

Pompton Lakes, New Jersey

Home:

Cell:

CL-11388032-7349

Monday, November 30, 2020

INFORMATION REDACTED PURSUANT TO THE FREEDOM
OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

James C. Owens – Deputy Director
National Highway Traffic Safety Administration (NHTSA)
1200 New Jersey Avenue, SE
Washington, DC 02590

Re: Diode Dynamics SL1 LED Automotive Headlamps

Honorable Deputy Director Owens,

I write you today based off of a communication received from Diode Dynamics about a recall of LED type headlights purchased for my 2018 Buick that replaced the OEM Halogens that were poor at best at night time illumination of the road ahead and thus for us a safety issue.

The letter states 'IMPORTANT SAFETY RECALL 20E-077' although when searching on the NHTSA I was unable to actually find the edict. Thus, from there letter I am interpreting that this is mandatory but no where does this indicate so.

Additionally, I am to understand from my searches of the internet that LED replacements for Halogen equipped vehicles (high and low beams) have not been legal as swap outs. Any LED or HID OEM equipped vehicles would be the only exceptions. Please correct me if I am incorrect in this assertion.

Diode Dynamics further states that "as a remedy" they will replace the LED's they sold me for \$150 (see enclosure) with far less expensive halogen bulbs to replace them with. Oh, and by the way please return the LED's to us to ensure their liability is nil.

Unfortunately, I am not about to comply with their request as I do not feel in any way shape or form this is equitable to me or the other ~28K people who have purchased the product especially since they certified the bulbs as stated on the order; "Bulb Model: SL1 (1630 lumens, Street Legal Output)".

Lastly, if these or any LED replacements for Halogens are not street legal for low and high beam replacement, I would like to know what NHTSA has done to enforce this please? What fines did Diode Dynamics receive from the NHTSA when these were not street legal to begin with or is this so called 'remedy' just a means to get them off any liability?

[REDACTED]
Pompton Lakes, New Jersey
Home: [REDACTED]
Cell: [REDACTED]
[REDACTED]

My emailing with Diode Dynamics did not yield any assistance on their part, they feel their offer is equitable and clearly it is not. They are also not interested in just returning hard earned monies for products that were clearly not approved to begin with. Therefore, I for one will just motor along with them.

I look forward to an answer from the NHTSA on how this will be resolved to everyone's satisfaction.

Very truly yours,

[REDACTED]

Enclosures: Important Safety Recall 20E-077

Order# [REDACTED] Dated January 16, 2020

Email #1 Dated November 24, 2020 5:49P

Email #2 Dated November 24, 2020 6:09P

Email #3 Dated November 24, 2020 6:11P

Email #4 Dated November 25, 2020 9:45A

DIODE DYNAMICS

4200 Shoreline Drive St. Louis, Missouri 63045 | (314) 205-3033 | contact@diodedynamics.com

November 6th, 2020

IMPORTANT SAFETY RECALL 20E-077

Dear SL1 LED Bulb Owner:

This notice is sent to you in accordance with the requirements of the National Highway Traffic and Motor Vehicle Safety Act.

Diode Dynamics has determined that certain SL1 LED replacement headlight bulbs sold by it (Model Numbers DD0215P, DD0216P, DD0217P, DD0218P, DD0219P, DD0323P, and DD0340P) fail to conform with Federal Motor Vehicle Safety (FMVSS) Standard No. 108 "Lamps, Reflective Devices, and Associated Equipment." The bulbs exceed limitations on luminous flux set forth in the standard and may cause increased or excessive glare for oncoming drivers, increasing the risk of a crash.

As a remedy, Diode Dynamics is offering to replace the SL1 LED bulbs with halogen bulbs which comply with the requirements of FMVSS 108, free of charge. To obtain replacement bulbs, please go to: www.diodedynamics.com/recall and fill out the recall form located there. You will be required to provide a receipt or other proof of purchase at the time you submit the form. The form and proof of purchase can be submitted electronically, or you may print the form out and submit the information via mail to the address provided there. When the replacement bulbs are mailed to you, you will also be sent a prepaid label so that you may return the SL1 LED bulbs to Diode Dynamics in the same box in which the replacement bulbs are sent to you.

We regret any inconvenience this may cause you. If Diode Dynamics fails to provide the replacement bulbs, without charge to you, within a reasonable time after you submit a recall form, you may submit a written complaint to: Administrator, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, or call 1-888-327.4236. Thank you for your attention to this important recall.

Customer Service
Diode Dynamics, LLC

NOV 24 2020

Your Order

Order

Placed on January 16, 2020 at 2:00:39 PM CST

Billing Info

POMPTON LAKES, New Jersey,
United States

T:

Shipping Info

POMPTON LAKES, New Jersey,
United States

T:

Payment Method

Credit Card

Credit Card Type Visa
Credit Card Number XXXX

Shipping Method

USPS - Standard

Items

Qty

Price

Hi/Lo Beam LED Headlights for 2016-2020 Buick Envision (pair)

1

\$150.00

SKU: DD0340P

Bulb Size: 9012

Bulb Model: SL1 (1630 lumens, Street Legal Output)

Subtotal \$150.00

Shipping & Handling \$0.00

Estimated Total \$150.00

Diode Dynamics Home

Diode Dynamics
4200 Shoreline Dr
Earth City, Missouri 63045,
United States

Email #1

[REDACTED]
From: [REDACTED]
Sent: Tuesday, November 24, 2020 5:49 PM
To: contact@diodedynamics.com
Subject: FW: Diode Dynamics: New Order # [REDACTED]

Hello,

Today I received a Safety Recall Notice from Diode Dynamics. What you sold as street legal seems not. I am not willing to accept \$20 replacement halogens for the \$150.00 I spent to buy them. This is clearly not equitable.

I will await your response before I start my letter writing.

Very truly yours,

[REDACTED]
From: Diode Dynamics <contact@diodedynamics.com>
Sent: Thursday, January 16, 2020 3:01 PM
To: [REDACTED]
Subject: Diode Dynamics: New Order # [REDACTED]

DIODE DYNAMICS

PERFORMANCE LIGHTING TECHNOLOGY

Hello,

Thanks for ordering from Diode Dynamics! We have received your order. You will receive another email with tracking information once your order has been shipped. You can check the status of your order by logging into your account.

Please take a second to review your order below. Make sure everything is correct!

If you have any questions about your order, simply reply to this email.

Diode Dynamics, LLC
4200 Shoreline Drive
Earth City, MO 63045

PRSR
First-Class Mail
US Postage
PAID
Excel Mailing

SAFETY RECALL NOTICE

NO. 24 2020

IMPORTANT SAFETY RECALL INFORMATION



U.S. Department of
Transportation

Issued in Accordance
With Federal Law



Email #2

From: Diode Dynamics <service@diodedynamics.com>
Sent: Tuesday, November 24, 2020 6:09 PM
To: Diode Dynamics
Subject: Re: FW: Diode Dynamics: New Order [REDACTED]

Hello,

Thanks for reaching out! The National Highway Traffic Safety Administration (NHTSA) has determined that because SL1 LED bulbs have higher lumen output than halogen bulbs, they may cause more glare in certain applications.

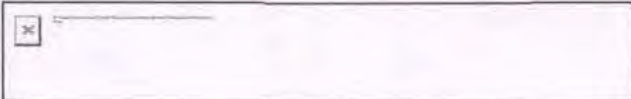
However, this does not necessarily mean that they will produce more glare in all headlamps. In many vehicles that we have tested, we have confirmed that there is no additional glare. If you still wish to take part in the optional recall, we will ship out a pair of 9012 Halogen bulbs to replace your 9012 LED bulbs.

If you decide to continue using your SL1 LED bulbs, they will still be covered under our 3-year warranty. Would you like to proceed with this voluntary recall exchange?

Please accept our apologies for any inconvenience, and if you have any other questions, please let us know!

Best regards,

DIODE DYNAMICS SUPPORT
P. (314) 205-3033



Please take our 30-second survey and give us your feedback!

It is our goal to provide effective service and clear answers to any question you may have. If you have any further questions or concerns, please reply to this email and we will be happy to continue the discussion!

Email #3

From: [REDACTED]
Sent: Tuesday, November 24, 2020 6:31 PM
To: Diode Dynamics
Subject: RE: FW: Diode Dynamics: New Order [REDACTED]

This does NOT make sense, the envelope says: 'SAFETY RECALL NOTICE' you are offering a remedy to suit Diode Dynamics as the bulbs exceed federal limits and FAIL TO CONFORM. I am not interested in inexpensive halogen bulbs when you charged me \$150 for these, with the probability Diode knew they were too bright and FAILED TO CONFORM. Let me be clear: I DO NOT WANT THE HALOGEN BULBS to satisfy Diode's legal responsibility.

I will start with:

James C. Owens
1200 New Jersey Avenue, SE
Washington, DC 20590
and
Consumer Products Safety Commission

I will also look for places on the internet to provide feedback.

Very disappointing to say the least.

From: Diode Dynamics <service@diodedynamics.com>
Sent: Tuesday, November 24, 2020 6:09 PM
To: Diode Dynamics [REDACTED]
Subject: Re: FW: Diode Dynamics: New Order [REDACTED]

-- reply above this line --

Hello,

Thanks for reaching out! The National Highway Traffic Safety Administration (NHTSA) has determined that because SL1 LED bulbs have higher lumen output than halogen bulbs, they may cause more glare in certain applications.

However, this does not necessarily mean that they will produce more glare in all headlamps. In many vehicles that we have tested, we have confirmed that there is no additional glare. If you still wish to take part in the optional recall, we will ship out a pair of 9012 Halogen bulbs to replace your 9012 LED bulbs.

If you decide to continue using your SL1 LED bulbs, they will still be covered under our 3-year warranty. Would you like to proceed with this voluntary recall exchange?

Please accept our apologies for any inconvenience, and if you have any other questions, please let us know!

Best regards,

DIODE DYNAMICS SUPPORT
P. (314) 205-3033



DIODE DYNAMICS
PERFORMANCE LIGHTING TECHNOLOGY

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[REDACTED]

From: Diode Dynamics <service@diodedynamics.com>
Sent: Wednesday, November 25, 2020 9:45 AM
To: Diode Dynamics
Subject: Re: FW: Diode Dynamics: New Order [REDACTED]

[REDACTED]

We are very sorry about this situation. The requirements that NHTSA has set for this recall is to notify the user about this regulation and offer "Street Legal" Halogen replacements if the user wishes to opt-in to the recall. Once again, this is completely voluntary and you are more than within your rights to continue to use these LED bulbs how you please. If you decide to take part in this optional recall, however, be aware that NHTSA has not instructed Diode Dynamics or any other company that is abiding by this regulation, enforced only in the United States, to offer a refund for any product purchased outside of our normal 90-day return period window. If you have any other questions, please let us know.

Best regards,

DIODE DYNAMICS SUPPORT
P. (314) 205-3033



DIODE DYNAMICS
PERFORMANCE LIGHTING TECHNOLOGY

Please take our 30-second survey and give us your feedback!

It is our goal to provide effective service and clear answers to any question you may have. If you have any further questions or concerns, please reply to this email and we will be happy to continue the discussion!

[Redacted Address]

DV DANIELS NJ 070

1 DEC 2020 PM 4 L



James C. Owens – Deputy Director
NHTSA
1200 New Jersey Avenue, SE
Washington, DC 20590

20590- [Barcode]