# CITY AND COUNTY OF SAN FRANCISCO

# OFFICE OF THE CITY ATTORNEY

Phone:

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November 1, 2023

### <u>VIA FIRST CLASS MAIL, EMAIL, AND</u> PERSONAL SERVICE ON REGISTERED AGENT

David A. Zapolsky Senior Vice President & General Counsel Amazon.com, Inc. 410 Terry Ave. North Seattle, Washington 98109 david.zapolsky@amazon.com davidz@amazon.com

Re: Sales of Illegal License Plate Covers

Dear Mr. Zapolsky:

It has come to my attention that Amazon.com, Inc. and Amazon.com Services LLC (collectively "Amazon") is selling license plate covers that obscure or are intended to obscure license plate numbers to California residents. The sale of such license plate covers is prohibited by California law—and for good reason. License plate covers that obscure the plate numbers impede the ability of law enforcement to investigate and apprehend individuals engaged in criminal activities, such as sideshows, thefts, and robberies. As such, by this letter, I demand that Amazon cease and desist from offering these illegal license plate covers for sale to residents of California.

California law criminalizes selling any "product or device that obscures, or is intended to obscure, the reading or recognition of a license plate by visual means, or by an electronic device." Veh. Code § 5201.1(a). Several products for sale on Amazon—illustrative examples of which are included in Attachment A—are clearly intended to, and do, obscure the reading and recognition of the license plates they cover. These products include electronic plate covers that hide a license plate at the press of a button, kits that allow users to wrap their official license plates with vinyl and change the numbering, and covers with a dark or smoked tint.

Amazon is aware that these license plate covers are illegal and being used to facilitate illegal conduct and evade law enforcement. Amazon has a stated policy prohibiting the sales of illegal products and devices—including a specific policy prohibiting "license plate covers intended to obscure the reading or recognition of a license plate."<sup>1</sup> Moreover, product

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<sup>&</sup>lt;sup>1</sup>*Restricted Products*, Amazon.com, https://sellercentral.amazon.com/help/hub/reference/ external/200164330 (last visited October 30, 2023); *Automotive and powersports*, Amazon.com, https://sellercentral.amazon.com/help/hub/reference/external/G200164410 (last visited Oct. 31, 2023).

# CITY AND COUNTY OF SAN FRANCISCO

Letter to David Zapolsky Page 2 November 1, 2023

descriptions and reviews on Amazon's website openly state that the products are illegal. For example, a user of one electronic license plate cover available on Amazon's website boasts that it "[w]orks well for running from cops," while another reviewer notes that they have "gotten out of a lot of tickets nd [sic] red light cameras." Attachment A at p. 1. One electronic license plate cover is described as hiding a license plate in "just . . . 1.5 seconds" to "meet your urgent needs." *Id.* at p. 2. And reviews of tinted plate covers are replete with users noting that the covers are illegal, including in California, because they obscure the vehicle's license plate. *Id.* at pp. 3-4. Nevertheless, these and numerous other illegal license plate covers continue to be available for sale on Amazon's website—despite Amazon's claim that it has systems in place to review and prevent the sales of illegal products.<sup>2</sup>

The sale of these illegal license plate covers endangers the public welfare in San Francisco and throughout California by promoting illegal conduct and obstructing law enforcement investigations. The San Francisco Police Department routinely encounters license plate covers like the ones Amazon offers for sale on cars involved in illegal sideshows demonstrations of illegal stunt driving that are frequently accompanied by gun violence and property damage, and which pose serious public safety hazards to the community. Illegal license plate covers have also been affixed to vehicles involved in thefts, robberies, and toll evasion in California. The use of such license plate covers prevents law enforcement from identifying and tracking drivers who participate in these illegal activities and contributes to criminal conduct in San Francisco and throughout California. The sale of each of the kinds of license plate covers identified in this letter and the accompanying Attachment A is illegal under the California Vehicle Code and actionable under California's Unfair Competition Law ("UCL"), Bus. & Prof. Code §§ 17200 *et seq.*, which prohibits any unlawful, unfair, or fraudulent business act or practice. Under the UCL, my Office is authorized to seek statewide relief for unlawful business practices, including civil penalties of up to \$2,500 per violation.

In an effort to address this unlawful conduct without the need for litigation, please confirm that Amazon will stop selling any license plate covers that obscure or are intended to obscure the reading or recognition of a license plate to California addresses. This includes: (1) electronic license plate covers that flip over, retract, or deploy a drop-down screen to obscure the license plate, (2) kits that facilitate the wrapping of license plates in vinyl, and (3) smoked or tinted license plate covers. Please provide the requested confirmation within twenty-eight (28) days of the date of this letter to Deputy City Attorneys David Louk and Karun Tilak, 1390 Market Street, 7th Floor, San Francisco, CA 94102 (david.louk@sfcityatty.org; karun.tilak@sfcityatty.org). I anticipate that Amazon will stand by its pledge not to sell illegal license plate covers intended to obscure license plates and will provide the requested confirmation. However, if it does not, we reserve the right to pursue all legal remedies, including enforcement actions, to ensure that Amazon does not continue to sell these illegal products to California residents.

<sup>&</sup>lt;sup>2</sup> Restricted Products, supra n. 1; Additional information and resources for sellers about our Restricted Products Policy, Amazon.com, https://sellercentral.amazon.com/help/ hub/reference/external/G201567350 (last visited Oct. 30, 2023).

# CITY AND COUNTY OF SAN FRANCISCO

Letter to David Zapolsky Page 3 November 1, 2023

Should you have any questions, please contact Mr. Louk or Mr. Tilak at 415-554-4700. I appreciate your prompt attention to this matter.

Very truly yours,

David Chin

DAVID CHIU City Attorney

Encl.: Attachment A

CC: Jennifer Cruickshank Director, Public Policy & Community Affairs Amazon.com, Inc. jencrui@amazon.com

> Savanna Olson Senior Manager, State & Local Public Policy Amazon.com, Inc. savols@amazon.com

Amazon.com Services LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833

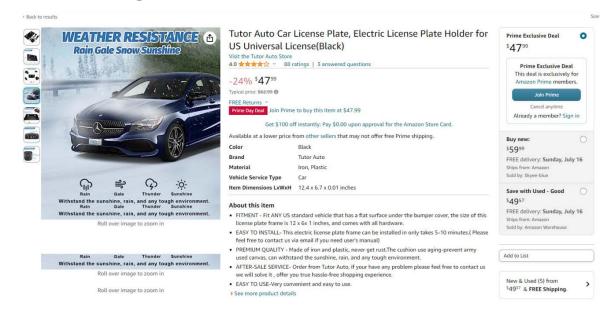
Amazon.com, Inc. c/o Corporation Service Company 300 Deschutes Way SW, Suite 208 MC-CSC1 Tumwater, WA 98501 Attn: Legal Department – Legal Process

### <u>Attachment A</u> Examples of Illegal License Plate Covers Available on Amazon.com

Below are examples of illegal license plate covers available on Amazon.com. This list is not intended to be exhaustive, and we are aware of additional similar products offered for sale on Amazon.

## I. Electronic License Plate Covers

## A. Example 1<sup>1</sup>



### Adel

#### \*\*\*

Reviewed in the United States on May 31, 2023

#### Verified Purchase

Works well for running from cops! Press a single button then disappear knowing they won't come to your house!



### ★★★★★ Works awesome super cool

Reviewed in the United States on May 11, 2023 Verified Purchase

vermed Purchase

Works really good and smooth worked in all types of weather super slick and discreet gotten out of a lot of tickets nd red light cameras speed cameras

<sup>&</sup>lt;sup>1</sup> https://www.amazon.com/Tutor-Auto-License-Electric-Universal/dp/B09VX7NPWT/ (last visited Oct. 31, 2023).

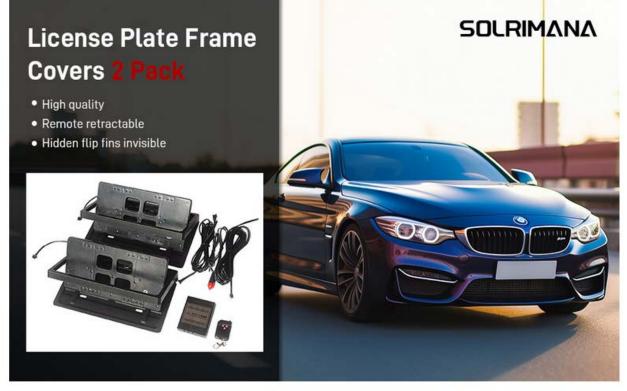
## **B.** Example $2^2$



SOLRIMANA Auto Car License Plate,2 Pack Black Car License Plate Cover,Universal US Car Electric License Plate Bracket Holder with Remote Control,Durable Weather-Proof Automatic License Plate,Black

Brand: SOLRIMANA 5.0 ★★★★★ × 1	rating
\$ <b>120</b> °°	
Coupon: Apply \$7	10 coupon Shop items >   Terms
Get \$60 off instantl	y: Pay \$60.00 \$120.00 upon approval for the Amazon Store Card. No annual fee.
Brand	SOLRIMANA
Vehicle Service Type	Car

About this item



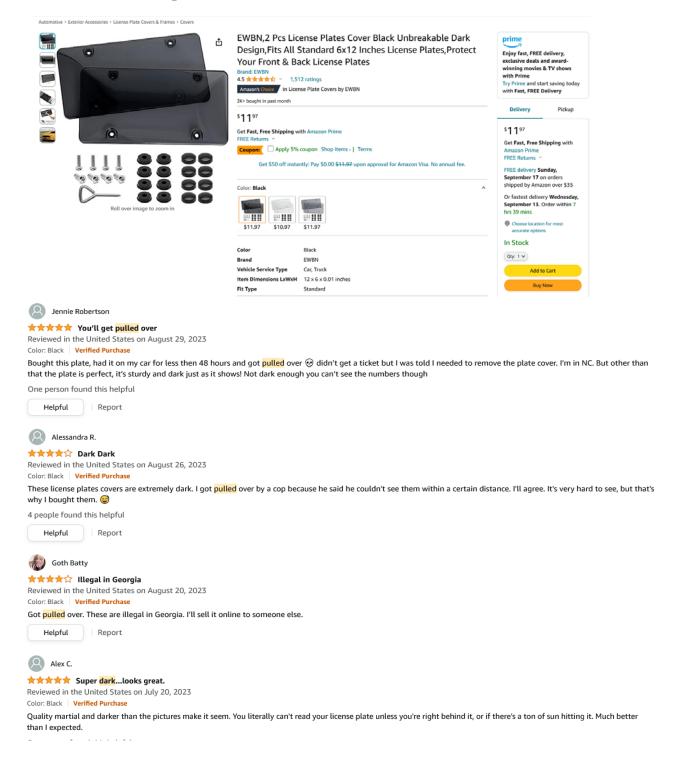
Universal US Car Electric License Plate Bracket Holder with Remote Control

- Features:
- Fast moves, just need 2 seconds
- Safeguarding the personal privacy;
- Same as the common car license plate, pretty appearance and covert;
- Anti-rust, stable quality, for long term use.
- Fast moves, just need 1.5 seconds, can meet your urgent needs

<sup>&</sup>lt;sup>2</sup> https://www.amazon.com/SOLRIMANA-Universal-Electric-Weather-Proof-Automatic/dp/B0CG5V78TS/ (last visited Oct. 31, 2023).

## II. Tinted License Plate Covers

### A. Example $1^3$



<sup>&</sup>lt;sup>3</sup> https://www.amazon.com/License-Plates-Unbreakable-Standard-Protect/dp/B0B8NRBZ13/ (last visited Oct. 31, 2023).

#### Example 2<sup>4</sup> B.



Roll over image to zoom in

BLVD-LPF OBEY YOUR LUXURY Unbreakable License Plate
Shields - [Pack of 2] Tinted, Novelty Plate Covers with
Fastening Screws, Screw Driver   Automotive Accessories
Visit the BLVD-LPF OBEY YOUR LUXURY Store
4.6 + + + + + - + + + + + + + + + + + + +

#### \$10<sup>95</sup>

#### Get Fast, Free Shipping with Amazon Prime

Get \$100 off instantly: Pay \$0.00 \$10.95 upon approval for the Amazon Store Card. No annual fee Available at a lower price from other sellers that may not offer free Prime shipping. Local Business ~

Fit Type Universal Fit

prime

\$1095

FREE Returns

Enjoy fast, FREE delivery,

with Fast, FREE Delivery

Get Fast, Free Shipping with

FREE delivery Wednesday, July

Add to Cart

Buy Now

Secure transaction Ships from Amazon BLVD-LPF COM

Eligible for Return, Refund or Replace

Add a gift receipt for easy returns

within 30 days of receipt

19 on orders shipped by

Select delivery location

Amazon over \$25 Or fastest delivery Sunday, July 16. Order within 15 hrs 18

In Stock

Qty: 1 V

Payment

Sold by

Add to List

exclusive deals and awardwinning movies & TV shows with Prime Try Prime and start saving today

Color Tinted Brand

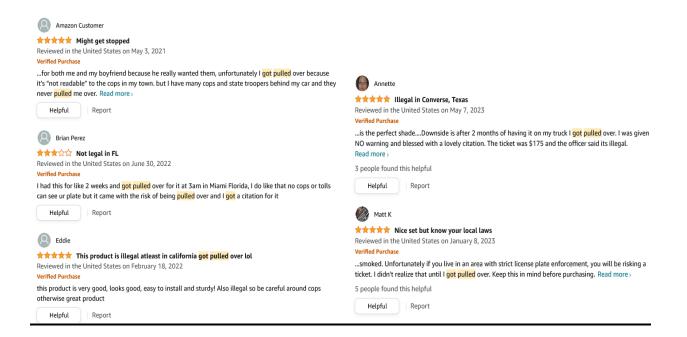
BLVD-LPF OBEY YOUR LUXURY

Vehicle Service Type Car

#### About this item

Material Polycarbona

- TINTED LICENSE PLATE COVER: Secure your car license plate using this tinted cover flaunting a gloss finish. It protects your car plate from weather elements and adds a desired sporty look to your ive and ensures security of your unique number. auto
- UNBREAKABLE LICENSE SHIELD: Crafted from highly durable and unbreakable polycarbonate material, this number plate cover is a smart addition to any car. Securely fasten the license plate shield to your car and drive along.
- ENHANCED UV PROTECTION: The unbreakable plate cover features a clear UV protection coating that prevents fading of the license plate even when the car is parked in direct sunlight. The polarized lens plate cover is made to withstand regular car wash and weather conditions.
- COMPATIBILITY: This polycarbonate number plate cover is designed to fit all standard license plates in the United States. It effortlessly fits standard Canada and Mexico sized license plates. PRODUCT SPECIFICATIONS: The novelty plate cover kit includes 2 Tinted License Plate Covers
- including screws, screw caps, and screw driver
- > See more product details



<sup>4</sup> https://www.amazon.com/BLVD-LPF-OBEY-YOUR-LUXURY-Unbreakable/dp/B07RYJK4W9 (last visited Oct. 31, 2023).

### III. Vinyl Wrap License Plate Covers<sup>5</sup>



<sup>&</sup>lt;sup>5</sup> https://www.amazon.com/California-License-Customizable-Resistant-Universal/dp/B0CDKGR192/ (last visited Oct. 31, 2023).