



Mark Baker <mbaker@softlights.org>

The Illegal Auxiliary LED Flashing Lights Issue

Mark Baker <mbaker@softlights.org>

Thu, Jul 24, 2025 at 8:28 PM

To: SDuryee@chp.ca.gov

Cc: Samantha Brown <samantha.brown@cityofvacaville.com>, steve@lehrauto.com, Nancy Ashjian <Nancy.Ashjian@cityofvacaville.com>, "Parasol, Maeve" <maeve.parasol@sen.ca.gov>, KMDavis@chp.ca.gov, Rhea Mariano <Rhea.Mariano@doj.ca.gov>, nathan.barankin@gov.ca.gov, rob.bonta@doj.ca.gov

Dear Sean Duryee, Commissioner, California Highway Patrol,

In this email I have copied representatives for Governor Newsom, the California DOJ, the State Legislature, the City of Vacaville, and Lehr Auto.

The issue of illegal auxiliary LED flashing lights will not disappear on its own. As you know, Mark Baker and the Soft Lights Foundation have been notifying the CHP for several years about this issue and the CHP's decision has been to ignore the problem, denying our petitions and taking no steps to solve the issue. There is a clear leadership vacuum at the CHP.

The market for auxiliary LED flashing lights in California is likely in the tens of millions, or perhaps hundreds of millions of dollars, and yet these products are hazardous, dangerous, and illegal. It will be a big effort to fix the problem, but the status quo cannot continue.

As we have shown, the California Vehicle Code uses the term "may" for flashing lights such as for the use of amber flashing lights on utility vehicles. The term "may" means that the use of amber flashing lights is discretionary and subject to any other regulation that may restrict their use. The CHP's own regulations in Title 13 Article 22 only permit red, blue and yellow colors. Table I in Section 817 restricts the color combinations even further. For example, Class A flashing lights are limited to red.

Also, as you know, the CHP has not complied with the California Administrative Procedure Act and published performance standards for electronic LED flashing light technology that uses digital microcontrollers which output voltage. The CHP also has not established limits on maximum intensity (luminance), flashing characteristics, or number of emitters to ensure health and safety of first responders and the public.

The Soft Lights Foundation is in the process of notifying cities, counties, state agencies, and vendors that auxiliary LED flashing lights are hazardous, dangerous, discriminatory, and illegal. We are asking each government agency to open an investigation into the waste, fraud, and abuse of taxpayer funds that has occurred over the past decade involving LED flashing lights that put everyone's life at risk.

I have also initiated lawsuits against the CHP and Caltrans, and will be filing many more lawsuits against vendors, cities, etc. to compel these entities to comply with the law and to consider the impacts of unregulated LED flashing lights on public health, safety, and civil rights.

I have been informed that the CHP feels that they no longer have the expertise to update the performance standards in Section 817. While that may be true, such a belief does not relieve the CHP of its duty to enforce Section 2400 of the California Vehicle Code related to illegal auxiliary LED flashing lights. Nor does the CHP's current lack of expertise prohibit the CHP from taking action to address this complex issue, rather than simply throwing more lawyers at the problem.

Commissioner Duryee, I have been told that the CHP cares about health, safety, and civil rights of first responders and the public, but I have not seen evidence of this care. If the CHP cares about the law and cares about health, safety, and civil rights, then it's time for the CHP to stop hiding from the LED flashing lights issue. The issue is not going away.

Sincerely,

Mark Baker
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Soft Lights Mail - The Illegal Auxiliary LED Flashing Lights Issue

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