Fatigued Driving Prevention:
Proposed Rule Revision

January 5, 2017
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

<table>
<thead>
<tr>
<th>Trip One</th>
<th>Trip Two</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pick-up Time:</strong> 10:02 AM</td>
<td><strong>Pick-up Time:</strong> 11:25 AM</td>
</tr>
<tr>
<td><strong>Drop-off Time:</strong> 11:07 AM</td>
<td><strong>Drop-off Time:</strong> 12:00 PM</td>
</tr>
<tr>
<td><strong>Trip Duration:</strong> 65 minutes</td>
<td><strong>Trip Duration:</strong> 35 minutes</td>
</tr>
<tr>
<td>Time counted toward limit: 65 minutes</td>
<td>Time counted toward limit: 35 minutes</td>
</tr>
<tr>
<td>Time left in 24-hour period: 535 minutes</td>
<td>Time left in 24-hour period: 500 minutes</td>
</tr>
</tbody>
</table>
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 FHVs, the largest growth sector under TLC regulation, closer to parity with taxis on data available for enforcement, analysis and planning
## FHV Trips & OpenData

<table>
<thead>
<tr>
<th>Dispatching Base Number</th>
<th>Pick-up Date &amp; Time</th>
<th>Pick-up Location</th>
<th>Drop-off Date &amp; Time</th>
<th>Drop-off Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>B00000</td>
<td>10/1/2012 13:12</td>
<td>Financial District South</td>
<td>10/1/2012 13:32</td>
<td>Sunnyside</td>
</tr>
<tr>
<td>B00000</td>
<td>10/1/2012 18:49</td>
<td>Sunnyside</td>
<td>10/1/2012 19:22</td>
<td>Financial District South</td>
</tr>
<tr>
<td>B00000</td>
<td>10/2/2012 0:07</td>
<td>Financial District South</td>
<td>10/2/2012 0:24</td>
<td>Sunnyside</td>
</tr>
</tbody>
</table>
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