



Ohio Revised Code

Section 4513.39 Making arrests on highways.

Effective: September 23, 2022

Legislation: House Bill 206

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

(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) Except as specified in division (C) of this section, 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 according to the most recent federal decennial census, the member or constable shall exercise that power on those portions of all state highways, including those highways that are part of the national highway system but that are not part of the interstate system, 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 according to the most recent federal decennial census, the member or constable shall exercise that power on those portions of all state highways, including any highway that is a part of



the interstate highway system or otherwise a part of the national highway system, 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.

(C) 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 between five thousand and fifty thousand according to the most recent federal decennial census, the township board of trustees may adopt, and may subsequently rescind, a resolution authorizing a member or constable 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, on any highway that meets all of the following conditions:

(1) The highway is a part of the interstate highway system.

(2) The highway is 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.

(3)(a) There is a permanent access point on and off the highway open to the general public for the member or constable to use that is 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.

(b) An access point specified by division (C)(3)(a) of this section that is available as of the effective date of this section remains an available access point for a member or constable even if the territory in which the access point is located is subsequently annexed by a municipal corporation.