
Fatigued Driving Prevention: Proposed Rule Revision

January 5, 2017

VISION ZERO 

NYC
Taxi & Limousine
Commission

Fatigued Driving: Risks to Traffic Safety

Vision Zero

- Working with other City agencies to increase safe driving and eliminate traffic fatalities
- New strategies to prevent fatigued driving was a Vision Zero priority for TLC in 2016

Acute and chronic fatigue negatively impact driving abilities

- As driving time increases, so do the odds of being in a crash
- Fatigue impairs performance of repetitive tasks such as driving by slowing reaction time and creating deficits in processing information
- Being awake for 18 hours produces impairment equal to a BAC of .05 (DUI level in New York) and .10 after 24 hours (NY has a DWI threshold of .08 BAC)
- Sustained reductions of daily sleep duration result in reliable cumulative deficits in cognitive performance, especially in attention, cognitive speed, and memory
- Hours of service rules are a standard safety regulation in trucking, rail, and aviation

Sources: US Dept. of Transportation, NHTSA, CDC, AAA Foundation, National Sleep Foundation, University of Pennsylvania School of Medicine

Original Fatigued Driving Prevention Rule

Passed July 18, 2016 with delayed implementation for additional analysis

Daily and weekly limits applied to drivers and bases

- Allowed pick-ups in up to 12 hours in any 24-hour period
- Allowed pick-ups in up to 72 hours in any 7 day period
- Exception: The 24-hour clock resets after 8 consecutive hours with no pick-ups (not required)

Methodology for counting hours

- One trip in an hour counts as one hour worked
- Hours without a pick-up do not count toward either limit

Enforcement

- Audits of trip record data from TPEP, LPEP and FHV bases
- Graduated fines based on hours over the daily or weekly limit

Proposed Revisions to Rule

How will hours be counted?

- Passenger time only – from pick-up time to drop-off time
- Does not include travel to a dispatched trip, cruising time, rest breaks, or waiting at the airport for a fare
- Traffic or an unexpectedly far destination on the last trip will not count against drivers

Revised daily and weekly limit due to changes in hour calculation

- Allows up to 10 hours of trips in any 24-hour period
- Allows up to 60 hours of trips in any week (Mon-Sun)

New calculation requires additional FHV trip data

- TLC would require the collection and submission of FHV trip drop-off date, time, and location data

What doesn't change?

- The 24-hour clock resets after 8 consecutive hours with no trips (not required)
- Graduated penalties for going over either limit

Counting Passenger Time

Trip One

Pick-up Time: **10:02 AM**

Drop-off Time: **11:07 AM**

Trip Duration: **65 minutes**

Time counted toward limit: **65 minutes**

Time left in 24-hour period: **535 minutes**

Trip Two

Pick-up Time: **11:25 AM**

Drop-off Time: **12:00 PM**

Trip Duration: **35 minutes**

Time counted toward limit: **35 minutes**

Time left in 24-hour period: **500 minutes**

Rationale for Rule Revision

CHANGE TO PASSENGER TIME AND 10 HOURS/DAY AND 60 HOURS/WEEK

- Stakeholder feedback led to additional analysis with more FHV trip data points
- Better for drivers: Easier to track time and allows for short breaks without counting toward hours worked
- As with the previous hour limits, the revised limits will impact only those driving an excessive number of hours and at risk of fatigued driving

FHV TRIP DROP-OFF DATA REQUIREMENT

- Drop-off date and time needed to measure passenger time under new calculation
- Drop-off location needed to audit trip records to ensure accuracy
- Brings FHV, the largest growth sector under TLC regulation, closer to parity with taxis on data available for enforcement, analysis and planning

FHV Trips & OpenData

Currently Available on OpenData			Proposed Additional Public Data	
Dispatching Base Number	Pick-up Date & Time	Pick-up Location	<i>Drop-off Date & Time</i>	<i>Drop-off Location</i>
B00000	10/1/2012 13:12	Financial District South	<i>10/1/2012 13:32</i>	<i>Sunnyside</i>
B00000	10/1/2012 18:49	Sunnyside	<i>10/1/2012 19:22</i>	<i>Financial District South</i>
B00000	10/2/2012 0:07	Financial District South	<i>10/2/2012 0:24</i>	<i>Sunnyside</i>

Revised Rule Implementation

New Data Troubleshooting

- While many bases already collect drop-off data, we understand changes might take time
- TLC will continue helping bases coordinate submission and answer any questions

Enforcement Timing

- No summonses will be issued prior to adequate FHV data collection
- Once data is received, TLC will identify at-risk drivers and alert them prior to any enforcement

Education and Outreach

- Information and tools for rule compliance
- Risks of fatigued driving
- Tips for recognizing fatigue and scheduling enough breaks and sleep