

MIKE THOMPSON

4TH DISTRICT, CALIFORNIA

COMMITTEE ON WAYS AND MEANS

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July 28, 2023

Robert M. Califf
Commissioner of Food and Drugs
U.S. Food and Drug Administration
U.S. Department of Health and Human Services
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Califf:

I write to share concerns from constituents regarding excessively bright automotive headlights and the impact they can have on the safety of other drivers. I, too, find that certain vehicles have excessively bright headlights which are problematic to other drivers when driving at night. I understand a 2001 report from the National Highway Traffic Safety Administration found that 30 percent of respondents said they had experienced "disturbing" nighttime headlight glare.


The Radiation Control provisions of the Food, Drug, and Cosmetic Act (FDCA), under 21 USC 360ii(a) direct the Secretary of FDA to establish an electronic product radiation control program by, among other things, promulgating performance standards for electronic products. Under 21 USC 360kk(a) the Secretary of the FDA "shall by regulation prescribe performance standards for electronic products to control the emission of electronic product radiation from such products if he determines that such standards are necessary for the protection of the public health and safety."

I understand that the National Highway Traffic Safety Administration (NHSTA) issued a rule on February 15, 2022 allowing automakers to install adaptive driving beam headlights on new vehicles, as required by the Bipartisan Infrastructure Law. These adaptive headlights use automatic headlight beam switching technology to shine less light on occupied areas of the road and more light on unoccupied areas, increasing the illumination of distant objects in the road without reducing the visibility of drivers in other vehicles. However, the NHSTA rule only allows the adaptive lights to be used; it will not require them to be installed.

I ask you to provide full and fair consideration to prescribing performance standards for automobile LED headlights that would address the health and safety issues related to excessively bright headlights. Thank you for your consideration.



Sincerely,

A handwritten signature in black ink that reads "Mike Thompson". The signature is written in a cursive style with a prominent "M" and "T".

MIKE THOMPSON
Member of Congress