



INDIANA DEPARTMENT OF TRANSPORTATION

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Mike Braun, Governor
Lyndsay Quist, Commissioner

FILED

February 2, 2026

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

FEB 3 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 Employees in Relation to the 2026 ATSSA Annual Convention and Traffic Expo, which will be held from February 20-24, in Houston, Texas.

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 Traffic Operations Director, John D. McGregor and Senior Traffic Engineer, Joseph Bruno, so that they may accept the Public Agency Scholarship to attend the American Traffic Safety Services Association (“ATSSA”) Annual Convention and Traffic Expo, which be held on February 20-24, 2026. Said employees will benefit professionally from attendance for the reasons provided below.

The ATSSA Annual Convention and Traffic Expo will be held at the George R. Brown Convention Center, 1001 Avenida De Las Americas, Houston, Texas 77010. 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 approximately Two Thousand Five Hundred Dollars (\$2,500) per person for a total amount of Five Thousand Dollars (\$5,000) for both employees. The scholarship specifically includes the following items of value: (a) travel (\$900); (b) lodging (\$1,236); (c) registration (\$150); and food (\$300).

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 John McGregor and Joseph Bruno 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 members and sponsors, Department employees cannot accept such items of value paid for by ATSSA without obtaining a waiver under 42 IAC 1-5-1(c).

The ATSSA Expo is primarily educational in nature, with some networking opportunities. John McGregor and Joseph Bruno will attend educational sessions, as well as networking events. Both employees will also be available to answer attendees' questions about doing business with INDOT and INDOT operations. The employees will exchange technical and administrative expertise with representatives from other public transportation entities, private companies, and other technical experts regarding traffic study. The ATSSA Expo therefore will contribute to the professional development of both John McGregor and Joseph Bruno and thereby enhancing INDOT operations through the transmission of new technical and administrative knowledge to the Department. The direction provided by John McGregor and Joseph Bruno 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 or her 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 Convention and Traffic Expo, the participating INDOT employees will be educated concerning developments in the roadway safety industry, including innovative means and methods regarding traffic control and safety. The INDOT employees 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 Traffic Operations Director, John D. McGregor and Senior Traffic Engineer, Joseph Bruno, to attend the American Traffic Safety Services Association Annual Convention and Traffic Expo 2026 and to receive the items of value specified above, which totals Five Thousand (\$5,000), 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 waiving application of 42 IAC 1-5-1 (a) to allow Traffic Operations Director, John D. McGregor and Senior Traffic Engineer, Joseph Bruno to attend the 2026 ATSSA Annual Convention and Traffic Expo in Houston Texas from February 20-24, 2026.

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 Expo. 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