

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 645

By COMMITTEE ON BUSINESS AND LABOR

April 20

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 18 and delete page 2 and insert:

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

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

12 “(3) For purposes of this section, ‘local government’ means a city, county, special district
13 or other public commission, authority or entity organized under state statute or city or
14 county charter.

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

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

22 “(b) Identify the person’s business on each shopping cart and post a sign on the shopping
23 cart that:

24 “(A) Notifies any member of the public using the shopping cart that unauthorized ap-
25 propriation of a shopping cart is a crime under ORS 164.015; and

26 “(B) Provides a toll-free telephone number for use in reporting an abandoned shopping
27 cart.

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

35 “(d) Retrieve or contract for the retrieval of abandoned shopping carts.

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

7 **“(3) An ordinance, charter provision, resolution or other regulation enacted or adopted**
8 **in accordance with section 1 of this 2007 Act shall provide that a person shall retrieve a**
9 **shopping cart that the person owns within 72 hours after receiving notification that the**
10 **shopping cart has been abandoned.**

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

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

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

21 **“(c) A local government may release a shopping cart held in the local government’s**
22 **custody to the owner upon payment of the fine; and**

23 **“(d) A local government may take title to a shopping cart in the local government’s**
24 **custody and dispose of the shopping cart as the local government deems appropriate, if the**
25 **owner does not claim the shopping cart within 30 days.**

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

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