



**Mark Farrell, Mayor**  
**Mohammed Nuru, Director**



**Jerry Sanguinetti, Bureau Manager**

## **Public Works Order No: 187703**

ESTABLISHING REGULATIONS AND GUIDELINES FOR THE USE AND OPERATION OF AUTONOMOUS DELIVERY DEVICES WITHIN THE PUBLIC RIGHT-OF-WAY SUPPLEMENTING PUBLIC WORKS CODE ARTICLE 15, SECTION 794 FOR TESTING AND RESEARCH.

### **I. PURPOSE:**

Public Works Code Article 15, Section 794, directs Public Works to permit and regulate all Autonomous Delivery Devices (ADD) operating on City sidewalks for testing, research, and development in anticipation for future commercial uses.

### **II. PROCESS:**

- A. A permit authorizes no more than three (3) ADDs with a maximum of nine (9) ADDs allowed under the permits from the City during the testing period.
- B. Upon approval, a permit is valid for up to one hundred eighty (180) days and may be extended for two (2), ninety (90) day periods upon written request to the Director a minimum fourteen (14) days prior to the expiration of the permit.
- C. This Director's order authorizes a maximum of 3 simultaneous permits to be issued. If 180 days has elapsed since a permittee was granted a permit, a permittee may apply for a second permit so long as no more than two permits have been issued.
- D. As part of the application process, the applicant is required to provide the description and purpose of the testing as well as the dates and times during which the testing will take place.
- E. The applicant is required to provide one or more maps showing the proposed path of the testing along the public street.
- F. In the testing phase, ADDs are allowed to operate within zoning districts designated for Production, Design and Repair ("PDR") and not identified as a high-injury corridor by the City's Vision Zero SF road safety initiative.

An electronic zoning map is located at:

[http://default.sfplanning.org/zoning/zoning\\_map.pdf](http://default.sfplanning.org/zoning/zoning_map.pdf)

A copy of the high-injury corridor is located at:

<http://sfgov.maps.arcgis.com/apps/webappviewer/index.html?id=fa37f1274b4446f1bdd7bdf9e708ff>



- G. All permittees shall agree to indemnify, defend, protect, and hold harmless the City from and against any and all claims of any kind allegedly arising, directly or indirectly, from the permittee's operation of the ADDs.
- H. All permittees shall maintain with the City, for the duration of the permit period, copies of insurance for the following:
  - a. Minimum \$1,000,000 General Liability insurance endorsed naming the City and County of San Francisco, Its Officials, Employees and Agents as additional insured.
  - b. Automotive liability insurance.
  - c. Workers' compensation insurance.
- I. A copy of the operating manual and instructions for operating the ADD, including a description of the manner in which the ADD will come to a full and complete stop, is required as part of the permit application.
- J. On company letterhead, privacy policy addressing how the applicant will use, store, and safeguard photographic, video and other data obtained through the testing is required as part of the permit application.
- K. On company letterhead, a description of how the applicant has considered any potential labor disputes involving the applicant's workforce is required as part of the permit application.
- L. During the testing process, a human operator shall be within 30 feet of the ADD.
- M. At no time during the testing shall the ADD travel more than 3 miles per hour and must yield to pedestrians and bicyclist at all times, while obey all laws governing traffic and pedestrian travel.
- N. In testing situations where food or other goods are being delivered, additional approval may be required from other stakeholder agencies, including but not limited to the Department of Public, SFMTA, etc. Further, ADDs may not transport waste or hazardous materials, including flammables or ammunition.
- O. After receiving an application and fees for an ADD permit request, Public Works shall verify that all elements within the checklist have been satisfied.
- P. Upon verification of all required elements of the permit application, Public Works shall validate the route to ensure that it is within the PDR zone and no elements of the route are within the high injury corridor.
- Q. Once Public Works has verified the route satisfies conditions imposed by the ADD legislation, a Director's Hearing shall be scheduled for the ADD request a minimum of forty-five (45) days after the date of notification.
- R. A notification for the Director's Hearing and Notice of Application shall be created and provided to the applicant for posting. Further, the Order shall be posted on the Public Works website and a copy provided to each member of the Board of Supervisors.
- S. The notification shall contain information of a website link where concerned individuals can acquire additional information about the request and have the ability to provide comments and concerns ahead of the Director's Hearing. The Order shall specify the date, time and location of the Director's Hearing.
- T. The applicant is required to post the notice along all routes. The notification shall be placed on utility/light poles and spaced no more than one hundred fifty (150) between postings. The applicant shall provide date stamped photographic evidence of compliance with the posting requirements.



- U. During the twenty (20) day posting period, Public Works will monitor and gather comments submitted ahead of the Director's Hearing.
- V. After the twenty (20) day posting period, the applicant is required to removal all the posting for the permit.
- W. A Director's Hearing will be held and information on the application request along with comments gathered during the posting period will be submitted to the Hearing Officer. At the time of the hearing, any additional comments from the public will also be heard. Based upon public comment and information before them, the Hearing Officer will evaluate and provide the Director with a recommendation to either approve or deny the permit.
- X. The Director of Public Works will either approve or deny the application. A copy of this decision shall be provided to all individuals who provided comments to Public Works, the members of the Board of Supervisors, and be posted on the website. The applicant shall provide postage to Public Works for the mailing of the decision. This decision can be appealed to the Board of Supervisors within ten (10) days of the decision.
- Y. Upon approval of the Permit, each permittee shall disclose to the City Administrator's Office and Public Works the items identified below on a monthly basis. The disclosure shall be two (2) hard and electronic copies sent to Pubic Works – Bureau of Street Use & Mapping, 1155 Market St. 3<sup>rd</sup> Floor, Attn: ADD. The elements for disclosure:
  - a. Data collected during the testing, including Global Positioning System (GPS) or photographic data.
  - b. Information regarding the San Francisco businesses that are incorporating the testing into their operations.
  - c. Any incidents arising from the testing, including but not limited to violations of the operational requirements/guidelines, incidents impacting public safety, public complaints regarding the testing, malfunction or public tampering with an ADD and any collisions with street furniture, vehicle or members of the public.
- Z. During the Operation of an ADD, the applicant shall contact Public Works within 24 hours of any incident that triggers either an accident or result in a Police Report.
- AA. Within one year from the issuance of the first permit, Public Works shall provide a report to the Board of Supervisors regarding the operation of the permitted testing program, summarizing the data collected and offering findings and recommendations regarding the administration of the testing program.

### III. GUIDELINES:

During testing, depending upon the test being performed, an applicant may be required to comply with various regulations, including:

- Americans with Disabilities Act (ADA), Title II (28 CFR part 35) and Title III (28 CFR part 36).
- ADA Accessibility Standards for Accessible Design (ADAS); 2004 ADA Accessibility Guidelines plus above federal regulations.
- California Civil Code, commencing with section 51; The Unruh Civil Rights Act.
- California Government Code, commencing with section 4450.
- California Building Code (CBC); CCR Title 24, Part 2.
- California Vehicle Code (CVC).



- California Streets and Highways Code (CSHC).
  - San Francisco Better Streets Plan.
- A. It is recommended that the ADD should have a maximum width of 25 inches, a maximum length of 48 inches and height of 34 inches, with a maximum ground clearance of 12 inches to provide detectability for white cane users.
  - B. During the testing phase, ADDs shall be in high contrast with the background and be highly visible to the public. The ADD should be non-glare and otherwise non-specular. A unique identifier shall be proposed and submitted to Public Works as part of the permit application.
  - C. The ADD shall have lighting and be sufficiently bright to be seen by people with low vision within 10 feet of the ADD, yet not so bright to create a debilitating glare. Any flashing lights must have a flashing rate to be below the threshold for people with epilepsy.
  - D. The ADD shall emit a distinct sound at a volume sufficient to warn nearby pedestrians and cyclists. It is recommended that microphones be installed to monitor ambient sound so as to adjust the volume of the warning sound. The sound cannot be more than 5 dBA above the local ambient at a distance of 25 feet or more as required by the San Francisco Police Code.
  - E. It is expected that the ADD will remain stable and upright at all times during operation.
  - F. The ADD shall not exceed 100 pounds per square foot for wheel loads.
  - G. Wheels, rollers and other methods of support shall provide a non-gouging, non-marring wearing surface that is slip-resistant and non-abrasive so as not to damage the surface of sidewalks, curb ramps, curbs, gutters, and crosswalks. Any damages resulting from the operation of the ADD shall be repaired by the operator/applicant. Wheel guards or other barriers shall be provided to prevent the feet of pedestrians from being run over or entrapped by the ADD.
  - H. All user controls and operating mechanisms shall be accessible in accordance with CBC Section 11B-309 and the ADAS Section 309.
  - I. If there is interaction for users (both operator and end user), accessible reach ranges to all controls and operating mechanisms shall be provided in accordance with as described in the 2010 ADAS Section 308 and CBC Section 11B-308.
  - J. Operation of ADD Units within the Public Right of Way:
    - a. Shall ensure that there is no reduction in accessibility in order for the Unit to be accessible to, and functional for, persons with a disability to use the public right of way, without loss of function, space, or facility where the general public is concerned.
    - b. Shall yield to pedestrians and bicyclists at all times.
    - c. Shall not block or obstruct an accessible route (typically the pedestrian throughway zone as defined in the SF Better Streets Plan, plus facility entrances, public and private transit stops, passenger loading zones and accessible on-street parking spaces). ADD units shall move out of an accessible route when a pedestrian is present and shall allow the unencumbered passage of pedestrians within the public right of way.
    - d. Shall minimize stopping on or within 5 feet of any portion of a curb ramp, including the upper landing and lower approach areas, and the upper edge of flared sides of curb ramps.



- e. Shall minimize stopping within 5 feet of pedestrian push buttons, SFFD and SFPD emergency call boxes, news racks, kiosks, benches, tables, chairs, and similar pedestrian use features and amenities.
- f. Shall minimize stopping within the length of bus stops and shall not stop within 10 feet of bus shelters and bus stop signs.
- g. Shall minimize stopping and obstructing the pedestrian path of travel within 6 feet of facility pedestrian entrances and exits.
- h. Shall minimize stopping unnecessarily within driveway areas.
- i. Shall be maintained at all times, any spillage, leakage or debris shall be removed immediately and the sidewalk cleaned.

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6/18/2018

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Sanquinetti, Jerry  
Bureau Manager  
Signed by: Sanquinetti, Jerry

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Thomas, John  
Deputy Director and City Engineer  
Signed by: Thomas, John

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Nuru, Mohammed  
Director, DPW  
Signed by: Nuru, Mohammed

