

FATIGUED DRIVING PREVENTION

FREQUENTLY ASKED QUESTIONS

1. How does the new driver fatigue prevention rule affect my hours?

Both taxi and FHV drivers are prohibited from transporting passengers for more than 10 hours in any 24-hour period and for more than 60 hours in a calendar week (Monday-Sunday). TLC will review driver hours using the trip records it receives from FHV bases and through the TPEP and LPEP systems. TLC will add up the amount of the passenger time – the time between picking up a passenger and dropping them off - to determine if a driver or base has violated the daily or weekly limit.

2. When will TLC enforce the new fatigued driving prevention rule?

TLC will implement the rule in three phases: data collection, warnings, and summonses.

To track driving hours of all drivers subject to the rule, TLC will work with FHV bases to help them transmit drop-off data to TLC. FHV bases will be required to submit drop-off date, time, and location for each trip. TLC will contact bases mid-April to provide deadlines and specifications for data submission. Information will also be available on TLC's [Trip Records webpage in mid-April](#). This first step will take several months. **Note:** TLC already receives complete trip data for trips completed in yellow and green taxis.

After FHV bases begin submitting the enhanced trip records, TLC will analyze taxi and FHV trip data and issue warnings to drivers who are driving excessive hours. The goal of these warnings is to give drivers information so they can change their schedules before any summonses are issued.

TLC will then issue summonses for violations of the driving limits. TLC will notify licensees before we begin issuing summonses. The earliest TLC will issue summonses to drivers is in late 2018.

3. What new information are the FHV bases required to submit and when will TLC enforce the new rules?

FHV bases will be required to submit drop-off date, time, and location for each trip. TLC contacted bases last year to provide deadlines and specifications for data submission. Information is also available on TLC's [Trip Records webpage](#).

4. What is the best way for bases to keep track of the total amount of hours that a driver works?

A base should be able to meet its duties under the rule with something as simple as a Microsoft Excel worksheet. There are also vendors that develop software to track dispatched calls. Each base can choose the method that makes most sense for their business.

5. What is TLC doing to help bases comply with the new drop-off data requirement?

TLC will offer support and technical assistance to bases to comply with new reporting requirements, including information on what kinds of technology may be needed to comply with the rules.

6. What if one of my affiliated vehicles receives dispatches from other bases?

A base is only responsible for making sure the trips it dispatches to a driver stay within the hour limits. A base is not responsible for and does not need to track the time a driver works for another base.

7. What does the rule say about bases dispatching trips to drivers above the daily and weekly hour limits?

Bases are only responsible for trips that they dispatch, not trips that their affiliated drivers accept through other bases or, if a green taxi, by street hail. Bases are subject to a \$200 fine for each dispatched trip that begins over the daily or weekly limit of passenger hours dispatched by that base.

Example 1: If a driver spends 11 hours with passengers in a 24-hour period and those trips are dispatched from only one base, that base will be subject to a \$200 fine for each dispatched trip that begins after 10 hours.

Example 2: If a driver spends 11 hours with passengers in a 24-hour period, and 6 hours of trips are dispatched from Base A and 5 hours of trips are dispatched from Base B, neither Base A nor Base B will be subject to any fines.

8. What is my responsibility as a base?

Bases will be responsible for making sure they are not dispatching trips to a driver beyond the hour limits.

The new rule also requires bases to submit drop-off data for each trip. We understand that it will take bases time to adjust to this change.

9. Why is TLC limiting the hours that drivers can work?

Studies show that driving while fatigued can be as dangerous as driving after heavy drinking. The new fatigued driving prevention rules address two types of fatigue that can affect driving – acute fatigue and chronic fatigue. Acute fatigue results from not getting enough sleep on a single day. Chronic fatigue occurs when people don't get enough rest over a longer period of time. These kinds of fatigue are linked to a higher risk of traffic crashes.

10. What hours are counted towards the 10 and 60 hour limits?

TLC will count the time when a driver has a passenger in the vehicle (“passenger time”). Drivers will be limited to 10 hours of passenger time in a 24-hour period and 60 hours of passenger time each week.

11. Can I pick up a passenger if I am almost at the 10-hour limit?

If you are under the 10-hour limit when you begin your final trip of the day, you will not receive a summons, even if the trip goes over the 10-hour limit. For example, if you have driven for 9 hours and 50 minutes of passenger time and you pick up a final passenger for a 20-minute trip, you will not receive a summons for exceeding the 10-hour limit in that day. **Note:** The full 10 hours and 10 minutes of passenger time for that day will count toward your weekly limit.

12. How will TLC know that I drove over the daily or weekly hour limits?

TLC will calculate each driver's hours using the trip records it receives from FHV bases and through the yellow taxi TPEP and green taxi LPEP systems. TLC will add up the amount of the time between pick-up and drop-off of each trip to determine if a driver has violated the daily and weekly limits.

13. How can I calculate the hours that I worked in a day/week?

The hours are calculated by adding up the time that elapses between each pick-up and drop-off during any 24-hour period and during a calendar week (Monday-Sunday).

Example: A driver picks up a passenger at 7:05am and drops off the passenger at 7:20am. The driver picks up the next passenger at 7:35am and drops off the passenger at 7:55am. The second trip lasts 20 minutes. Because the first trip lasts 15 minutes and the second trip lasts 20 minutes, a total of 35 minutes is counted toward the driver's hour limits. (See next page) **Note:** The time between the two trips does not count toward the driving limits.

	Pick-up Time	Drop-Off Time	Trip Time (minutes)
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Trip 1	7:05am	7:20am	15
Trip 2	7:35am	7:55am	20
Total Driving Time			35

14. How can I keep track of my hours?

FHV drivers should discuss with the bases they take trips from how to best keep track of their hours. Yellow and green taxi drivers can keep track of their trips using their TPEP/LPEP records. For help, please contact your TPEP/LPEP provider(s).

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15. Do driver hours include time in traffic, construction, or weather-related problems?

TLC will only count the amount of time a passenger is in the vehicle, between each pick-up and drop-off. If a driver gets stuck in traffic with a passenger in the car, then that time in traffic is counted toward the hour limits. But if a driver is cruising for a new trip and gets stuck in traffic, that time is not counted toward the driving limits.

16. How does the new fatigue prevention rule affect yellow taxi drivers?

The rule applies to taxi and FHV drivers in the same way. Both taxi and FHV drivers are prohibited from transporting passengers for more than 10 hours in any 24-hour period and for more than 60 hours in a calendar week (Monday-Sunday).

17. How can I keep track of my trips as a yellow or green taxi driver?

The TPEP and LPEP systems installed in every yellow and green taxi vehicle collect the required trip data. Drivers can log into the portals to keep track of the hours that they are working on a daily and weekly basis.