

Plastic Bag Ban Creates New Administrative Regulatory Burdens

By Anthony van Leeuwen, 30 April 2013

Local ordinances that implement plastic carryout bag bans are very similar from one community to the next. The ordinances ban the distribution of plastic carryout bags and impose a fee of 10 or 25-cents on paper bags to discourage paper bag use and encourage the use of reusable shopping bags.

In addition to regulating bag use, the ordinances have annual or quarterly reporting provisions that require stores in the jurisdiction and subject to the ordinance to report the number of paper carryout bags issued and the amount of money collected for providing paper carryout bags. In addition the store must summarize the efforts undertaken to promote the use of reusable bags in the previous quarter. In other words, a new regulatory burden is created for the store that adds to the cost of doing business. The regulatory burden continues indefinitely or until the ordinance is no longer in effect or until the city directs that quarterly reporting cease.

On the city's side, the quarterly reports must be processed and evaluated and statistics developed to determine if the goals of the ordinance are being met. Of course, annual reports to the city manager and the city council will also be made. In addition, there are inspections of stores to determine that they are indeed complying with the ordinance.

Every store that is regulated by the ordinance will experience an increase in regulatory costs, which will have to be recovered from customers through higher food and merchandise prices.

In addition, the jurisdiction that implemented the Plastic Bag Ban will also incur thousands of dollars of costs annually in order to administer the ordinance. **To spend thousands of taxpayer dollars to administer an ordinance that controls the type of bags residents use to carry groceries home from the supermarket is wasteful and plain stupid.** Those tax dollars could be better spent fixing potholes on city streets.