

June 12, 2025

BY EMAIL

Richard Perry, ADA Coordinator
Woodland, California
Richard.Perry@cityofwoodland.gov

Re: Request for Accommodation - Auxiliary LED Flashing Lights on Woodland Vehicles

Dear Richard Perry,

California Vehicle Code § 25250 states, "Flashing lights are prohibited on vehicles except as otherwise permitted." The California Highway Patrol has permitted certain categories of warning lamps via photometric requirements in Cal. Code Regs. Tit. 13, § 817 - Photometric Test Requirements. Video examples of permitted flashing light technologies are shown below.

(a) Steady Burning

<https://www.youtube.com/shorts/I9DN5XkQFnI>

Flashing Warning Lamps which Alternate Between On and Off by Electrically Controlling the Current.

<https://youtu.be/cQArgLZsTP0>

(b) Revolving

<https://youtu.be/qw-W-u7PYE>

(c) Oscillating

<https://youtu.be/FJenH2pSbj8>

(d) Gaseous Discharge

<https://youtu.be/qwwdR4ehnVE>

All other categories of flashing lights are not permitted, including auxiliary Light Emitting Diode ("LED") flashing lights, which turn on and off by controlling the voltage and which exceed human tolerance levels for intensity and digital flashing.

LED (SEIZURE WARNING!): <https://www.youtube.com/shorts/mGfvqmHVAb8>

I am an individual who has been diagnosed with multiple qualifying disabilities under the Americans with Disabilities Act, including autism and photophobia. LED flashing lights cause me to suffer severe emotional trauma due to the extreme intensity and digital on/off flashing, and the use of auxiliary LED flashing lights on vehicles interferes with my path of travel.

42 U.S. Code § 12132 states, "Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." County services, programs, and activities include everything a county does. (*Barden v. Sacramento* (2002))

28 C.F.R. § 35.130(d) states, "A public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities."

35 C.F.R. § 35.130(7)(i) states, "A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity."

Because neither the California Vehicle Code nor California Code of Regulations permit auxiliary LED flashing lights on vehicles, and because auxiliary LED flashing lights discriminate against me by impairing my vision and cognitive abilities and interfering with my path of travel, I request a modification of Woodland's policies, practices, and/or procedures. **My request is that Woodland modify its policies, practices, and/or procedures to eliminate the use of auxiliary LED flashing lights on Woodland vehicles.** The use of auxiliary LED flashing lights is already illegal. Modifying Woodland's policies, practices, and/or procedures to eliminate the use of auxiliary LED flashing lights would not fundamentally alter the nature of Woodland's services, programs, or activities because the CHP has permitted several other flashing warning lamp technologies in Cal. Code Regs. Tit. 13, § 817.

Should Woodland fail to provide the requested modification to its policies, practices, and/or procedures and continue to use hazardous, dangerous, discriminatory, and illegal auxiliary LED flashing lights on its vehicles, I will have exhausted all administrative remedies and will be forced to file a discrimination lawsuit.

I request a response within 15 days.

Sincerely,

/s/ Mark Baker
Individual

/s/ Mark Baker
President

Soft Lights Foundation
mbaker@softlights.org

cc:

Rhea Mariano, Deputy Attorney General, California Department of Justice (Rhea.Mariano@doj.ca.gov)

Kevin Davis, Chief, Planning and Enforcement Division, California Highway Patrol (KMDavis@chp.ca.gov)