

**LEGAL AFFAIRS DIVISION
DEPARTMENT OF MOTOR VEHICLES**

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August 12, 2024

Via Email Correspondence Only to: mbaker@softlights.org

Mark Baker, President
Soft Lights Foundation
9450 SW Gemini Drive PMB 44671
Beaverton, OR 97008

Re: Petition to Prohibit Supplemental LED Flashing Lights on Motor Vehicles
Submitted by Soft Lights Foundation on August 9, 2024

Dear Mr. Baker:

This is the Department of Motor Vehicles (DMV) response to your Petition to Prohibit Supplemental LED Flashing Lights on Motor Vehicles (Petition) submitted to DMV pursuant to California Government Code Section 11340.7. The relief sought in your Petition is that DMV adopt regulations which would place limits on lights on emergency vehicles. A copy of the Petition, in full, is appended to this correspondence as Attachment A.

Pursuant to California Government Code Section 11340.6(a), a petition for the adoption, amendment, or repeal of a regulation, such as in the Petition, must state all of the following clearly and concisely:

- (a) The substance or nature of the regulation, amendment, or repeal requested.
- (b) The reason for the request.
- (c) The reference to the authority of the state agency to take the action requested.

After careful review, DMV hereby denies your Petition on the ground that it does not reference DMV's authority to take the regulatory action requested.

Specifically, the Petition fails to specify or identify any statute that would provide the authority of DMV to regulate functional or operational aspects of emergency vehicles and the safety features thereon, including lights.

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The authority of DMV to act and to regulate is specified in the California Vehicle Code section 1651 which allows the DMV director to "...adopt and enforce rules and regulations as may be necessary to carry out the provisions of this code relating to the department." The statute does not provide authority to DMV to regulate the flashing lights of motor vehicles.

California law that regulates lights are found in the California Vehicle Code. Specifically, laws regarding vehicle lighting can be found in Chapter 2 of Division 12 of the Vehicle Code, starting at Section 24000. The authority to implement regulations regarding these vehicle devices rests with the California Highway Patrol [Vehicle Code Sections 24000, 26103]. Regulations regarding lights are found in Chapter 2 of Division 2 of Title 13 of the California Code of Regulations. The Commissioner of the California Highway Patrol (CHP) is authorized to adopt and enforce reasonable regulations as deemed necessary for the public health and safety regarding the operation, equipment, and certification of all drivers of ambulances used for emergency services. [Vehicle Code Section 2512.] In fact, the CHP has issued regulations regarding Ambulances. See generally Title 13, California Code of Regulations, Division 2, Chapter 5, Article 1 (commencing at Section 1100).

In summary, the CHP is authorized to issue regulations concerning flashing lights on vehicles. For the reasons set forth above, the Petition is denied. However, DMV offers you an alternative approach to pursue the regulatory actions that you seek. The CHP is the appropriate entity in California to whom you should submit your petition.

Sincerely,



PEGGY J. GIBSON
Attorney IV

Attachment