

# Senate Bill 645

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 **as introduced**.

Establishes crime of unauthorized use of shopping cart. Punishes by up to 30 days' imprisonment, \$1,250 fine, or both.

Requires persons that supply shopping carts for public use to post certain notices and establish toll-free telephone line for reporting abandoned shopping carts. Requires owner to retrieve shopping cart within 72 hours after receiving report concerning abandoned shopping cart. Permits public bodies to report existence and location of abandoned shopping cart to owner and, if owner does not retrieve shopping cart within 72 hours after report, to take custody of shopping cart and impose \$50 fine on owner. Provides that shopping carts not retrieved by owner after 30 days in custody of public body become property of public body.

## 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. Section 2 of this 2007 Act is added to and made a part of ORS chapter 164.**

5 **SECTION 2. (1) A person commits the crime of unauthorized use of a shopping cart if**  
6 **the person:**

7 (a) **Intentionally removes a shopping cart owned by a business open to the public from**  
8 **the business premises without the consent of the owner; or**

9 (b) **Having custody or control over the shopping cart with the owner's express or implied**  
10 **consent, intentionally:**

11 (A) **Uses the shopping cart for a purpose other than transporting goods purchased at the**  
12 **business to the person's vehicle;**

13 (B) **Converts the shopping cart to the person's own use for the person's own purposes;**  
14 **or**

15 (C) **Uses the shopping cart in a manner that causes damage to the cart significantly**  
16 **greater than that associated with ordinary wear and tear or in a manner that constitutes a**  
17 **gross deviation from the scope of the owner's express or implied consent.**

18 (2) **Unauthorized use of a shopping cart is a Class C misdemeanor.**

19 **SECTION 3. (1) A person that supplies shopping carts for public use at the person's place**  
20 **of business shall:**

21 (a) **Post signs in sufficient number to give notice to members of the public entering onto**  
22 **or leaving the business premises that unauthorized use of a shopping cart is a crime under**  
23 **section 2 of this 2007 Act and to provide a toll-free telephone number that members of the**  
24 **public may use to report abandoned shopping carts;**

25 (b) **Post a sign on each shopping cart that lists the name and address of the person's**  
26 **place of business, notifies any member of the public using the shopping cart that unauthor-**  
27 **ized use of a shopping cart is a crime under section 2 of this 2007 Act and provides a toll-free**

**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 telephone number for use in reporting abandoned shopping carts; and

2 (c) Establish, maintain and make available to the public, at the person's own expense, a  
3 toll-free telephone line for the purpose of reporting abandoned shopping carts.

4 (2) A person may agree with other persons to share and to pay expenses related to the  
5 toll-free telephone line described in subsection (1)(c) of this section.

6 (3) A person shall retrieve a shopping cart that the person owns within 72 hours after  
7 receiving notification that the shopping cart has been abandoned.

8 (4) A public body that identifies, salvages or reclaims an abandoned shopping cart shall  
9 use the toll-free telephone line described in subsection (1)(c) of this section to report the  
10 existence and location of an abandoned shopping cart to the owner of the shopping cart, if  
11 the owner is identifiable. If the owner does not retrieve the abandoned shopping cart within  
12 72 hours after the public body makes the report, the public body may take custody of the  
13 shopping cart and shall impose a fine of \$50 on the owner. The public body may release the  
14 shopping cart to the owner upon payment of the fine. If after 30 days the owner does not  
15 claim the shopping cart in the public body's custody, title to the shopping cart vests in the  
16 public body, which may dispose of the shopping cart as the public body deems appropriate.

17 (5) For purposes of subsection (4) of this section, "public body" means a state, city,  
18 county, other political subdivision, municipal corporation or any instrumentality thereof.

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