



Drowsy Driving Permitted? Are Rideshare Drivers Subject to Shift Restrictions?

Insights

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Long hours and late nights detrimentally impact one's ability to drive safely. The longer a driver has been awake, or the greater the number of hours he or she has worked, the more likely an accident may occur. Some professional drivers, including operators of commercial tractor-trailers governed by the U.S. Department of Transportation, have traditionally been subject to hour restrictions. These regulations prohibit drivers from working more than a certain number of hours without proper rest.

Concerns of fatigue have similarly arisen due to the long hours worked by rideshare drivers. Longer shifts are needed mostly because the number of individuals in United States hiring rideshare drivers continues to grow.

Although rideshare drivers will likely never be subject to the same stringent hours rules as commercial truckers, we are beginning to see more restrictions concerning the length of shifts for these drivers. In order to prevent accidents and other issues related to driver fatigue, some states, municipalities, and rideshare companies are beginning to adopt similar limitations.

Rideshare Company Restrictions

The following restrictions have been adopted by U.S.-based rideshare companies regarding the number of hours a driver may work:

Lyft: For every 14 hours a driver is in driver mode, whether they are consecutive or not, the driver is required to take a 6-hour break.

Uber: The company recently limited shifts in New York City to 12 hours after an 88 year-old woman was struck and killed by a drowsy NYC taxi driver; Uber plans to launch a weekly hour limit in London this summer.

State and Municipality Restrictions

According to Lyft, the following states and municipalities have adopted hour restrictions on rideshare drivers:

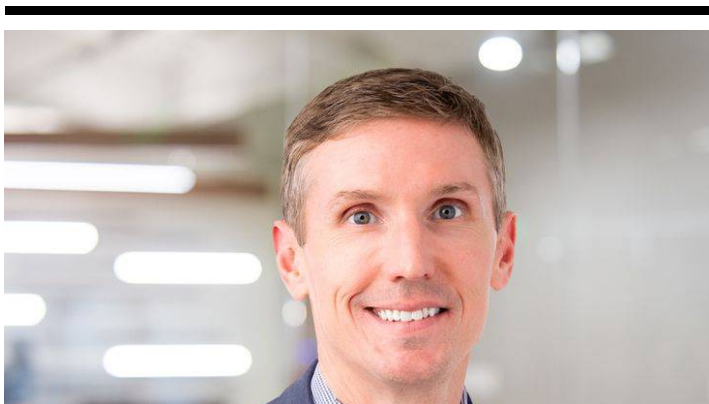
- **Austin** - Drivers may not operate a Transportation Network Company (TNC) vehicle for more than 12 hours within a 24 hour period.

- **Colorado** - After operating a TNC vehicle for 12 hours, drivers must take an eight hour break. Drivers may not operate a TNC vehicle for more than 16 hours within a 24-hour period and 70 hours within a seven-day period.
- **Washington, D.C.** - No more than 13 hours within a 24 hour period.
- **Illinois (Chicago and Rockford only)** - No more than 10 hours within a 24 hour period.
- **Kentucky** - After operating a TNC vehicle for 12 consecutive hours, drivers must take an 8-hour break. After operating a TNC vehicle for 16 hours spread over a 24-hour period, drivers must take a 10 hour break.
- **Maryland** - No more than 13 hours within a 24-hour period.
- **Nebraska** - No more than 12 hours within a 24-hour period.
- **Nevada** - Drivers may not operate a TNC vehicle for more than 16 hours within a 24-hour period, and may not transport passengers for more than 12 hours within a 24-hour period.
- **New York City** - **No more than 12 hours within a 24 hour period**
- **Orlando** - No more than 12 hours within a 24-hour period.
- **Portland** - No more than 14 hours within a 24-hour period.
- **Virginia** - No more than 13 hours within a 24-hour period.
- **Seattle/King County, Washington** - After either 12 hours spread over a 15-hour period, or 12 consecutive hours in a 24-hour period, drivers must take a 10-hour break.

Rideshare drivers will likely see shift restrictions imposed in more areas due to safety concerns associated with drowsy driving and long hours. Look for more of the restrictions to come from state and local governments as time limitations imposed by a company may be viewed as a suggestion of control over the driver.

We will keep you updated as we monitor this development. We'd encourage you to contact experienced workplace law counsel with a focus on safety and violence issues before finalizing any policy in this area.

Related People





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