

June 7, 2025

BY WEBFORM

Roger Ikemoto, Inspector General
California Highway Patrol
rikemoto@chp.ca.gov

Re: Request for Investigation – Auxiliary LED Flashing Lights

Dear Roger Ikemoto,

Cal. Veh. Code § 25250 states, “Flashing lights are prohibited on vehicles except as otherwise permitted.” In Cal. Code Regs. Tit. 13 § 817, the California Highway Patrol (“CHP”) has established photometric requirements for five categories of warning lamps: a) Steady Burning Warning Lamps, b) Flashing Warning Controlled by Electrical Current, c) Revolving Warning Lamps, d) Oscillating Warning Lamps, e) Gaseous Discharge Lamps Warning Lamps. Cal. Code Regs. Tit. 13 § 817(e) states, “Alternative Technologies. Nothing in this standard shall be construed to prohibit the use of any appropriate technology for light sources provided the appropriate photometric and other requirements for the type of lamp are met.”

Auxiliary Light Emitting Diode (“LED”) flashing lights are controlled by voltage. The CHP has not established photometric requirements for any type of flashing warning lamp that is controlled by turning the voltage on and off. Since the CHP has not established photometric requirements for LED flashing lights, LED flashing lights are not “otherwise permitted” and are thus illegal.

LED flashing lights are hazardous, dangerous, and discriminatory. The high luminance and small size of the source cause the lens of the eye to create an intense image on the retina and subsequent signals to the brain that impairs vision and cognitive functioning. The digital flashing can trigger seizures, migraines, and panic attacks. The CHP’s decision not to permit LED flashing lights is well justified.

Despite the prohibition of auxiliary LED flashing lights, the current leadership at the CHP has chosen not to comply with Cal. Veh. Code §2400(b) which states in part, “The commissioner shall enforce all laws regulating the operation of vehicles and the use of the highways...” The term “shall” means must in legal language. The current CHP leadership allows the CHP, Caltrans, PG&E, AT&T, cities, counties, and hundreds of companies to use auxiliary LED flashing lights on their vehicles, despite the clear regulatory language prohibiting auxiliary LED flashing lights.

In addition to state law, federal law also prohibits auxiliary LED flashing lights because they impair the effectiveness of federally required lighting. 49 C.F.R. § 571.108(S6.2.1) states, “No additional lamp, reflective device, or other motor vehicle equipment is permitted to be installed that impairs the effectiveness of lighting equipment required by this standard.” The National Highway Traffic Safety

Administration has issued multiple Letters of Interpretation confirming NHTSA's position that auxiliary flashing lights are illegal under federal law.

The Soft Lights Foundation has submitted multiple regulatory petitions to the CHP to either regulate auxiliary LED flashing lights or enforce the prohibition of LED flashing lights. All petitions have been denied without reasoned decision making. I have filed a Pro Se lawsuit against the CHP for failing to regulate or enforce the prohibition of auxiliary LED flashing lights, and now the California Department of Justice is attempting to have my lawsuit dismissed, more interested in protecting CHP leadership than the lives of CHP officers or the public.

What is needed is an independent entity to investigate the CHP for their failure to protect CHP officers and the public from hazardous, dangerous, discriminatory, and illegal LED flashing lights on vehicles. Therefore, I submit this letter to the CHP Office of Inspector General and request a thorough and transparent investigation.

Sincerely,

/s/ Mark Baker
Individual

/s/ Mark Baker
President
Soft Lights Foundation
mbaker@softlights.org