

B-Engrossed
Senate Bill 645

Ordered by the House April 20
Including Senate Amendments dated March 16 and House Amendments
dated April 20

Sponsored by Senator MONNES ANDERSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Allows local government to enact or adopt regulation to prohibit unauthorized appropriation of shopping cart from business premises of person that owns shopping cart.

Specifies that regulation must require persons that supply shopping carts for public use to post certain notices, [*and*] establish toll-free telephone line for reporting abandoned shopping carts **and retrieve or contract for retrieval of abandoned shopping carts.**

Specifies that regulation must require local government to report existence and location of abandoned shopping cart to shopping cart owner and, if owner does not retrieve cart within 72 hours of report, local government may take custody of cart and impose \$50 fine on owner. Specifies that regulation must provide that shopping carts not claimed within 30 days may become property of local government.

A BILL FOR AN ACT

1
2 Relating to shopping carts.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A local government may enact or adopt an ordinance, charter provision,**
5 **resolution or other regulation to prohibit the unauthorized appropriation of a shopping cart**
6 **from the business premises of the person that owns the shopping cart and to provide for the**
7 **salvage or reclamation of an abandoned shopping cart.**

8 **(2) An ordinance, charter provision, resolution or other regulation enacted or adopted**
9 **as described in subsection (1) of this section shall substantially conform with the require-**
10 **ments set forth in section 2 of this 2007 Act. This subsection does not preclude a local gov-**
11 **ernment from enacting or adopting an ordinance, charter provision, resolution or other**
12 **regulation related to the collection or retrieval of abandoned shopping carts by a person that**
13 **is subject to but not in compliance with section 2 (1)(d) of this 2007 Act.**

14 **(3) For purposes of this section, "local government" means a city, county, special district**
15 **or other public commission, authority or entity organized under state statute or city or**
16 **county charter.**

17 **SECTION 2. (1) A local government in an ordinance, charter provision, resolution or**
18 **other regulation enacted or adopted in accordance with section 1 of this 2007 Act shall pro-**
19 **vide that a person that supplies shopping carts for public use at the person's business shall:**

20 **(a) Post signs in sufficient number to give notice to members of the public entering onto**
21 **or leaving the business premises that unauthorized appropriation of a shopping cart is a**
22 **crime under ORS 164.015 and to provide a toll-free telephone number that members of the**
23 **public may use to report abandoned shopping carts.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(b) Identify the person’s business on each shopping cart and post a sign on the shopping**
2 **cart that:**

3 **(A) Notifies any member of the public using the shopping cart that unauthorized appro-**
4 **priation of a shopping cart is a crime under ORS 164.015; and**

5 **(B) Provides a toll-free telephone number for use in reporting an abandoned shopping**
6 **cart.**

7 **(c) Establish, maintain and make available to the public, at the person’s own expense, a**
8 **toll-free telephone line for the purpose of reporting abandoned shopping carts. The person**
9 **shall forward each report the person receives concerning an abandoned shopping cart to the**
10 **owner of the shopping cart and to the appropriate local government within one business day**
11 **after the person receives the report. The person may forward the report to the local gov-**
12 **ernment by means of electronic mail or in any other manner provided for in a local govern-**
13 **ment regulation.**

14 **(d) Retrieve or contract for the retrieval of abandoned shopping carts.**

15 **(2) An ordinance, charter provision, resolution or other regulation enacted or adopted in**
16 **accordance with section 1 of this 2007 Act shall provide that a person may agree with other**
17 **persons to share and to pay expenses related to the toll-free telephone line described in**
18 **subsection (1)(c) of this section. The agreement shall provide that any person designated to**
19 **operate the toll-free telephone line and receive reports concerning abandoned shopping carts**
20 **must forward the reports in accordance with subsection (1)(c) of this section.**

21 **(3) An ordinance, charter provision, resolution or other regulation enacted or adopted in**
22 **accordance with section 1 of this 2007 Act shall provide that a person shall retrieve a shop-**
23 **ping cart that the person owns within 72 hours after receiving notification that the shopping**
24 **cart has been abandoned.**

25 **(4) An ordinance, charter provision, resolution or other regulation enacted or adopted in**
26 **accordance with section 1 of this 2007 Act shall provide that:**

27 **(a) A local government that identifies, salvages or reclaims an abandoned shopping cart**
28 **shall use the toll-free telephone line described in subsection (1)(c) of this section to report**
29 **the existence and location of an abandoned shopping cart to the owner of the shopping cart,**
30 **if the owner is identifiable;**

31 **(b) A local government may take custody of an abandoned shopping cart and impose a**
32 **fine of \$50 on the owner of the shopping cart if the owner does not retrieve the shopping cart**
33 **within 72 hours after the local government makes a report under paragraph (a) of this sub-**
34 **section or after the owner receives a report under subsection (1)(c) of this section;**

35 **(c) A local government may release a shopping cart held in the local government’s cus-**
36 **tody to the owner upon payment of the fine; and**

37 **(d) A local government may take title to a shopping cart in the local government’s cus-**
38 **tody and dispose of the shopping cart as the local government deems appropriate, if the**
39 **owner does not claim the shopping cart within 30 days.**

40 **(5) For purposes of this section, “local government” means a city, county, special district**
41 **or other public commission, authority or entity organized under state statute or city or**
42 **county charter.**

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