
HOUSE BILL 3325

State of Washington 60th Legislature 2008 Regular Session

By Representatives Simpson, Warnick, and Kelley

Read first time 01/31/08. Referred to Committee on Local Government.

1 AN ACT Relating to the recovery of shopping carts; and adding a new
2 section to chapter 35.21 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
5 to read as follows:

6 (1) To assist with the overall appearance, quality, public health,
7 safety, and welfare, and aesthetic values of local communities, the
8 legislature clarifies the existing authority of all incorporated cities
9 and towns, including unclassified cities and towns operating under
10 special charters, to adopt ordinances regulating the care, safety, and
11 retrieval of abandoned shopping carts from grocery stores and other
12 retail establishments.

13 (2) Incorporated cities and towns adopting a new ordinance, or
14 reaffirming an existing ordinance, shall provide an exception from
15 enforcement provisions, penalties, and additional administrative fees
16 for retail establishments demonstrating, through a mutually agreeable
17 process, that they have established or have contracts in place with a
18 vendor to establish a qualified shopping cart recovery program. For

1 the purposes of this section, a qualified shopping cart recovery
2 program is a program that meets the following minimum requirements:

3 (a) Utilizes a toll-free number, which must be displayed on all
4 shopping carts used by the retail establishment, for the reporting of
5 shopping carts that have been removed from the retail establishment's
6 property;

7 (b) Maintains a maximum response time of seventy-two hours for the
8 recovery of shopping carts reported abandoned via the toll-free number,
9 unless the location of the shopping cart requires a person to risk
10 personal harm in recovering the shopping cart;

11 (c) Conducts patrols during normal business hours for the purpose
12 of (i) identifying locations where shopping carts are commonly
13 abandoned and (ii) recovering shopping carts removed from the retail
14 establishment's property that have not yet been reported via the toll-
15 free number; and

16 (d) Provides for the retrieval of shopping carts collected and
17 transported to a central location by city or town personnel within one
18 business day of a notification via the toll-free number.

19 (3) Incorporated cities and towns may adopt penalties of up to
20 fifty dollars per shopping cart for retail establishments that
21 establish and administer a qualified shopping cart recovery program if
22 the program fails to retrieve a shopping cart within the time frames
23 described under subsection (2) of this section, and may provide for the
24 disqualification of a previously qualified shopping cart recovery
25 program if the program repeatedly fails to meet the minimum
26 requirements under subsection (2) of this section.

27 (4) Retail establishments that elect not to establish or contract
28 with a vendor for a qualified shopping cart recovery program are
29 subject to all applicable processes, enforcement provisions, fees, and
30 penalties imposed under local ordinances that govern abandoned shopping
31 carts.

32 (5) All incorporated cities and towns retain the authority to
33 address abandoned shopping carts that pose an identifiable and
34 immediate risk to public health, safety, and welfare, and to utilize
35 fee and penalty provisions of local ordinances that govern the recovery
36 and return of such carts.

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