

1 [Administrative Code - Approval of Airport Surveillance Technology Policies]

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3 **Ordinance approving Airport Surveillance Technology Policies governing the use of 1)**
4 **application-based commercial transport technology, 2) electronic toll readers, and 3)**
5 **detection systems for gunshots and other noises.**

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

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

15 Section 1. Background

16 (a) Terms used in this ordinance shall have the meaning set forth in Administrative
17 Code Chapter 19B ("Chapter 19B").

18 (b) Chapter 19B regulates City Departments' acquisition and use of Surveillance
19 Technology. Under Section 19B.5, City Departments that possessed or were using
20 Surveillance Technology before Chapter 19B took effect in July 2019 must obtain Board of
21 Supervisors' approval by ordinance of a Surveillance Policy for each type of existing
22 Surveillance Technology. Under Section 19B.2, a Department must obtain Board approval by
23 ordinance of a Surveillance Technology Policy before: (1) seeking funds for Surveillance
24 Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using new or
25 existing Surveillance Technology for a purpose, in a manner, or in a location not specified in a
Surveillance Technology Policy ordinance approved by the Board in accordance with Chapter

1 19B; (4) entering into agreement with a non-City entity to acquire, share, or otherwise use
2 Surveillance Technology; or (5) entering into an oral or written agreement under which a non-
3 City entity or individual regularly provides the Department with data or information acquired
4 through the entity's use of Surveillance Technology.

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

14 (d) Beginning in May 2022, COIT and its Privacy and Surveillance Advisory Board
15 (PSAB) subcommittee conducted multiple public hearings, at which COIT and its PSAB
16 considered Airport Surveillance Impact Reports and draft Surveillance Technology Policies for
17 the following Surveillance Technology:

- 18 (1) Application-Based Commercial Transport Technology;
- 19 (2) Electronic Toll Readers; and
- 20 (3) Gunshot Detection Solution.

21 (e) The Surveillance Technology Policies developed for each of the above are
22 detailed in Sections 2 through 4 of this ordinance. The Surveillance Technology Policies are
23 available in Board File No. 230895. COIT recommended that the Board approve each
24 Surveillance Technology Policy.

1 (f) This ordinance sets forth the Board’s findings in support of each Surveillance
2 Technology Policy and its approval of each Policy.

3
4 Section 2. Application-Based Commercial Transport (ABCT) Technology

5 (a) Current Status. The Airport currently possesses and uses ABCT Technology.

6 (b) Purpose. The Airport uses the ABCT Technology (“Airport ABCT Technology”)
7 to: (1) invoice Transportation Network Companies (TNCs) for trip fees based on their
8 passenger pick-ups and drop-offs at the Airport, and perform invoice reconciliation; (2)
9 monitor and enforce TNCs’ compliance with the conditions of their operating permit and the
10 Airport Rules & Regulations; (3) provide support for the issuance of citations for traffic
11 violations by the Police Department-Airport Bureau; and (4) support public safety by ensuring
12 only authorized and approved drivers and vehicles are allowed to service passengers at SFO.

13 (c) Surveillance Impact Report and Surveillance Technology Policy. The Airport
14 submitted a Surveillance Impact Report and draft Surveillance Technology Policy for the
15 Airport ABCT Technology to COIT. A copy of the Surveillance Impact Report is in Board File
16 No. 230895.

17 (d) Public Hearings. Between July 8, 2022 and November 17, 2022, COIT and its
18 PSAB conducted three public hearings at which they considered the Surveillance Impact
19 Report and the draft Surveillance Technology Policy for the Airport ABCT Technology (“Airport
20 ABCT Technology Policy”).

21 (e) COIT Recommendation. On November 17, 2022, COIT voted to recommend
22 the Airport ABCT Technology Policy to the Board for approval.

23 (f) Findings. The Board hereby finds that the benefits that the Airport ABCT
24 Technology Policy authorizes outweigh the costs and risks; that the Airport ABCT Technology
25 Policy will safeguard civil liberties and civil rights; and that the uses and deployments of

1 Airport ABCT Technology, as set forth in the Airport ABCT Technology Policy, will not be
2 based upon discriminatory or viewpoint-based factors or have a disparate impact on any
3 community or Protected Class.

4 (g) Approval of Policy. The Board hereby approves the Airport ABCT Technology
5 Policy.

6 Section 3. Electronic Toll Readers

7 (a) Current Status. The Airport currently possesses and uses Electronic Toll
8 Readers.

9 (b) Purpose. The Airport uses Electronic Toll Readers ("Airport ETR") to:
10 (1) Process parking transactions, and (2) Investigate parking transaction disputes.

11 (c) Surveillance Impact Report and Surveillance Technology Policy. The Airport
12 submitted a Surveillance Impact Report and draft Surveillance Technology Policy for the
13 Airport ETR to COIT. A copy of the Surveillance Impact Report is in Board File No. 230895.

14 (d) Public Hearings. Between January 27, 2023 and February 16, 2023, COIT and
15 its PSAB conducted two public hearings at which they considered the Surveillance Impact
16 Report and the draft Surveillance Technology Policy for the Airport ETR ("Airport ETR
17 Policy").

18 (e) COIT Recommendation. On February 16, 2023, COIT voted to recommend the
19 Airport ETR Policy to the Board for approval.

20 (f) Findings. The Board hereby finds that the benefits that the Airport ETR Policy
21 authorizes outweigh the costs and risks; that the Airport ETR Policy will safeguard civil
22 liberties and civil rights; and that the uses and deployments of Airport ETR, as set forth in the
23 Airport ETR Policy, will not be based upon discriminatory or viewpoint-based factors or have a
24 disparate impact on any community or Protected Class.
25

1 (g) Approval of Policy. The Board hereby approves the Airport ETR Policy.

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4 Section 4. Gunshot Detection Solution

5 (a) Current Status. The Airport seeks to acquire a Gunshot Detection Solution.

6 (b) Purpose. The Airport intends to use the Gunshot Detection Solution (“Airport
7 GDS”) to: (1) detect the sound of gun shots, aggressive voices, glass breaking, and unusual
8 disturbances (based upon machine learned decibel level) and use device sensors to locate
9 the origin of the sounds; (2) provide data to law enforcement or other authorized persons
10 regarding date and time of the event, the sound detected, the type of gun used if applicable,
11 and the geographical location in connection with the investigation of an incident; (3) use the
12 Airport GDS alarm, and data provided by the Airport GDS, to allow 911 Dispatch and the
13 Airport’s Security Operations Center to immediately view video feeds of the location identified
14 by the alarm; and (4) provide immediate and accurate response information for Airport
15 Commission staff and law enforcement teams.

16 (c) Surveillance Impact Report and Surveillance Technology Policy. The Airport
17 submitted a Surveillance Impact Report and draft Surveillance Technology Policy for the
18 Airport GDS to COIT. A copy of the Surveillance Impact Report is in Board File No. 230895.

19 (d) Public Hearings. Between May 27, 2022 and October 20, 2022, COIT and its
20 PSAB conducted three public hearings at which they considered the Surveillance Impact
21 Report and the draft Surveillance Technology Policy for the Airport GDS (“Airport GDS
22 Policy”).

23 (e) COIT Recommendation. On October 20, 2022, COIT voted to recommend the
24 Airport GDS Policy to the Board for approval.

1 (f) Findings. The Board hereby finds that the benefits that the Airport GDS Policy
2 authorizes outweigh the costs and risks; that the Airport GDS Policy will safeguard civil
3 liberties and civil rights; and that the uses and deployments of Airport GDS as set forth in the
4 Airport GDS Policy, will not be based upon discriminatory or viewpoint-based factors or have
5 a disparate impact on any community or Protected Class.

6 (g) Approval of Policy. The Board hereby approves the Airport GDS Policy.
7

8 Section 5. 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 DAVID CHIU, City Attorney

15 By: /s/ Julie Veit
16 JULIE VEIT
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230895

Date Passed: November 28, 2023

Ordinance approving Airport Surveillance Technology Policies governing the use of 1) application-based commercial transport technology, 2) electronic toll readers, and 3) detection systems for gunshots and other noises.

November 06, 2023 Rules Committee - RECOMMENDED

November 14, 2023 Board of Supervisors - PASSED ON FIRST READING

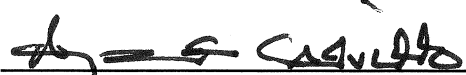
Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

November 28, 2023 Board of Supervisors - FINALLY PASSED


Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230895

I hereby certify that the foregoing
Ordinance was **FINALLY PASSED** on
11/28/2023 by the Board of Supervisors of
the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

12/8/23

Date Approved