

Ms Sandra L. Sizemore
Vice President
4 Sands Industries, Inc.
11406 Reading Road
Cincinnati, OH 45241

Dear Ms Sizemore:

This is in reply to your letter of March 18, 1998, regarding a lamp you are considering manufacturing.

We understand from a conversation that Taylor Vinson of this Office had with your husband on April 16, 1998, that the lamp is intended to illuminate in a steady-burning fashion when the brake pedal is applied, and that it will be red in color. The lamp will fit in a spoiler or wing installed on the back of a car. As you note, aftermarket companies have been installing these in spoilers for some time, and we understand from your husband that aftermarket sales are intended both to new car dealers and to parts supplies stores. You believe that "this light may not need to be D.O.T. approved based on the intended application, however our customer requires that the light be D.O.T. approved."

The Department has no authority to "approve" or "disapprove" items of equipment, nor are there any "D.O.T. licensing requirements," the subject of three of your questions. We do advise whether supplementary lighting equipment such as your lamp appears permitted or prohibited by the Federal motor vehicle safety standard on lighting, Standard No. 108 Lamps, Reflective Devices and Associated Equipment.

I enclose a copy of a letter to Timothy McQuiston, dated January 28, 1994, which discusses the relationship to Federal laws of aftermarket spoilers incorporating stop lamps. If you or your husband have any questions, you may call Taylor Vinson (202-366-5263). As he explained, the direct obligations under Federal law fall upon those persons who install the spoiler-lamp, rather than on those who manufacture or sell it. Nevertheless, your company can help the installer fulfill his obligation by ensuring that the lamp in the spoiler complies with Standard No. 108, principally in ensuring that it has a minimum lens area of 4 1/2 square inches and meets the appropriate photometrics.

In addition to the letter to Mr. McQuiston, we are also enclosing a copy of the sections of Standard No. 108 that apply to lamps in spoilers that serve as the required center highmounted stop lamp. These are paragraph S5.1.1.27 and Figure 10.

Sincerely,
John Womack
Acting Chief Counsel
ref:108
d.5/13/98