

Getting Rest in the City the Never Sleeps: HOS Rules for Taxis, Ubers, and all the Rest

2017 Managing Fatigue Conference
March 20, 2017



New York City Taxi & Limousine Commission

- ▶ City agency regulating for-hire transportation
- ▶ 9-member commission votes on rule changes
- ▶ Industries: yellow taxi, green (boro) taxi, livery, black car, luxury limousine, paratransit, and commuter van
- ▶ Licensees include:
 - ▶ 155,000+ drivers – most are independent contractors
 - ▶ 100,000+ vehicles
 - ▶ 1,000+ car service bases and taxi agents
 - ▶ Uber, Lyft, Via, Gett are licensed as Black Car Services





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West 34th St

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Why address fatigue in for-hire transportation?

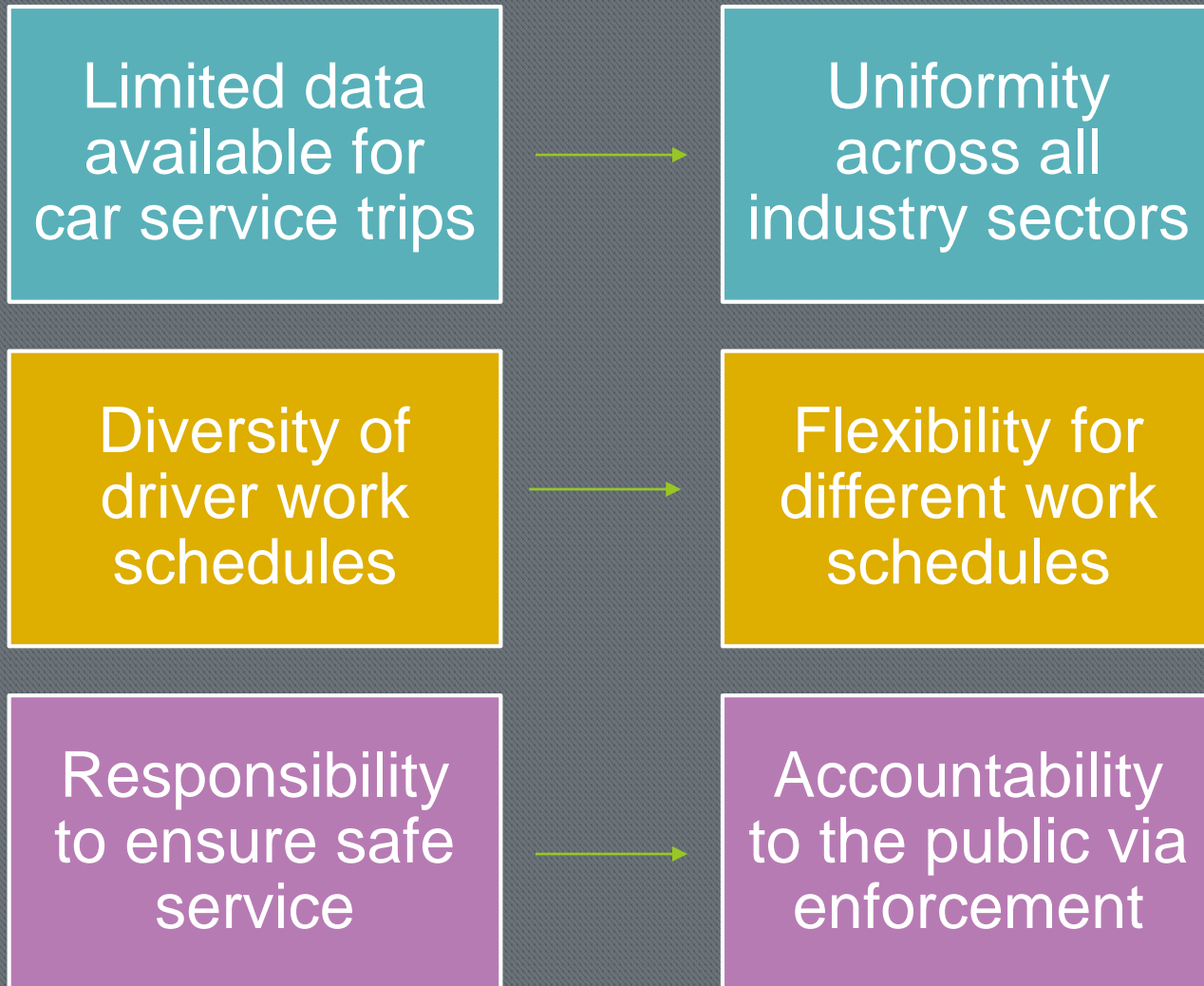
***Manhattan Woman, 88,
Is Fatally Struck by Taxi***

**Cabbie who fatally struck woman worked 16 hours
straight**

- ▶ Fatal crash in 2015 led to reevaluation of 12-hour rule
 - ▶ Only applied to one industry sector (yellow taxi drivers)
 - ▶ Allowed any break to reset the 12-hour clock
 - ▶ Focused on consecutive hours, which does not reflect the flexible schedules and split-shifting common today
- ▶ Vision Zero
 - ▶ City effort to increase safe driving and eliminate traffic fatalities
 - ▶ New strategies to prevent fatigued driving became a TLC priority



The Balancing Act



Policy Development Process

- ▶ Scientific Research
 - ▶ Confirmed the need to address acute and chronic fatigue
 - ▶ Correlation between fatigue and vehicle crashes
- ▶ Comparable Regulations
 - ▶ Taxi Driver Daily and Weekly Hour Limits
 - ▶ Chicago, Los Angeles, Minneapolis, Philadelphia
 - ▶ HOS rules in other transportation industries
 - ▶ Pilots, truck drivers, train engineers, aerospace
- ▶ Stakeholder Management
 - ▶ Previewing and consulting with industry members



Hours of Service Rule

- ▶ Daily and weekly limits applied to drivers and bases
 - ▶ Allows up to 10 hours in any 24-hour period
 - ▶ Allows up to 60 hours in any week
 - ▶ Exception: The 24-hour clock resets after 8 consecutive hours with no pick-ups (not required)
- ▶ Enforcement
 - ▶ Audits of trip record data from in-taxi technology and car service businesses
 - ▶ Graduated fines based on hours over the hour limits



Counting Time Under Rule

- ▶ Passenger time only – from pick-up time to drop-off time
- ▶ Doesn't include travel to pick-up, cruising, breaks, or waiting at the airport for a fare

Trip One		Trip Two	
Pick-Up Time	10:02 AM	Pick-Up Time	11:25 AM
Drop-Off Time	11:07 AM	Drop-Off Time	12:00 PM
Trip Duration	65 mins	Trip Duration	35 mins
Time counted toward limit	65 mins	Time counted toward limit	35 mins
Time left in 24-hour period	535 mins	Time left in 24-hour period	500 mins



New Data Requirement

- ▶ Drop-off data needed to measure passenger time under new calculation
- ▶ Brings car services, the largest growth sector under TLC regulation, closer to parity with taxis on data available for enforcement, analysis and planning
- ▶ Useful for evaluation of rule and other transportation policy analysis
- ▶ New data will be provided to the public via NYC OpenData



Industry Reaction

Citing Privacy Concerns, Uber Fights City's Plan To Track Drivers' Trips

Taxi agency's new anti-fatigue rules are mere window dressing

Vision Zero is admirable, but the mayor won't achieve it with ineffective overregulation

New York City Taxi Drivers Decry Plan to Limit Driving Time

Proposed new regulations aim to make roadways safer, but cabbies say they will lose income

Uber, NYC at odds over data collection for new safety rule

Uber's objections to city's driver-fatigue rules ring hollow

The Taxi and Limousine Commission should track e-hail rides the same way it does taxi trips



Rule Implementation

▶ New Data Submission

- ▶ While many bases already collect drop-off data, changes take time
- ▶ TLC will help bases coordinate submission and answer questions

▶ Enforcement

- ▶ No summonses will be issued prior to adequate data collection
- ▶ TLC will use data to identify at-risk drivers and issue warnings first

▶ Education & Outreach

- ▶ Tools for rule compliance
- ▶ Risks of fatigued driving
- ▶ Tips for recognizing fatigue and scheduling enough rest





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[NYC.gov/taxi](https://nyc.gov/taxi)