
HOUSE BILL No. 1155

AM115502 has been incorporated into January 22, 2026 printing.

Synopsis: Traffic enforcement.

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HB 1155—LS 6540/DI 116



January 22, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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HOUSE BILL No. 1155

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as
3 provided in section 3.5 of this chapter, a local authority may adopt by
4 ordinance additional traffic regulations with respect to highways under
5 the authority's jurisdiction. An ordinance adopted under this subsection
6 may not conflict with or duplicate a statute.
- 7 (b) **Except as provided in IC 9-21-23.5**, after a request has been
8 made at a public meeting or by certified mail to the legislative body (as
9 defined in IC 36-1-2-9) from the property owner, a local authority may
10 adopt by ordinance additional traffic regulations with respect to a
11 private road within the authority's jurisdiction. The ordinance:
- 12 (1) must require a contractual agreement between the local
13 authority and property owner of the private road setting forth the
14 terms and responsibilities of the additional traffic regulations;
15 (2) must require the contractual agreement required under
16 subdivision (1) to be recorded after passage of the ordinance in
17 the office of the recorder of the county in which the private road

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1 is located; and
 2 (3) may not conflict with or duplicate state law.
 3 (c) A fine assessed for a violation of a traffic ordinance adopted by
 4 a local authority may be deposited into the general fund of the
 5 appropriate political subdivision.

6 SECTION 2. IC 9-21-5-3, AS AMENDED BY P.L.1-2006,
 7 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2026]: Sec. 3. The maximum speed limits set
 9 forth in section 2 of this chapter may be altered as follows:

- 10 (1) By local jurisdictions under section 6 of this chapter.
- 11 (2) By the Indiana department of transportation under section 12
- 12 of this chapter.
- 13 (3) For the purposes of speed limits on a highway on the national
- 14 system of interstate and defense highways, by order of the
- 15 commissioner of the Indiana department of transportation to
- 16 conform to any federal regulation concerning state speed limit
- 17 laws.
- 18 (4) In worksites, by all jurisdictions under section 11 of this
- 19 chapter.

20 **(5) By a homeowners association that establishes a maximum**
 21 **speed limit under IC 9-21-23.5 within a subdivision governed**
 22 **by the homeowners association.**

23 SECTION 3. IC 9-21-23.5 IS ADDED TO THE INDIANA CODE
 24 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2026]:

26 **Chapter 23.5. Traffic Enforcement on Private Roads Pilot**
 27 **Project**

28 **Sec. 1. This chapter:**

- 29 (1) applies to a subdivision:
 - 30 (A) that is subject to governance authority by a
 - 31 homeowners association;
 - 32 (B) that contains at least one thousand five hundred
 - 33 (1,500) lots; and
 - 34 (C) with at least fifteen (15) miles of private road that
 - 35 are owned and maintained by the homeowners
 - 36 association; and
- 37 (2) does not apply to:
 - 38 (A) commercial property;
 - 39 (B) industrial property;
 - 40 (C) retail or commercial parking facilities; or
 - 41 (D) privately owned roads primarily serving property
 - 42 described in clauses (A) through (C).

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1 **Sec. 2.** The definitions in IC 32-25.5-2 apply throughout this
2 chapter.

3 **Sec. 3.** As used in this chapter, "law enforcement agency" has
4 the meaning set forth in IC 5-2-1-2(8).

5 **Sec. 4.** As used in this chapter, "law enforcement officer" has
6 the meaning set forth in IC 9-13-2-92.

7 **Sec. 5. (a)** Notwithstanding any other law, the board of a
8 homeowners association may establish a maximum speed limit
9 within the subdivision.

10 **(b)** If a maximum speed limit is established under subsection
11 **(a)**, signs must be located on each private roadway in a manner
12 that conforms with standards and requirements established by the
13 department of transportation.

14 **(c)** If the board of a homeowners association establishes a
15 speed limit under subsection **(a)**, the homeowners association must
16 notify the:

17 **(1)** sheriff of each county in which the subdivision governed
18 by the homeowners association is located (or the chief of
19 police of the consolidated city, if the subdivision is primarily
20 located in a consolidated city); and

21 **(2)** chief of police of any municipality whose jurisdiction
22 includes the subdivision governed by the homeowners
23 association;

24 of the establishment of the speed limit under subsection **(a)**.

25 **Sec. 6. (a)** Notwithstanding any other law, the board of a
26 homeowners association may designate intersections on private
27 roads within a subdivision at which a vehicle is required to stop.

28 **(b)** A requirement established under subsection **(a)** is
29 enforceable only if a stop sign is posted at the intersection in a
30 manner that complies with all requirements established by the
31 department of transportation.

32 **Sec. 7. (a)** Notwithstanding any other law and except as
33 provided in section 8 of this chapter, a law enforcement officer has
34 all police powers necessary to enforce the laws of the state for the
35 regulation and use of vehicles on the private roads within the
36 subdivision governed by the homeowners association. However,
37 with the exception of the maximum speed limit and stop
38 requirements established by the board of the homeowners
39 association under sections 5 and 6 of this chapter, a law
40 enforcement officer may not enforce other rules or requirements
41 established by the homeowners association.

42 **(b)** Subject to subsections **(c)** and **(d)**, the homeowners



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1 association may enter into an agreement with or employ an off
 2 duty law enforcement officer to enforce the laws of the state for the
 3 regulation and use of a vehicle as described in subsection (a). The
 4 law enforcement officer must wear a distinctive uniform or must
 5 operate a motor vehicle that is clearly marked as a police vehicle
 6 when exercising the officer's authority under this chapter.

7 (c) The homeowner's association must submit proof of the
 8 appropriate liability insurance with each applicable sheriff and
 9 chief of police prior to entering into an agreement with or
 10 employing an off duty law enforcement officer. The proof of
 11 insurance shall be resubmitted upon renewal of the liability
 12 insurance.

13 (d) If a homeowners association enters into an agreement with
 14 or employs a law enforcement officer under subsection (b), the
 15 homeowners association must agree to indemnify and hold
 16 harmless the law enforcement officer, the state, the applicable
 17 political subdivisions, and the law enforcement agency that
 18 employs the law enforcement officer and their officers, agents, and
 19 employees from all claims and liability arising from actions of the
 20 law enforcement officer acting within the law enforcement officer's
 21 scope of employment with the homeowners association. However,
 22 the homeowners association is not subject to the indemnification
 23 requirements for willful or wanton misconduct by the law
 24 enforcement officer. Indemnification does not apply to a law
 25 enforcement officer acting within the scope of the law enforcement
 26 officer's scope of employment with the law enforcement agency
 27 that employs the law enforcement officer.

28 (e) Subsection (d) may not be construed to prohibit a law
 29 enforcement agency's ability to regulate the off duty employment
 30 of a law enforcement officer employed by the law enforcement
 31 agency or otherwise approve or deny off duty employment of a law
 32 enforcement officer described in subsection (b).

33 Sec. 8. (a) Notwithstanding section 7 of this chapter, a law
 34 enforcement agency whose jurisdiction includes the subdivision
 35 governed by the homeowners association does not have a duty:

36 (1) to patrol or enforce traffic laws established under this
 37 chapter; or

38 (2) to accept requests to enforce traffic laws established
 39 under this chapter;

40 on the private roads within the subdivision governed by the
 41 homeowners association.

42 (b) Nothing in this chapter shall be construed to establish a

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1 duty of care by the applicable law enforcement agency to the
2 homeowners association or the members of the homeowners
3 association for the enforcement of traffic laws established under
4 this chapter.

5 Sec. 9. Nothing in this chapter shall be construed as:
6 (1) requiring a political subdivision to assume ownership,
7 maintenance, or liability of a private road within the
8 subdivision governed by the homeowners association; or
9 (2) converting a private road within the subdivision governed
10 by the homeowners association into a public highway.

11 Sec. 10. Nothing in this chapter may be construed to waive
12 immunity or defenses under IC 34-13-3 or other state or federal
13 law for the law enforcement officer, the state, the applicable
14 political subdivisions, and the law enforcement agency that
15 employs the law enforcement officer and their officers, agents, and
16 employees.

17 Sec. 11. On or before October 1, 2027, the state police
18 department and the sheriff and prosecutor of each county whose
19 jurisdiction includes a subdivision governed by a homeowners
20 association that adopts a maximum speed limit under section 5 of
21 this chapter shall submit a report to the general assembly in an
22 electronic format in the same manner that a public agency submits
23 a report under IC 5-14-6. The report shall summarize issues with
24 implementation of this chapter and include the number of backup
25 calls provided within the subdivision.

26 Sec. 12. This chapter expires July 1, 2028.

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