



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

October 18, 2021

[REDACTED]

Dear [REDACTED]

I am writing you because some tow truck operators in Washington are not following the law and are selling - without the required court order - impounded vehicles owned by active duty servicemembers. I want to bring this to your attention so you can ensure you are in compliance with the law.

One of my primary duties as Attorney General is to protect the rights of Washington consumers, including the nearly 70,000 active duty servicemembers stationed at military bases in Washington. The law provides special protections to servicemembers in recognition of their service. One protection found in the federal and state Servicemembers Civil Relief Act (SCRA) prohibits registered tow truck operators from selling active duty servicemembers' vehicles at auction without first obtaining a court order. The Department of Defense operates a free, publically available database that anyone can use to determine whether a person is an active duty servicemember. With a name and either a date of birth or a Social Security number, a user may run a search. More information, including instructions on how to create an account, is available here: <https://scra.dmdc.osd.mil/scra/#/home>. If you do not have a date of birth or Social Security number for a registered owner, there are many private companies who will run military status checks for a fee.

Unfortunately, some tow truck operators do not comply with the law. We know this because servicemembers file complaints with my Office. One of these complaints led us to file a lawsuit against a Pierce County towing company and its owner after we found that they had sold 36 active duty servicemembers' impounded vehicles without first obtaining a court order. These actions violated Washington's Consumer Protection Act (CPA) and the SCRA. The judge agreed with us and in 2020 ordered the towing company and operator to pay civil penalties, consumer restitution, and the State's costs and fees incurred in pursuing this case. See <https://www.thenewstribune.com/news/local/article242498851.html>. In addition to this matter, we currently have open a number of other similar investigations.

My goal is not to file lawsuits. My goal is to ensure that servicemembers' rights are protected; a goal I am sure you share. Please review your policies and procedures to ensure you are following the law. If you have any questions, please do not hesitate to contact Assistant Attorney General John Nelson at [john.nelson@atg.wa.gov](mailto:john.nelson@atg.wa.gov).

Sincerely,

BOB FERGUSON  
Washington State Attorney General