

RETURNING AIRPORT LUGGAGE CARTS

by Rabbi Yisroel Belsky ztl

QUESTION 94

There are airports that provide self-service carts to help the passengers out with their luggage. You have to pay \$2 to use it, and then get 25 cents back when you return it. If I found a loose cart that someone had not returned, can I use the cart without paying? If so, after I finish using it, would I be obligated to return it, or can I leave it loose just as I found it? And if I do return it, can I keep the 25 cents?

RABBI BELSKY

I don't see why you can't take the loose cart without paying. It's true that there's a charge for using a cart, but once one person paid the fee and got the cart, there are no restrictions saying he can't give it to someone else. There isn't a sign anywhere that suggests that this is a non-transferable sale. A person could clearly use the cart again and again until he takes care of all his needs, or his friend's needs, or even the needs of a whole bunch of people. But the company that owns the cart knows that it is generally not used over and over, and that eventually it will be returned by a person who will get the 25 cents.

In any case, people do use carts that are lying around. I haven't seen any case where the owners of these carts show any objection to someone using a loose cart. I think it's common practice. If they did object to this practice, there would be a sign or indication posted. It seems that this falls within the norm. Perhaps it's a middas chassidus (higher level of piety) to not use a loose cart, and pay for it, since technically speaking, one is supposed to pay the \$2 in order to use a cart.

As I said before, the use of the cart is not limited to just one person. So just as the person before you used the cart and left it for someone else, you could do the same as well.

Is there an aspect of hashovas havedah (returning a lost item) by returning a cart? There are people at the airport who's job is to round up the carts. They go to the parking lot and gather the carts together, and you sometimes see them pushing long trains of carts. It's not as if the company would never get the carts back if people don't return them. The company eventually gets all of their carts back. People don't take them home.

With regards to keeping the quarter for returning someone else's cart, I think you can. I know that if you find an empty soda bottle, everyone agrees that the finder is entitled to collect the deposit,

even though he did not originally pay for the bottle. It may be the same concept over here. It could be that the quarter serves the same purpose as the bottle deposit recycling charge. The company just wants the object to be returned. I believe that if you see a cart lying around, you could return it and collect the 25 cents.

QUESTIONER

Isn't it considered stealing, even a tiny bit, if you don't return it? The owner invested money in these carts and is trying to run a business. If you don't return the cart, it's as if you're encouraging the next person not to pay the \$2. If everyone does that, the owner would lose a lot of money.

RABBI BELSKY

I agree with you that, ideally, the person who originally paid the \$2 should return the cart. Still, we have to clarify the circumstances that we are talking about. Under usual circumstances, when the cart is taken from where the suitcases come off the plane, the passengers wheel them with their luggage into the parking lot, which in some cases can be several blocks away. I don't believe that it happens very often that people, excluding airport workers, actually wheel the cart back to the airport building. I'm sure there are those who return the carts, and it's a noble thing to do, but it's really not the thing that's expected.

Under these circumstances, the place to which they have to return the cart could be quite a distance from the parking lot. Returning the cart would set them back 10 or 15 minutes. In the meantime, there's a regular crew of workers who go around picking up all the carts. As far as the cart owner is concerned, it makes very little difference if this person is going to return the cart. If the cart owner has a worker walking around picking up 30 or 40 carts in the parking lots, that worker doesn't have much more work to do to pick up one more cart.

I really don't think loose carts represent a problem for the industry, or a loss of money for companies in the business. Nevertheless, I think that if it's not too much of an inconvenience, a person should try to return the cart. After all, even with all the heterim (permissible rulings), a person should try to attain a higher level of hashova (returning an object). Finding an aveidoh (lost object) in the streets or in the parking lot may constitute hashovas aveidoh (mitzvah of returning a lost item). Even so, in this case you're not mechuyav (required) to return it.

I'll tell you the truth. In all my years, I've never used a cart to bring luggage to my car and not returned it after I finished. Except for a few isolated incidents when I was so behind schedule, I believe I've always returned it. I feel it's sort of a breach of trust if you don't return it, no matter what teirutz (excuse) you can give otherwise.

NEXT WEEK'S QUESTION 95: TRACKING DOWN AN UN-CASHED CHECK

I once bought an item from a store and paid by check. The check was never cashed, and the company never contacted me for the money. Am I obligated to contact the company to pay for the item? If the company passed the check to another party, am I obligated to track it down?

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