

November 16, 2024

BY EMAIL

James Farley, CEO
Ford Motor Company
james.farley@ford.com

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

Re: Notice of Non-compliance - 49 U.S.C. 30118(c)(1)

Dear James Farley and Sophie Shulman,

49 U.S.C. 30118(c)(1) states, “A manufacturer of a motor vehicle or replacement equipment shall notify the Secretary by certified mail or electronic mail, and the owners, purchasers, and dealers of the vehicle or equipment as provided in section 30119(d) of this section, if the manufacturer learns the vehicle or equipment contains a defect and decides in good faith that the defect is related to motor vehicle safety.”

Ford and NHTSA have been aware for many years that LED headlight technology is defective because LED headlights cause harm, injury, or death due to the physics characteristics of flat surface LED chips, and that these defects are related to motor vehicle safety because they put the public at risk of photobiological, neurological, psychological, hormonal, and physical harm.

Ford and NHTSA have previously been provided with evidence of the safety defects of LED headlight technology. (See APPENDIX A).

1. Over 64,000 signatures with thousands of comments on the petition to ban blinding headlights: (<https://www.change.org/p/u-s-dot-ban-blinding-headlights-and-save-lives>).
2. Thousands of posts containing photo and video evidence on Reddit: (<https://www.reddit.com/r/fuckyourheadlights/>)
3. Hundreds reports of harm from exposure to LEDs submitted to the FDA: (<https://www.softlights.org/led-incident-reports/>)

As you know, Ford never submitted a petition to NHTSA for authorization to use LED technology for vehicle headlights. In turn, NHTSA never studied, evaluated, or tested LED technology and did not publish any performance standards for LED vehicle headlights such as limits on radiance, spectral power distribution, or pulse width modulation. NHTSA has not maintained a liaison with the FDA to test and evaluate LED headlights as required by 21 U.S.C. 360ii(a)(6)(A). Thus, NHTSA has also failed to comply with 49 U.S.C. 30118.

Ford has not acted in good faith and has not notified NHTSA or the owners or dealers that LED vehicle headlight technology is defective. The Soft Lights Foundation has already submitted multiple petitions to NHTSA to correct the issue with LED headlights and has notified Ford dozens of times that LED vehicle headlight technology presents an unacceptable safety risk, but all petitions have either been denied or ignored and Ford has taken no action.

The Soft Lights Foundation has exhausted all administrative remedies, and therefore this is a 60-day notice to Ford and NHTSA that I intend to sue both Ford and NHTSA for failing to comply with 49 U.S.C. 30118.

Sincerely,

/s/ Mark Baker

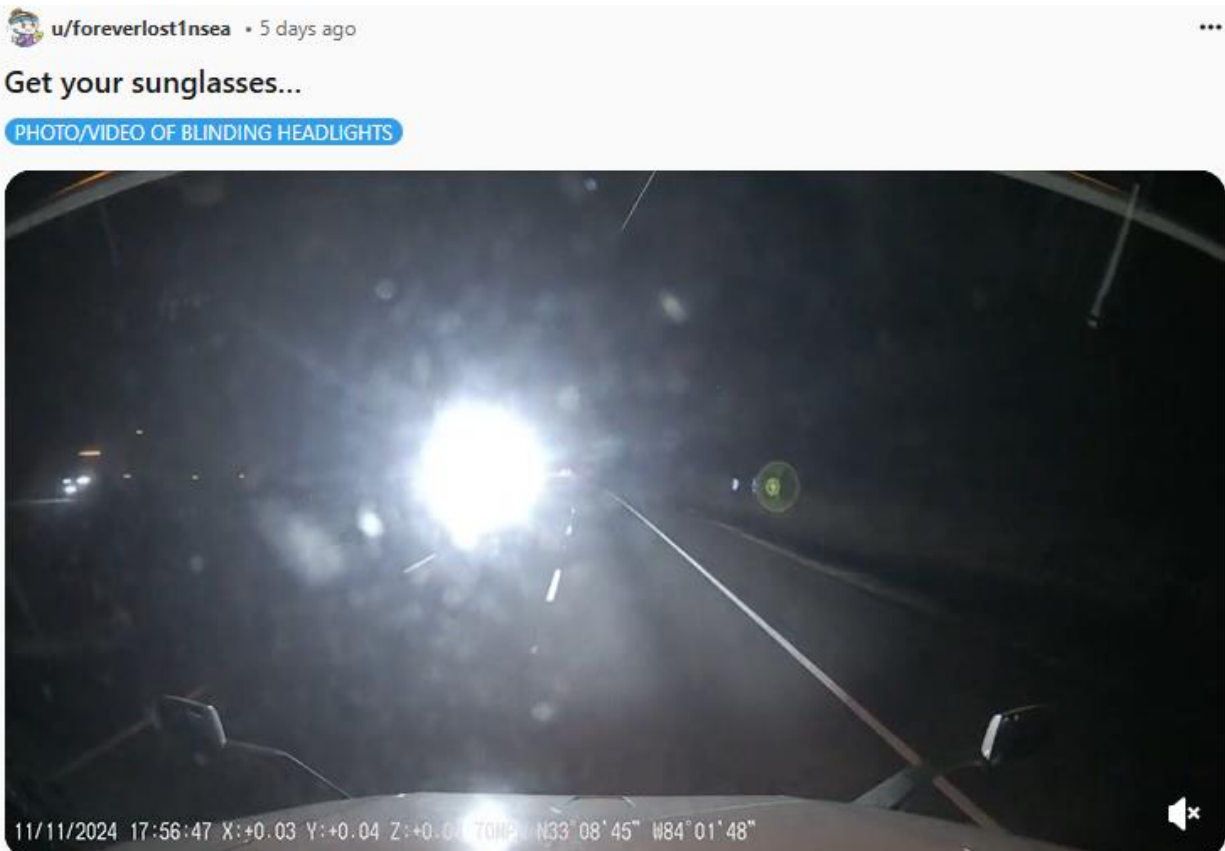
President

Soft Lights Foundation


mbaker@softlights.org

APPENDIX A

Reddit – (<https://www.reddit.com/r/fuckyourheadlights/>)



Petition with 64,000+ signatures to ban blinding headlights – (<https://www.change.org/p/u-s-dot-ban-blinding-headlights-and-save-lives>)

 **Peter, Leawood**
2 months ago

"It feels like a matter of when, rather than if anyone will get in an accident due to being blinded by insanely bright LED headlights. I am losing count of the number of times I will be driving at night and then, from hundreds of feet away, I can already see blindingly bright headlights coming my way. That is bad enough, but people will even have their brights going with these, making it feel like you are driving while staring in the sun. This whole thing is selfish and stupid. Please ban these."

♥ 5 likes · 🚩 Report

LED Incident Reports - (<https://www.softlights.org/led-incident-reports/>)

November 1, 2024 – Fresno, CA – None

The lights are so bright now, I hate driving at night to pick up my kids from activities. Now its dark earlier due to time change. It is terrifying. Seriously. Sometimes I just pray I make it. I have flashed before as a reminder the brights are for oncoming traffic. Numerous times they flash back and its even brighter! I get white spots in my eyes everyday. Im buying night vision glasses. Do ya'll night drive at night or cant see from the back of your limo? What is going on?