

As Reported by the House Local Government Committee

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Regular Session

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Sub. H. B. No. 378

Representatives Hambley, Rezabek

**Cosponsors: Representatives Arndt, Boose, Brown, Conditt, LaTourette,
Manning, McColley, O'Brien, M., Schuring, Slaby, Rogers**

A BILL

To amend sections 4513.35 and 4513.39 of the 1
Revised Code to authorize law enforcement 2
officers of township police districts and joint 3
police districts, and township constables, 4
serving a population of 50,000 or less to make 5
arrests for motor vehicle-related violations 6
committed on national highways that are not part 7
of the interstate highway system. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4513.35 and 4513.39 of the 9
Revised Code be amended to read as follows: 10

Sec. 4513.35. (A) All fines collected under sections 11
4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the 12
Revised Code shall be paid into the county treasury and, with 13
the exception of that portion distributed under section 307.515 14
of the Revised Code, shall be placed to the credit of the fund 15
for the maintenance and repair of the highways within that 16
county, except that: 17

(1) All fines for violations of division (B) of section 4513.263 shall be delivered to the treasurer of state as provided in division (E) of section 4513.263 of the Revised Code.

(2) All fines collected from, or moneys arising from bonds forfeited by, persons apprehended or arrested by state highway ~~patrolmen~~patrol troopers shall be distributed as provided in section 5503.04 of the Revised Code.

(3) (a) Subject to division (E) of section 4513.263 of the Revised Code and except as otherwise provided in division (A) (3) (b) of this section, one-half of all fines collected from, and one-half of all moneys arising from bonds forfeited by, persons apprehended or arrested by a township constable or other township police officer shall be paid to the township treasury to be placed to the credit of the general fund.

(b) All fines collected from, and all moneys arising from bonds forfeited by, persons apprehended or arrested by a township constable or other township police officer pursuant to division (B) (2) of section 4513.39 of the Revised Code for a violation of section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway ~~included as~~ that is part of the interstate system, ~~as defined in section 5516.01 of the Revised Code~~ or otherwise part of the national highway system, shall be paid into the county treasury and be credited as provided in the first paragraph of this section.

(B) Notwithstanding any other provision of this section or of any other section of the Revised Code:

(1) All fines collected from, and all moneys arising from

bonds forfeited by, persons arrested under division (E) (1) or 47
(2) of section 2935.03 of the Revised Code are deemed to be 48
collected, and to arise, from arrests made within the 49
jurisdiction in which the arresting officer is appointed, 50
elected, or employed, for violations of one of the sections or 51
chapters of the Revised Code listed in division (E) (1) of that 52
section and shall be distributed accordingly. 53

(2) All fines collected from, and all moneys arising from 54
bonds forfeited by, persons arrested under division (E) (3) of 55
section 2935.03 of the Revised Code are deemed to be collected, 56
and to arise, from arrests made within the jurisdiction in which 57
the arresting officer is appointed, elected, or employed, for 58
violations of municipal ordinances that are substantially 59
equivalent to one of the sections or one of the provisions of 60
one of the chapters of the Revised Code listed in division (E) 61
(1) of that section and for violations of one of the sections or 62
one of the provisions of one of the chapters of the Revised Code 63
listed in division (E) (1) of that section, and shall be 64
distributed accordingly. 65

Sec. 4513.39. (A) The state highway patrol and sheriffs or 66
their deputies shall exercise, to the exclusion of all other 67
peace officers except within municipal corporations and except 68
as specified in division (B) of this section and division (E) of 69
section 2935.03 of the Revised Code, the power to make arrests 70
for violations on all state highways, of sections 4503.11, 71
4503.21, 4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 72
4511.40, 4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 73
4511.71, 4513.03 to 4513.13, 4513.15 to 4513.22, 4513.24 to 74
4513.34, 4549.01, 4549.08 to 4549.12, and 4549.62 of the Revised 75
Code. 76

(B) A member of the police force of a township police district created under section 505.48 of the Revised Code or of a joint police district created under section 505.482 of the Revised Code, and a township constable appointed pursuant to section 509.01 of the Revised Code, who has received a certificate from the Ohio peace officer training commission under section 109.75 of the Revised Code, shall exercise the power to make arrests for violations of those sections listed in division (A) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, as follows:

(1) If the population of the township that created the township or joint police district served by the member's police force or the township that is served by the township constable is fifty thousand or less, the member or constable shall exercise that power on those portions of all state highways, ~~except those highways included as~~ including those highways that are part of the national highway system but that are not part of the interstate system, as defined in section 5516.01 of the Revised Code, that are located within the township or joint police district, in the case of a member of a township or joint police district police force, or within the unincorporated territory of the township, in the case of a township constable;

(2) If the population of the township that created the township or joint police district served by the member's police force or the township that is served by the township constable is greater than fifty thousand, the member or constable shall exercise that power on those portions of all state highways ~~and highways included as~~, including any highway that is a part of the interstate highway system or otherwise a part of the national highway system, as defined in section 5516.01 of the Revised Code, that are located within the township or joint

police district, in the case of a member of a township or joint 108
police district police force, or within the unincorporated 109
territory of the township, in the case of a township constable. 110

Section 2. That existing sections 4513.35 and 4513.39 of 111
the Revised Code are hereby repealed. 112