or social-~~
21 ~~economic community welfare; and~~nascence, generally lack regulatory oversight; now,
22 therefore, be it

23 ~~WHEREAS, The~~RESOLVED, That the Board of Supervisors urges the City to adopt
24 ~~appropriate, effective, structured regulation and a permitting process for businesses that use~~
25 ~~emerging technologies in order to minimize their negative impacts on society;~~

1 and Administrator to convene a Work Group to develop recommendations on a regulatory and
2 permitting process for Emerging Technology; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges the City Administrator to
4 develop plans for organizing and convening such a Work Group within 60 days; and, be it

5 FUTHER RESOLVED, That the Board of Supervisors extends its desire that the Work
6 Group consist of representatives from a broad range of expertise, including individuals in the
7 technology industry, manufacturing, small business owners, labor leaders, community
8 stakeholders and City departments; be it

9 FURTHER RESOLVED, That the Board of Supervisors, request the Work Group to
10 submit their recommendations 6 months after it is established, following the submission of
11 recommendations to the Board of Supervisors the Work Group will terminate; and ,be it

12 FURTHER RESOLVED, That the Board of Supervisors, in adopting this resolution shall
13 use the following guiding principles for Emerging Technology that shall guide both the
14 recommendations of the Work Group and any future legislation;

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

- 17 • ~~Ensure that business in the City provides~~ Should provide a net common good,
18 and with consideration on whether the such emerging technology benefits the
19 few at the expense of the many; and
- 20 • ~~Ensure that when emerging technology relies on City infrastructure or scarce~~
21 ~~resources, that infrastructure and those resources are available and prioritized~~
22 for people The safety, needs, and convenience of humans shall be prioritized
23 over any emerging technology use; and
- 24 • ~~Ensure that any technologies in the public sphere are of such design, speed,~~
25 ~~and size that they are non-threatening and appropriate;~~

- 1 • ~~Ensure that any deployed iteration of such technologies is amenable and~~
2 accountable to the historical, intended, and expected use of infrastructure by
3 tThe needs of the most vulnerable members of the our community, including
4 seniors, children, those with limited vision, mobility or use of other assistive
5 devices are able to conduct their business and live their lives in the manner
6 they have always knownand those with mobility or other limitations are
7 adequately considered; and
- 8 • The testing or piloting of any technology provide the greatest emphasis on
9 ensuring public safety, including a manual human override as appropriate; and
- 10 • ~~Ensure that technologies are designed and manufactured to the professional~~
11 standards of all relevant engineering authorities, and specifically that testing,
12 risk management and risk remediation efforts are made, and can be provided;
- 13 • ~~Ensure that, where indicated, the design and manufacturing of emerging~~
14 technologies provides for manual human override;
- 15 • ~~Ensure that appropriate fees or taxes are levied for cost recovery, enforcement,~~
16 and where allowable, mitigate impact to public infrastructure;Any direct or
17 indirect costs on the use of public infrastructure should be paid by the owner or
18 operator of the technology and not by the public; and
- 19 • ~~Ensure dData sharing from companies so that the City and the public with~~
20 relevant public agencies should be a condition of any authorization to use the
21 public realm; and can effectively evaluate the services' benefits and impacts;
- 22 • ~~Ensure that technologies do not contribute to~~In evaluating the public benefit of
23 any emerging technology, the potential impact on congestion on roads,
24 sidewalks, and public spaces should be carefully considered; and
- 25

- 1 • ~~Ensure that preference~~Where appropriate, provide preference be given to those
2 technologies that ~~grow support~~ rather than reduce the labor force in San
3 Francisco; and
- 4 • ~~Ensure that, wherever possible,~~Where appropriate and feasible, technologies
5 should include labeling, individual permit identifiers, business information, and
6 emergency contact information for those responsible for the deployment of
7 products; and
- 8 • ~~Ensure that businesses using emerging technologies that could pose a safety~~
9 ~~threat to the public carry appropriate insurance;~~
- 10 • ~~Ensure that any~~Where technology that utilizes should protect private
11 information from individuals, such information should be protected and
12 appropriate informed consent given individuals' private information obtains
13 informed consent for any use of that information; and
- 14 • ~~Ensuring that in the event that the City explores Public-Private partnerships that~~
15 ~~there is a criteria developed to evaluate impact, benefit, and liability to the City~~
16 ~~and its infrastructure; now, therefore, be it in~~ Emerging Technology should be
17 considered and evaluated to the highest standard, including any benefits,
18 impacts, and costs to the City or the public infrastructure; and
- 19 • Any regulation should be nimble and responsive to changing conditions and
20 demands.

21 FURTHER RESOLVED, That the Board of Supervisors is committed to investigating
22 and adopting legislation including recommendations for a dedicated Office of Emerging
23 Technology with appropriate staffing to ensure that City government is adequately nimble and
24 responsive to address the impacts of emerging technologies in San Francisco.

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

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

9 ~~FURTHER RESOLVED, That in considering and adopting legislation regulating~~
10 ~~emerging technologies, the Board of Supervisors will be guided by the principles set forth in~~
11 ~~this resolution.~~

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

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

FROM: *al*
for 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
Lihmeei Leu, Office of the City Administrator
David German, Department of Technology

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 OCT 17 11:43
Timestamp
or meeting date

I hereby submit the following item for introduction (select only one):

BY _____

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Yee, Ronen, Fewer

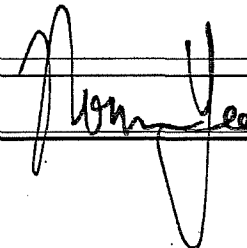
Subject:

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

The text is listed:

[]

Signature of Sponsoring Supervisor:



For Clerk's Use Only

