



Mark Baker <mbaker@softlights.org>

LED Headlights Are Not Compliant

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To: Hotline@oig.dot.gov

Dear Office of Inspector General, Department of Transportation,

The Soft Lights Foundation has successfully initiated an investigation by the Department of Energy Office of Inspector General regarding Light Emitting Diode products and the failure of federal agencies to comply with 21 U.S.C. 360ii, which requires publication of performance standards for LED products. Case number: 23-0319-C.

The National Highway Traffic Safety Administration has failed to comply with multiple federal laws in regards to LED vehicle headlights. The Administrative Procedure Act of 1946 requires the automakers to petition NHTSA for approval to use new technology such as LED headlights. This was not done. In addition, 21 U.S.C. 360ii requires the Food and Drug Administration to publish performance standards for LED products, including LED vehicle headlights. This was not done. 21 U.S.C. 360ii also requires NHTSA to collaborate with the FDA during this process. This was not done.

Thus, LED headlights have not been vetted for safety and have never been approved by NHTSA or the FDA. LED headlights are hazardous and dangerous.

The Soft Lights Foundation submitted a petition to NHTSA to comply with 21 U.S.C. 360ii on May 29, 2023, but NHTSA has never provided a docket number ([softlights.org/wp-content/uploads/2023/06/NHTSA-Petition-to-Collaborate-with-FDA.pdf](https://www.softlights.org/wp-content/uploads/2023/06/NHTSA-Petition-to-Collaborate-with-FDA.pdf)).

Representative Mike Thompson of California is the first member of Congress to recognize these failures by NHTSA and submitted a request to the FDA to comply with 21 U.S.C. 360ii and publish performance standards for LED headlights on July 28, 2023. (<https://www.softlights.org/wp-content/uploads/2023/07/Thompson.pdf>).

LED headlights emit a directed beam of light, for which there are no limitations on peak luminance, dispersion characteristics, spatial uniformity, spectral power distribution, digital flicker, pulse width modulation, and no requirements for ensuring the comfort, health, and safety of the public. This lack of NHTSA and FDA regulation has led to blinding LED headlights which impair cognitive abilities, cause seizures, migraines, eye pain, and eye injury, and have led to vehicle crashes. Nearly 50,000 people have signed a petition to NHTSA demanding action. (<https://www.change.org/p/u-s-dot-ban-blinding-headlights-and-save-lives>).

I am requesting a case number and an investigation by the DOT OIG. If I do not receive a case number within 2 weeks, I will contact my Representative, Congressman Mike Thompson, for assistance.

Sincerely,

Mark Baker
President
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