



INDIANA DEPARTMENT OF TRANSPORTATION

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Mike Braun, Governor
Lyndsay Quist, Commissioner

FILED

Jul 21, 2026

Katherine Noel, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, Indiana 46202

JUL 21 2026

INDIANA STATE
ETHICS COMMISSION

Re: Waiver of Application of 42 IAC 1-5-1 (the "Gift Rule") for Certain Items of Value Received by INDOT Employee, Douglas Homan, in Relation to the 2026 ATSSA Annual Midyear Meeting, which will be held from August 25-27, 2026, in Grand Rapids, Michigan.

Chairwoman Noel:

Commissioner Lyndsay Quist, the appointing authority to the Indiana State Department of Transportation, ("INDOT"), has designated authority to me as the agency's ethics officer to waive application of the Gift Rule in individual cases when consistent with the public interest. I am hereby waiving application of 42 IAC 1-5-1 (a) for items of value that will be received by INDOT Highway Engineer 1, Douglas Homan, a Scholarship to attend the American Traffic Safety Services Association ("ATSSA") Annual Midyear Meeting from August 25-27, 2026. Said employees will benefit professionally from attendance for the reasons provided below.

The ATSSA Annual Midyear Meeting will be held at Amway Grand Plaza, 187 Monroe Avenue Northwest, Grand Rapids, Michigan, 49503. The INDOT employees' registration fees, travel expenses, including transportation, meals, and hotel, will be paid by ATSSA through the Public Agency Scholarship. The amount per person is a maximum of Seventeen Hundred Fifty Dollars (\$1,750.00). The cost includes registration (\$150), round trip coach airfare, ground transportation, lodging at host hotel, mileage (if not flying, mileage must not exceed the cost of coach airfare), parking, and meals not provided by ATSSA during the event (August 25-27).

ATSSA is a trade association representing the roadway safety infrastructure industry, focused on providing safety training and certification to stakeholders, while working to identify and solve road safety issues through member and stakeholder partnering. Membership in ATSSA is comprised of private companies and other entities participating in the roadway safety industry, including firms that have a business relationship with the Indiana Department of Transportation ("INDOT"). The scholarship awarded to Douglas Homan will be funded by member dues and event sponsorships. It is possible that the scholarship will be funded in part by the dues and sponsorship dollars of companies that have a business relationship with INDOT or may otherwise seek to influence Department decision making.

42 IAC 1-1-1(a) prohibits Department employees from accepting food, drinks, registration fees, and travel expenses from a person with whom INDOT has a business relationship. Because INDOT has a business relationship with some ATSSA sponsors, Department employees will not be able to accept the scholarship, without obtaining a waiver under 42 IAC 1-5-1(c).

The ATSSA Midyear is primarily educational in nature, with some networking opportunities. Douglas Homan will attend educational sessions, as well as networking events. He will also be available to answer attendees' questions about doing business with INDOT and INDOT operations. The employee will exchange technical and administrative expertise with representatives from other public transportation entities, private companies, and other technical experts regarding traffic study. The ATSSA Midyear therefore will contribute to the professional development of Douglas Homan and thereby enhancing INDOT operations through the transmission of new technical and administrative knowledge to the Department. The direction provided by Douglas Homan to attendees with a business relationship with INDOT further enhanced Department operations by increasing vendor understanding of INDOT work, requirements, and expectations.

INDOT personnel covered by this waiver were instructed not to accept any other item of value from any other person or entity if that person or entity may have a business relationship with INDOT or may seek to influence an action by one or more INDOT personnel in his official capacity. INDOT personnel are regularly informed that the safest course of action at any industry event is to assume that anyone in attendance might have a business relationship with or operational interest in the Indiana Department of Transportation.

Indiana Code 8-23-2-4.1(4)(A) provides that INDOT is responsible for the "construction, reconstruction, improvement, maintenance, and repair of (state) highways" and Indiana Code 8-23-2-5(a)(4) imposes upon INDOT the statutory duty to "evaluate and utilize whatever possible improved transportation facility maintenance and construction techniques." By attending the ATSSA Annual Midyear Meeting, the participating INDOT employee will be educated concerning developments in the roadway safety industry, including innovative means and methods regarding traffic control and safety. The INDOT employee further will build upon professional partnerships with attendee firms that do business with the Department and can gather information about the best practices or other public transportation agencies in attendance.

Therefore, it is my opinion that is consistent with the public interest for the INDOT Highway Engineer 1, Douglas Homan, to attend the American Traffic Safety Services Association Annual Midyear Meeting and to receive the items of value specified above, which will total a maximum of Seventeen Hundred Fifty Dollars (\$1,750), even though payment for these items was made by ATSSA, an industry association with an interest in INDOT business, comprised of member companies including current Department vendors and firms with a potential interest in establishing a business relationship with the agency. Based on this finding, I am hereby waving application of 42 IAC 1-5-1 (a) to allow INDOT Highway Engineer 1, Douglas Homan, to attend the 2026 ATSSA Annual Midyear Meeting from August 25-27.

To prevent any other issues arising under the gift rule, the undersigned ethics officer instructed both employees not to accept any other item of value from an attendee of the ATSSA Midyear Meeting. To ensure the gift rule is not violated, both employees were directed to assume all attendees have a business relationship with INDOT or may attempt to influence official decision making.

If you need additional information or have any questions about this letter, please feel free to contact me at (463) 261-6966 or cdevlin@indot.in.gov.

Very Respectfully Submitted,



Chris Devlin
Attorney Senior and Ethics Officer
Indiana Department of Transportation.