



9450 SW Gemini Drive
PMB 44671
Beaverton, OR 97008

October 22, 2024

BY EMAIL

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

Re: Decision on Petition to Limit Headlight Intensity

Dear Sophie Shulman,

On February 24, 2024, the Soft Lights Foundation submitted a petition to NHTSA to set an overall limit on lower beam headlamp intensity.¹ On March 20, 2024, NHTSA Associate Administrator for Rulemaking, Ryan Posten, responded that NHTSA had received the petition and would notify the Soft Lights Foundation of its decision as per 49 CFR Part 552.² As per 49 U.S.C. § 30162(d), the decision was required to have been made within 120 days after the petition filing. It is now double that length of time, and NHTSA has not yet responded with its decision.

In addition, the Soft Lights Foundation sent a letter to NHTSA on June 30, 2024, requesting that NHTSA comply with 21 U.S.C. 360ii(a) and liaise with the FDA to establish performance standards for vehicle lighting.³ Via a Freedom of Information Act request, the FDA has indicated that no such liaison between the FDA and NHTSA exists and there has been no communication between the two agencies on establishing photobiological, neurological, psychological, hormonal, or physical safety limits for headlights.

The Soft Lights Foundation requests an immediate response from NHTSA as to the status of the petition to set an upper limit on headlamp intensity, NHTSA's efforts to liaise with the FDA, and a justification for why a decision has not been made on the petition.

Sincerely,

/s/ Mark Baker
President

Soft Lights Foundation
mbaker@softlights.org

¹ <https://www.softlights.org/wp-content/uploads/2024/03/NHTSA-Petition-to-Limit-Headlight-Intensity.pdf>

² <https://www.softlights.org/wp-content/uploads/2024/04/NHTSA-Notice-of-Petition-for-Intensity-Limit.pdf>

³ <https://www.softlights.org/wp-content/uploads/2024/10/NHTSA-Compliance-with-21-USC-360ii.pdf>