



9450 SW Gemini Drive  
PMB 44671  
Beaverton, OR 97008

June 30, 2024

**BY EMAIL**

Sophie Shulman, Acting Director  
National Highway Traffic Safety Administration  
sophie.shulman@dot.gov

**Re: Request for Compliance with 21 U.S.C. 360ii(a)**

Dear Sophie Shulman,

21 U.S.C. 360ii(a) directs the US Food and Drug Administration to, "minimize the emissions of and the exposure of people to, unnecessary electronic product radiation [and] consult and maintain liaison with ... other appropriate Federal departments and agencies on ... the development of performance standards..."

Much of the Visible Light radiation emitted by Light Emitting Diodes in automotive lighting is unnecessary electronic product radiation. Examples include using blue wavelength rather than yellow wavelength in LED headlights, using high-radiance LED chips rather than burning tungsten filament, and using LED lights for pizzazz rather than safety. Therefore, 21 U.S.C. 360ii(a) requires the FDA and NHTSA to consult and liaise to develop performance standards for LED automotive lighting so as to minimize the emissions of, and exposure to, unnecessary Visible Light electromagnetic radiation. Presently, both the FDA and NHTSA are in violation of 21 U.S.C. 360ii(a).

The Soft Lights Foundation requests that NHTSA contact the Director of the FDA Center for Devices and Radiological Health, Jeffrey Shuren ([jeff.shuren@fda.hhs.gov](mailto:jeff.shuren@fda.hhs.gov)) to correct the 21 U.S.C. 360ii(a) violation and initiate the development of performance standards for LED automotive lighting.

Sincerely,

/s/ Mark Baker  
President

Soft Lights Foundation  
[mbaker@softlights.org](mailto:mbaker@softlights.org)