



Mark Baker <mbaker@softlights.org>

ADA Request for Accommodation - LEDs on Bay Bridge

Mark Baker <mbaker@softlights.org>

Sun, Dec 31, 2023 at 8:01 PM

To: info@bayareametro.gov

Cc: Ben@illuminate.org, info@dralegal.org

Dear Metropolitan Transportation Commission,

I have learned that the MTC is considering authorizing the use of tens of thousands of hazardous LED lights to be operated on the Bay Bridge by the organization Illuminate.

(<https://sfstandard.com/2023/12/28/san-franciscobay-bridge-light-show-could-return-in-2024/>).

LEDs emit hazardous visible radiation that causes certain individuals to suffer seizures, migraines, panic attacks, nausea and other adverse neurological reactions. LED products are regulated by the US Food and Drug Administration, and yet the FDA has not published the Congressionally mandated performance standards to ensure the comfort, health, safety, and civil rights of the public as required by 21 U.S.C. 360ii. Therefore, there is no legal basis for the use of LED lights such as proposed by Illuminate. LED lights are unsafe.

This is a formal Americans with Disabilities Act request for accommodation for myself, and all those individuals similarly situated who cannot neurologically process the intense, spatially non-uniform light emitted by LEDs. The accommodation I request is the denial of any permit for Illuminate to operate the LED display on the Bay Bridge or any other location, due to the discriminatory barrier that their use will create, preventing certain individuals with disabilities, including myself, from having full and equal access to the Bay Bridge and other city services. My request is reasonable and readily achievable.

Here is a link to my ADA lawsuit that I recently filed against the city of Fairfield, California regarding LED lights which provides detailed information as to why the MTC is required to provide accommodation for LED lights:

(https://www.softlights.org/wp-content/uploads/2023/12/Baker-v.-Fairfield_Filed.pdf). I have copied Disability Rights Advocates in this email.

I request a response within 30 days.

Sincerely,

Mark Baker
President
Soft Lights Foundation
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