

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in <this > < style > < type > or in [this] [style] [type].

# HOUSE BILL No. 1155

Proposed Changes to January 22, 2026 printing by AM115502

## DIGEST OF PROPOSED AMENDMENT

Stop signs. Provides that the board of a homeowners association may designate intersections on private roads within a subdivision at which a vehicle is required to stop.

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
- 18 is located; and
- 19 (3) may not conflict with or duplicate state law.
- 20 (c) A fine assessed for a violation of a traffic ordinance adopted by

HB 1155—LS 6540/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 a local authority may be deposited into the general fund of the  
2 appropriate political subdivision.

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

7 (1) By local jurisdictions under section 6 of this chapter.

8 (2) By the Indiana department of transportation under section 12  
9 of this chapter.

10 (3) For the purposes of speed limits on a highway on the national  
11 system of interstate and defense highways, by order of the  
12 commissioner of the Indiana department of transportation to  
13 conform to any federal regulation concerning state speed limit  
14 laws.

15 (4) In worksites, by all jurisdictions under section 11 of this  
16 chapter.

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

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

23 **Chapter 23.5. Traffic Enforcement on Private Roads Pilot  
24 Project**

25 **Sec. 1. This chapter:**

26 **(1) applies to a subdivision:**

27 **(A) that is subject to governance authority by a  
28 homeowners association;**

29 **(B) that contains at least one thousand five hundred  
30 (1,500) lots; and**

31 **(C) with at least fifteen (15) miles of private road that  
32 are owned and maintained by the homeowners  
33 association; and**

34 **(2) does not apply to:**

35 **(A) commercial property;**

36 **(B) industrial property;**

37 **(C) retail or commercial parking facilities; or**

38 **(D) privately owned roads primarily serving property  
39 described in clauses (A) through (C).**

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

42 **Sec. 3. As used in this chapter, "law enforcement agency" has**

HB 1155—LS 6540/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 the meaning set forth in IC 5-2-1-2(8).  
 2 Sec. 4. As used in this chapter, "law enforcement officer" has  
 3 the meaning set forth in IC 9-13-2-92.  
 4 Sec. 5. (a) Notwithstanding any other law, the board of a  
 5 homeowners association may establish a maximum speed limit  
 6 within the subdivision.  
 7 (b) If a maximum speed limit is established under subsection  
 8 (a), signs must be located on each private roadway in a manner  
 9 that conforms with standards and requirements established by the  
 10 department of transportation.  
 11 (c) If the board of a homeowners association establishes a  
 12 speed limit under subsection (a), the homeowners association must  
 13 notify the:  
 14 (1) sheriff of each county in which the subdivision governed  
 15 by the homeowners association is located (or the chief of  
 16 police of the consolidated city, if the subdivision is primarily  
 17 located in a consolidated city); and  
 18 (2) chief of police of any municipality whose jurisdiction  
 19 includes the subdivision governed by the homeowners  
 20 association;  
 21 of the establishment of the speed limit under subsection (a).  
 22 [ Sec. 6. (a) Notwithstanding any other law, the board of a  
 23 homeowners association may designate intersections on private  
 24 roads within a subdivision at which a vehicle is required to stop.  
 25 (b) A requirement established under subsection (a) is  
 26 enforceable only if a stop sign is posted at the intersection in a  
 27 manner that complies with all requirements established by the  
 28 department of transportation.  
 29 ] Sec. ~~6~~[7]. (a) Notwithstanding any other law and except as  
 30 provided in section ~~7~~[8] of this chapter, a law enforcement  
 31 officer has all police powers necessary to enforce the laws of the  
 32 state for the regulation and use of vehicles on the private roads  
 33 within the subdivision governed by the homeowners association.  
 34 However, with the exception of the maximum speed limit and stop  
 35 requirements established by the board of the homeowners  
 36 association under section[s] 5 and 6 of this chapter, a law  
 37 enforcement officer may not enforce other rules or requirements  
 38 established by the homeowners association.  
 39 (b) Subject to subsections (c) and (d), the homeowners  
 40 association may enter into an agreement with or employ an off  
 41 duty law enforcement officer to enforce the laws of the state for the  
 42 regulation and use of a vehicle as described in subsection (a). The

M  
a  
r  
k  
u  
p



1 law enforcement officer must wear a distinctive uniform or must  
 2 operate a motor vehicle that is clearly marked as a police vehicle  
 3 when exercising the officer's authority under this chapter.

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

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

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

30 [1] Sec. ~~<7>~~ [8]. (a) Notwithstanding section ~~<6>~~ [7] of this chapter,  
 31 a law enforcement agency whose jurisdiction includes the  
 32 subdivision governed by the homeowners association does not have  
 33 a duty:

34 (1) to patrol or enforce traffic laws established under this  
 35 chapter; or

36 (2) to accept requests to enforce traffic laws established  
 37 under this chapter;

38 on the private roads within the subdivision governed by the  
 39 homeowners association.

40 (b) Nothing in this chapter shall be construed to establish a  
 41 duty of care by the applicable law enforcement agency to the  
 42 homeowners association or the members of the homeowners

HB 1155—LS 6540/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 association for the enforcement of traffic laws established under  
2 this chapter.
- 3 **[1]** Sec. ~~8~~**[9]**. Nothing in this chapter shall be construed as:  
4 (1) requiring a political subdivision to assume ownership,  
5 maintenance, or liability of a private road within the  
6 subdivision governed by the homeowners association; or  
7 (2) converting a private road within the subdivision governed  
8 by the homeowners association into a public highway.
- 9 **[1]** Sec. ~~9~~**[10]**. Nothing in this chapter may be construed to  
10 waive immunity or defenses under IC 34-13-3 or other state or  
11 federal law for the law enforcement officer, the state, the  
12 applicable political subdivisions, and the law enforcement agency  
13 that employs the law enforcement officer and their officers, agents,  
14 and employees.
- 15 **[1]** Sec. 1~~0~~**[1]**. On or before October 1, 2027, the state police  
16 department and the sheriff and prosecutor of each county whose  
17 jurisdiction includes a subdivision governed by a homeowners  
18 association that adopts a maximum speed limit under section 5 of  
19 this chapter shall submit a report to the general assembly in an  
20 electronic format in the same manner that a public agency submits  
21 a report under IC 5-14-6. The report shall summarize issues with  
22 implementation of this chapter and include the number of backup  
23 calls provided within the subdivision.
- 24 **[1]** Sec. 1~~1~~**[2]**. This chapter expires July 1, 2028.

M  
a  
r  
k  
u  
p

HB 1155—LS 6540/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY