

SENATE AMENDMENTS TO SENATE BILL 645

By COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT

March 16

1 On page 1 of the printed bill, delete lines 4 through 27 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.

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

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

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

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

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

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

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

32 “(2) An ordinance, charter provision, resolution or other regulation enacted or adopted
33 in accordance with section 1 of this 2007 Act shall provide that a person may agree with
34 other persons to share and to pay expenses related to the toll-free telephone line described
35 in subsection (1)(c) of this section. The agreement shall provide that any person designated

1 to operate the toll-free telephone line and receive reports concerning abandoned shopping
2 carts must forward the reports in accordance with subsection (1)(c) of this section.

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

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

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

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

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

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

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

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