

Risk Factors and Protective Measures for Taxi and Livery Drivers



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The Problem

Taxi and livery drivers are 60 times more likely than other workers to be murdered while on the job, according to the National Institute for Occupational Safety and Health (NIOSH).¹ In 1998, 48 taxi and livery drivers were murdered while attempting to earn a living.² Although this number has decreased from previous years, these drivers are still at high risk for becoming victims of homicide.

Drivers Murdered: 1992-98²

'92	'93	'94	'95	'96	'97	'98
86	97	87	68	50	74	48

Taxi and livery drivers are also among those with the highest rates of nonfatal assault—183.8 per 1,000—exceeded only by police (306.0 per 1,000) and private security guards (217.8 per 1,000).³

The Occupational Safety and Health Administration (OSHA) is concerned about violence against taxi and livery drivers and is issuing this fact sheet to give drivers and their employers information that may help make their jobs safer. This fact sheet identifies risk factors that taxi and livery drivers face along with a list of potential safety measures that might help protect them. It also describes employer responsibilities and employee rights under the *Occupational Safety and Health Act (OSH Act)*.⁴

Risk Factors

A number of factors put drivers at risk, as identified by NIOSH:

- working with the public
- working with cash
- working alone
- working at night
- working in high-crime areas.

There is no “one-size-fits-all” solution. A number of measures may help reduce the risks encountered by taxi and livery drivers. Improving safety for drivers will require the efforts and commitments of vehicle owners, drivers, service providers, law enforcement agencies, regulatory officials, and local government regulators. A number of strategies are being tried, but the deterrent effect of many of these is unknown. Some may not prevent injury but may speed response time when an incident occurs.

Safety Measures

Potential safety measures include, but are not limited to, the following items:

- automatic vehicle location or global positioning systems (GPS) to locate drivers in distress;
- caller ID to help trace location of fares;
- first-aid kits for use in emergencies;
- in-car surveillance cameras to aid in apprehending perpetrators;

¹ U.S. Department of Health and Human Services, National Institute for Occupational Safety and Health, *Current Intelligence Bulletin 57: Violence in the Workplace-Risk Factors and Prevention Strategies*, Publication No. 96-100, Cincinnati, OH, 1996.

² U.S. Department of Labor, Bureau of Labor Statistics, *National Census of Fatal Occupational Injuries, 1998*, News Bulletin USDL-99-208, Washington, DC, 1999.

³ Greg Warchol, Ph.D., “Workplace Violence, 1992-96,” in *Bureau of Justice Statistics Special Report*, U.S. Department of Justice, Office of Justice Programs, Washington, DC, July 1998, p. 3.

⁴ P.L. 91-596, December 29, 1970; as amended by P.L. 101-552, 3101, November 5, 1990.

- partitions or shields⁵ to protect drivers from would-be perpetrators must be used properly to work effectively;
- protocol with police—owners and police need to track high-crime locations and perpetrator profiles;
- radios to communicate in case of emergency—e.g., “open mike switch”;
- safety training to teach drivers, dispatchers, and company owners protective measures;
- silent alarms to alert others in the event of danger—e.g., “bandit lights”; and
- use of debit/credit cards—i.e., cashless fare systems—to discourage robbers.

Employer Responsibilities

OSHA citations can only be issued for violations of standards, regulations, and the General Duty Clause. Section 5(a)(1) of the *OSH Act*, or the “General Duty Clause,” provides that “Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees” [29 U.S.C. 654(a)(1)].

This fact sheet is not intended to create legal obligations and will not be used as the basis for an enforcement action brought under Section 5(a)(1) of the *OSH Act*. The failure to implement any potential measure listed in this fact sheet is not in itself a violation of the General Duty Clause of the *OSH Act*.

Taxi and livery companies that only use the services of drivers who are independent contractors are not subject to *OSH Act* coverage. It should be noted, however, that the potential safety measures listed here are likely to help reduce the risk for independent contractors to the same extent as employees.

Employee Rights

Section 11(c)(1) of the *OSH Act* provides: “No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act” [29 U.S.C. 660 (c)].

Employers are required by law to communicate to employees these rights under the *OSH Act*. Posters containing these and other rights are available free of charge from OSHA’s area offices or can be downloaded from OSHA’s website—www.osha.gov.

Conclusion

It is the responsibility of employers to take measures to protect the health and safety of their employees; it is also incumbent upon each driver to practice safety. OSHA has provided this list of potential safety measures to help reduce work-related risks. This is not a new standard or regulation. This fact sheet is advisory in nature and informational in content.

Employers and employees alike may find this information useful in making the kinds of changes that may help prevent assaults upon taxi and livery drivers.

For more information, please contact OSHA Office of General Industry Compliance Assistance at (202) 693-1850 or write OSHA at Directorate of Compliance Programs, 200 Constitution Avenue, N.W., Room N-3107, Washington, DC 20210.

See also the following websites for related information: www.osha.gov; www.cdc.gov/niosh; www.taxi-l.org.

⁵ John R. Stone and Daniel C. Stevens, “The Effectiveness of Taxi Partitions: The Baltimore Case,” the University of Tennessee Transportation Center, Knoxville, TN, June 1999. The study demonstrated that shields reduce assaults. Drivers of unshielded taxis are more likely to be assaulted than drivers of shielded taxis. The study also showed that shields are cost-effective—i.e., the benefits of reduction in injury and robbery losses substantially exceed the costs of shield installation.