Surveillance Technology Policy

Automated License Plate Readers ("ALPR")
San Francisco Municipal Transportation Agency - SFMTA

The City and County of San Francisco values privacy and protection of San Francisco residents' civil rights and civil liberties. As required by San Francisco Administrative Code, Section 19B, this Surveillance Technology Policy (Policy) aims to ensure the responsible use of Automated License Plate Readers (ALPR) itself as well as any associated data, and the protection of City and County of San Francisco residents' civil rights and liberties by the San Francisco Municipal Transportation Agency (Department).

PURPOSE AND SCOPE

The Department's mission is to connect San Francisco through a safe, equitable, and sustainable transportation system.

This Policy describes the manner in which the Department uses or will use ALPR technology to support this mission, by describing the technology's intended purpose, authorized and restricted uses, and requirements.

This Policy applies to all Department personnel that use, plan to use, or plan to procure ALPR technology, including employees, consultants, contractors, and vendors. Employees, consultants, contractors, and vendors while working for or on behalf of the City, with the Department, are required to comply with this Policy.

POLICY STATEMENT

The authorized uses of ALPR technology for the Department are limited to the following use cases and are subject to the requirements set forth in this Policy.

Authorized Use(s):

1. Enforce parking restrictions and laws.
2. Transit Only Lane Enforcement (TOLE).
3. Link individual vehicles to their times of entry/exit into City-owned parking garages and lots to accurately calculate parking fees.
4. Identify vehicles that are the subject of an active investigation by the SFPD (e.g., vehicles included on "hot lists" generated by the SFPD –see Appendix B & C, page 8 of SFPD ALPR Policy).
5. Analysis of and reporting on parking and curb usage.

Prohibited uses of ALPR technology include uses not described in the Authorized Use(s) above.

The Department may use information or data collected from ALPR technology (ALPR data) only for authorized purposes and not to discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender, gender identity, disability status, sexual orientation, or activity, or genetic and/or biometric data. Additionally, The Department

may not use ALPR technology to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

BUSINESS JUSTIFICATION

ALPR technology supports the Department's mission and provides important operational value in the following ways:

- Ensures efficient enforcement of parking restrictions and laws while aiding in the calculation of parking fees, and timely turnover of parking spaces. These uses support the Department's mission because they help ensure the sustainability of and more equitable access to the City's limited parking resources, which are part of its larger transportation system.
- Links parking tickets to vehicles parked in City-owned garages and lots to calculate customer-specific parking fees. This use supports the Department's mission because it maximizes the integrity of parking revenues, which the Department uses to fund elements of the City's larger transportation system, including transit.
- Allows the Department to efficiently enforce Transit Only Lanes which is in alignment with San Francisco's Transit-First Policy.

In addition, ALPR technology benefits residents in the following ways:

☐	Education	
☑	Community Development	Informs planning, policy development, and pricing for public parking and loading spaces (e.g., for specific commercial districts).
☐	Health	
☑	Environment	Improves street conditions by ensuring timely turnover of parking spaces for use by City residents and visitors.
☑	Criminal Justice	Identifies vehicles reported to, and that are subject to, an active investigation by the SFPD.
☐	Jobs	
☐	Housing	
☑	Other	Ensures customers with lost tickets are charged the actual value of their vehicle's stay in City-owned parking garages and lots instead of the maximum rates.

ALPR technology will benefit the Department in the following ways:

Benefit		Description
☑	Financial Savings	Minimizes physical chalking by Parking Control Officers (PCOs); chalking can cause repetitive motion injuries, which result in workers compensation claims filed against The City.

☑	Time Savings	Helps PCOs cover larger geographic areas and improves effectiveness and efficiency in performing their duties.
☑	Staff Safety	Parking garage staff no longer required to work within confined areas in parking garages. Minimizes repetitive motion injuries from physical chalking by automating the process for PCOs to mark vehicles.
☑	Data Quality	Improves accuracy and simplifies parking enforcement duties. Provides data required to calculate parking fees, especially when patrons lose their parking tickets within City-owned parking garages and lots. Provides data to inform potential new on-street parking and curb policies and regulations.
☑	Other	Provides anonymized data about parking and curb utilization, which informs planning and policy development.

POLICY REQUIREMENTS

This Policy describes the Department's data management processes and safeguards to ensure transparency, oversight, and accountability in its use of ALPR technology and ALPR data. The Department's use of ALPR technology, including its collection, retention, processing, and sharing of ALPR data must comply with this Policy and with all applicable City, State, and Federal laws.

Specifications:	The software and/or firmware used to operate the ALPR technology must be up to date and maintained.
Safety:	ALPR technology must be operated in a safe manner. ALPR technology will not be operated in a way that infringes on civil rights of residents or visitors, including their privacy rights, or that causes personal injury or property damage.
Data Collection:	The Department will minimize the use, collection, and retention of Personally Identifiable Information (PII) to what is strictly necessary to accomplish the intended purpose of the APLR technology. The Department will collect ALPR data only as required to execute the authorized uses of ALPR technology. All ALPR data collected, including PII, if any, will be classified according to the City's Data Classification Standard. The Department shall remove from the raw data it collects using ALPR technology any incidental data that may be used to identify persons or private information, including any PII, that is not necessary to accomplish the intended purpose of the ALPR technology.

ALPR data includes the following data types:

Data Type(s)	*Format(s)*	*Classification*
Video and Images	JPEG, G64m	Level 3
Date and Time	SQL or proprietary	Level 3
Geolocation data	SQL	Level 3

Notification: Where reasonably possible given access and safety considerations, the Department will provide notice to the public of its operation of ALPR technology through signage located in viewable public areas. These notices will state the purpose of the ALPR technology being used at the applicable site(s)

The Department's signs will include the following information (as applicable) about the ALPR technology:

- ☑ Description of the technology used
- ☑ Description of the authorized use(s) or purpose(s)
- ☐ Type of data collected
- ☐ Whether persons be individually identified
- ☐ Data retention schedule
- ☑ Department's name
- ☑ Department's contact information

Access: Persons with access to ALPR data must adhere to the following rules and processes:

- Authorized users must complete mandatory training and obtain login credentials.
- Only authorized users may use ALPR technology or access ALPR data.
- Authorized users must log into tablet or computer, as applicable, to access ALPR data.

A. Department employees

Once collected, the following roles and job titles are authorized to access and use ALPR data that is collected, retained, processed, or shared:

- 104x – IT Staff
- 109x – Operations Support Admin
- 182x – Administrative Analyst
- 184x - Management Assistant
- 917x - Managers
- 5277 – Planner I
- 5288 – 5290 Transportation Planners
- 8214 – Parking Control Officer(s)

B. Members of the public, including criminal defendants

With respect to public access to ALPR data, the Department will comply with applicable law, including the California Public Records Act and San Francisco Sunshine Ordinance.

Data Security: The Department will secure any PII against unauthorized access, processing, disclosure, and accidental loss, destruction, or damage. ALPR data collected and retained by the Department will be protected by the safeguards appropriate for its classification level(s).

To protect ALPR data from unauthorized access and control, including misuse, the Department shall, at minimum, apply the following safeguards:

- Authorized users require unique login credentials to access ALPR technology, which is accessible on portable tablets and on workstations.
- All access to and activity in the ALPR system is logged and can be audited.

Data Sharing: The Department will endeavor to ensure that other agencies or departments with which it shares ALPR data receive a copy of and comply with this Policy.

The Department will ensure administrative, technical, and physical safeguards are in place before sharing ALPR data internally with other City departments and with entities outside the City (e.g., other government entities, contractors, vendors). (See Data Security).

Before sharing ALPR data that contains personal information outside the Department, if reasonably possible, the Department will take measures (e.g., de-identification, anonymization, aggregation, etc.) to protect the identities of individuals.

Further, in sharing ALPR data, the following shall be prohibited: (1) the processing of personal data to reveal a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; and (2) the processing of genetic data or biometric data to identify an individual person. Sharing data concerning health or data concerning an individual person's sex life or sexual orientation shall be prohibited.

Before sharing ALPR data with any recipients, the Department will use the following procedure to ensure appropriate data protections are in place:

☑ Confirm the purpose of the data sharing aligns with the Department's mission.

☑ Consider alternative methods other than sharing data that can accomplish the same purpose.

☑ Redact names, scrub faces, and ensure all PII is removed in accordance with the Department's applicable policies.

☑ Review of all existing safeguards to ensure shared data does not increase the risk of potential civil rights and liberties impacts on residents.

☑ Evaluation of what data can be permissibly shared with members of the public should a request be made in accordance with applicable law, including San Francisco's Sunshine Ordinance.

☑ Ensure data will be shared in a cost-efficient manner and exported in a clean, machine-readable format.

This Policy authorizes the Department's data sharing practices, as follows:

A. Internal Data Sharing

The Department may share ALPR data with the following recipients internal to the City and County of San Francisco:

- Different divisions with the Department
- Police Department
- City Attorney
- District Attorney
- Sheriff

Data sharing with these internal recipients occurs at the following frequency:

- As needed.

B. External Data Sharing

The Department may share ALPR data with the following recipients external to the City and County of San Francisco:

- City-owned parking garage operators under contract with the Department (currently, LAZ and Impark/IMCO).
- Vendors under contract with the Department to support or maintain the ALPR technology and its associated data to ensure it remains functional (currently Conduent Technology, citation-processing contractor). Hardware manufacturers Genetec (ALPR vendor), and Skidata (parking access and revenue control system (PARCS) vendor).

Parking garage operators and vendors, listed above, may change periodically as their contracts expire and as they are acquired or merge with new business entities. Their function, however, will remain substantially the same.

Data sharing with these external recipients occurs at the following frequency:

- Ongoing

To ensure external entities receiving data collected by ALPR technology comply with this Policy, Department shall:

- Ensure they receive a copy of and comply with this Policy.

Data Retention:

The Department's ALPR data retention schedule, by data type, and justification are as follows:

Type of Data	Justification for Retention
Digital images not associated with a parking citation are retained for 7 days.	To allow enforcement of 72-hour parking restrictions – PCOs require images taken at least 72 hours apart to enforce restrictions.
Digital images associated with a parking citation are retained for 365 days.	To support validity of contested parking citations at Department Administrative Hearings.
Digital images from parking garages are retained for 60 days after customer exists garage.	To assist SFPD in investigations of vehicular break-ins (consistent with maximum period the California Highway Patrol can retain ALPR data under state law (CVC 2413(b))).
Parking garage data (digital images converted to numerical data) stored for archive reporting 2 years.	Parking garage data is stored 2 years for auditing purposes. This includes parking taxes information for the tax collector's office. It is not meant for garage utilization or demand planning.
If license plate is used as a credential for entry and exit into parking garage (e.g., frictionless parking or reservation) license plate information is stored for as long as individual is using that service.	To allow customers access to parking garage for the duration of their reservation or use period. (License plate information is used in instead of an access card to grant access.)

The Department will store and retain raw PII it collects with ALPR technology only as long as necessary to accomplish a lawful purpose authorized under this Policy. PII collected by ALPR technology may be retained beyond the applicable retention period(s), above, only in the following circumstance(s):

- Where ALPR data is used in a criminal investigation, or as otherwise required by law.

Departments must establish appropriate safeguards for PII data stored for longer periods.

ALPR Data will be stored in the following location(s):

- ☑ Local storage
- ☑ Department's Data Center
- ☐ Software as a Service Product
- ☑ Cloud Storage Provider

Data Disposal: Upon completion of the data retention period, the Department shall dispose of ALPR data in the following manner:

Practices:

- Upon completion of the applicable data retention period, the Department will automatically dispose of raw ALPR data (e.g., ALPR data that has not been anonymized or aggregated).

Training: To reduce the risk that ALPR technology or ALPR data will be used in a way that violates this Policy, individuals requiring access to ALPR technology or ALPR data must receive training on data security policies and procedures.

At minimum, the Department shall require all employees, consultants, contractors, vendors, and volunteers working with ALPR technology on its behalf to read and acknowledge all authorized and prohibited uses. The Department shall also require that individuals with access to PII receive appropriate training before being granted access to systems containing PII.

The Department will ensure employees and vendors are trained on how to use the ALPR technology correctly and ensure ALPR data is used for its intended use only. Training includes explaining how employees and vendors can use data and how to report problems with the ALPR system.

COMPLIANCE

The Department shall oversee and enforce compliance with this Policy using the following methods:

- The Department will assign the positions listed below to oversee, or assign staff members under their direction to oversee, compliance with this Policy.
    - Commander of Parking Enforcement and Traffic.
    - Operations Manager, SFMTA Parking and Curb Management.
    - Policy Manager, SFMTA Parking and Curb Management.

Sanctions for violations of this Policy include the following:

- Violations of this Policy may result in disciplinary action commensurate with the severity of violation. Sanctions include written warning, suspension, and termination of employment.

EXCEPTIONS

The Department may use ALPR technology or ALPR data in ways that may be inconsistent with this Policy in the following cases: (1) to respond to exigent circumstances; or (2) if ordered by a court or otherwise required by law.

DEFINITIONS

Personally Identifiable Information:	Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.
Raw Data:	Information collected by a surveillance technology that has not been processed and cleaned of all personal identifiable information. The distribution and use of raw data is tightly restricted.
Exigent Circumstances	An emergency involving imminent danger of death or serious physical injury to any person that requires the immediate use of ALPR technology or ALPR data.

AUTHORIZATION

Section 19B.4 of the City's Administrative Code states, "It is the policy of the Board of Supervisors that it will approve a Surveillance Technology Policy ordinance only if it determines that the benefits the Surveillance Technology ordinance authorizes outweigh its costs, that the Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that the uses and deployments of the Surveillance Technology under the ordinance will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or Protected Class."

QUESTIONS & CONCERNS

Public:

Public complaints or concerns may be submitted to the Department by:

- All complaints or concerns should be routed through 311.org.

The Department shall acknowledge and respond to complaints and concerns in a timely and organized manner. In so doing, Department shall:

- Respond to 311 within required Service Level Agreement (SLA).

City and County of San Francisco Employees:

All questions from Department employees regarding this Policy should be directed to the employee's supervisor or one of the persons identified in the **COMPLIANCE** section, above, with oversight responsibilities. Similarly, questions about other applicable laws governing the use of the ALPR technology or the issues related to privacy should be directed to the employee's supervisor or the director.