



INDIANA DEPARTMENT OF TRANSPORTATION

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Michael R. Pence, Governor
Brandye L. Hendrickson,
Commissioner

INDIANA
STATE ETHICS COMMISSION

FEB 26 2016

FILED

February 26, 2016

Mr. James Clevenger, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, Indiana 46202

RE: Waiver of Application of 42 1-5-1 (the "Gift Rule") for Certain Items of Value That Will Be Received by INDOT Employee Attending the ATSSA Convention in Columbus, Ohio on March 3, 2016.

Dear Mr. Clevenger:

Brandye L. Hendrickson, the appointing authority of 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 INDOT employee Jonathon Kruger (Construction Area Engineer in the LaPorte District) so that he may attend and be a speaker at the Opportunities in Transportation Safety Conference (the "Conference") sponsored by the Ohio Chapter of the American Traffic Safety Services Association ("ATSSA") on March 3, 2016. Information about the events at the Conference is attached to this letter and can also be found at:

<http://www.ohioatssa.com/ATSSA-Registration-Brochure.pdf>

The Conference will be held at the Embassy Suites, 5100 Upper Metro Place, Dublin, Ohio. The items of value that will be received by this INDOT employee attending and speaking at the Conference include (1) registration fees (valued at up to \$65), (2) food (lunch at the Conference site on March 3), (3) drink (refreshments), (4) travel expenses (hotel on March 2 and March 3, up to a total of \$264 plus applicable taxes and fees), and (5) services (general sessions and breakout sessions, some of which may result in continuing education credits).

These items of value for INDOT personnel attending the Conference will be paid for by ATSSA, which will use registration fees of its member companies as the source of payment. Some ATSSA member companies 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.

Mr. James Clevenger
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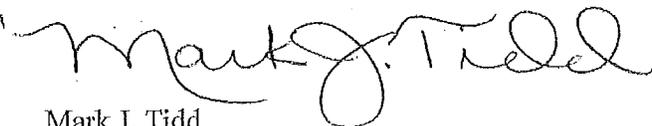
The INDOT personnel covered by this waiver is hereby instructed to not accept any other item with greater than nominal value from ATSSA (other than printed informational material that is distributed at the Conference) or from any other person, if that person may have a business relationship with INDOT or may seek to influence an action by one or more INDOT personnel in his or her official capacity. INDOT personnel is also hereby informed that the safest course of action is to assume that anyone in the private sector attending the Conference might have a business relationship with INDOT.

INDOT personnel may attend one or more educational sessions, and may also visit the exhibit hall that is part of the Trade Show. 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 in to "evaluate and utilize whenever possible improved transportation facility maintenance and construction techniques." A high-quality line-up of education and information sessions are available to assist INDOT in operating safely and efficiently, as well as introducing the agency to new safety innovations.

Therefore, it is my opinion that it is consistent with the public interest for this INDOT employee to attend and speak at the Conference on March 3, 2016, and to receive the items of value specified above, even though payment for these items is being made by entities that may have a business relationship with INDOT. Based on this finding, I am hereby waiving application of 42 IAC 1-5-1(a) to the extent previously set forth in this letter.

If you need additional information or have any questions about this letter, please feel free to contact me at 317/232-5411 or at mtidd1@indot.in.gov.

Sincerely,



Mark J. Tidd
Prequalification Director, Attorney, and Ethics Officer

cc: Jennifer Cooper, Indiana State Ethics Commission Director
Lori A. Torres, Deputy Commissioner and Chief Legal Officer, INDOT

OPPORTUNITIES IN



TRANSPORTATION SAFETY



2016 CONFERENCE REGISTRATION

MARCH 3, 2016 • EMBASSY SUITES • 5100 UPPER METRO PLACE • DUBLIN, OHIO

SESSIONS



Please check the sessions that interest you the most and return with registration form.

Funding in 2016

A discussion of how state and federal funding will impact ODOT's capital program.

- Nate Smith, VP of Government Relations, ATSSA
- Rich Winning, Deputy Director of Finance, ODOT
- Jennifer Townley, Deputy Director of Planning, ODOT

The What, When, Where, How and Why of TMAs

Learn all about the different TMA's currently on the market, their features and applications, typical TMA uses and roll ahead, crash testing, driver practices and some state guidelines. Additionally, you'll get a glimpse of ATSSA's course on TMA operation and application in work zones and learn additional workable concepts, applications and recommended practices.

- Tony Cappella, Hill & Smith Inc.
- Eric Hulme, AWP Inc.

Traffic Control and ITS standards update

Engineers from the Ohio Department of Transportation will discuss the latest policy and standards changes and updates related to traffic control and ITS.

- Emily Willis, P.E. – Office of Roadway Engineering, Temporary Traffic Control
- Kevin Duemmel, P.E. – Office of Roadway Engineering, Highway Lighting
- Paul Singh, P.E. – Office of Roadway Engineering, Pavement Markings
- Nick Hegemier, P.E. – Office of Traffic Operations, ITS

Ask the Owner

The Ohio Department of Transportation continually strives to improve the standards and processes in which work is performed in Ohio. There are many changes for 2016 – a new specification book; an extensive Asset Preservation Management program; a move toward electronic change order approvals; changing DBE goal requirements; and much more. Attend this session to here answer to current and relevant questions, get direction and assistance with where to find answers when you need them.

- Gary E. Angles, P.E., Administrator, Office of Construction Administration, ODOT
- Daniel Groh, P.E., Construction Roadway & Traffic Engineer, Office of Construction Administration, ODOT

Asset Management - What is Asset Management? What is ODOT's Plan?

Learn about ODOT's innovative plan to "take care of what we have" with technology, aggressive preservation, and collaboration.

- Andrew Williams, Office of Technical Services, ODOT
- Paul Pegher, Division of Communications, ODOT

Implementation Plan for MASH

New crash testing procedures for roadside safety hardware were published in 2009. This AASHTO document, called MASH, highlights changes in test vehicles, test conditions, and evaluation criteria. With the implementation phase about to begin, join us for a discussion about the implementation dates for the various roadside products.

- John C. Durkos, Road Systems, Inc.

Road Safety is No Accident

Traffic crashes across Ohio are starting to rise. Join ODOT for a discussion on what's driving these trends, safer solutions and the critical role of motorists in helping Ohio reach "Zero Deaths."

- Michelle May, Highway Safety Program Manager, ODOT
- Michael McNeill, P.E., Safety Engineer, ODOT

Work Zone Safety

In this two-part session, ODOT Central Office representatives will review the work zone tools, policies, and strategies that are supported statewide by the offices of Roadway Engineering and Communications. District 2 representatives will discuss the challenges and features specific to their I-75 work zone, and how ODOT has communicated the impact to the region's public, businesses, and government officials.

- Duane Soisson, P.E., Office of Roadway Engineering, Traffic Control, ODOT
- Paul Pegher, Office of Communications, ODOT
- Dylan Foukes, P.E., District 2 Work Zone Traffic Manager, ODOT
- Todd M. Audet, P.E., District 2 Deputy Director, ODOT

Designing, Operating and Maintaining Safe Streets for Everyone

Bicycle and pedestrian crashes account for approximately 9 percent of Ohio's deaths and 7 percent of serious injuries each year. These crashes occur mainly on urban roads and increase during the summer and fall months. Motorists, pedestrians and bicyclists share responsibility for preventing these crashes. Hear how Ohio is addressing these issues through the Strategic Highway Safety Plan (SHSP). Also, as part of the safety focus area of the Every Day Counts (EDC) initiative, the Federal Highway Administration (FHWA) is promoting Road Diets. Learn how this low cost safety solution can make the roadway environment safer for all users and improve the quality of life in communities.

- Julie Walcoff, Bicycle Pedestrian and SRTS Program Manager, ODOT
- Ronald J. Garczewski, P.E., P.S., Safety Engineer, Federal Highway Administration, Ohio Division

- Safe Trucking through Work Zones**
Data shows that large truck involvement in work zone fatal crashes is more likely than in fatal crashes in general. The goal of this session is to identify solutions and technologies to further improve large truck safety in and around work zones.
 - Keith Willoughby, State Program Manager, Federal Motor Carrier Safety Administration, Ohio Division

- ODOT's New Division of Opportunity, Diversity, and Inclusion**
This session will introduce ODOT's newest Division - Opportunity, Diversity, and Inclusion. Lauren Purdy, the Deputy Director of the Division, will cover the reasons for creation of the DODI, how it will fit in with the other sections of ODOT, and some of the changes that have already been put in place.
 - Lauren Purdy, Division of Opportunity, Diversity, and Inclusion, ODOT

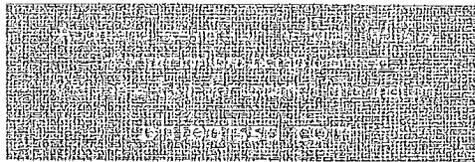
Need Hotel Accommodations?

Call Embassy Suites, Dublin at 614.790.9000 and mention Ohio How To Conference (or group code OHC) to receive a discounted room rate.

- Be Prepared - "An ounce of prevention is worth a pound of cure." -Ben Franklin**

Learn best practices to identify and recognize liability and exposure areas in this session. Areas include subcontracts, documentation, investigation, risk transfer, insurance coverages, safety training and proactive identification of liability issues. We will address what to do in the event of an accident with steps such as investigation, insurance protocols, immediacy of response, questions to ask and having an accident plan in place. With many accidents occurring beyond our control with distracted drivers this session is a must to attend.

- Andrew J. Natale, Frantz Ward LLP
- K. Roger Schoeni, Kohnen & Patton LLP
- Colleen M. Blandford, Kohnen & Patton LLP



Registration Form *(Please photocopy this form for additional registrants.)*

Name/Title _____
 Company/Agency _____
 Address _____
 City, State, Zip _____
 Phone _____ Fax _____
 Email required for confirmation _____

Registration Fees

Public Officials (member/non-member)	\$65
ATSSA Members	\$95
Non-Members	\$120

For on-site registration add \$15.

Included in Your Registration Fee

Breakout Sessions led by federal, state and local industry professionals, lunch, breaks and afternoon reception. Registration is a first-come, first served basis until conference is full. Register today because this conference always sells out!

Method of Payment

Check Enclosed Purchase Order # _____
payment must be received within 30 days of registration

Credit Card

Card # _____ Card Verification Code _____

Card Holder Signature _____ Expiration Date _____

Print Card Holder Name _____

Billing Address _____

Please make checks payable to TinAd and mail registration and payment to:
 TinAd, Attn: Stacy Smith
 371 County Line Road West, Suite 1250
 Westerville, OH 43082
 If paying by credit card you can fax this form to 614.846.8763 or email ssmith@tinadinc.com

I would like to earn Continuing Education Units.

Total Amount Paid \$ _____

Please note that payment MUST accompany registration form. Advance registration accepted until February 25, 2016. After that date, you may register on-site. No refunds after February 12, 2016.

OPPORTUNITIES IN TRANSPORTATION SAFETY CONFERENCE

March 9, 2016 Embassy Suites • Dublin, Ohio

Registration Desk Open	8:00-10:00 am
Continental Breakfast & Network Opportunities	8:00-9:00 am
Opening Session	9:00-10:10 am
Breakfast Exhibit Area	10:10-10:30 am
Breakout Sessions 1	10:30-11:20 am
Break in Exhibit Area	11:20-11:30 am
Breakout Sessions 2	11:30 am-12:20 pm
Lunch	12:20-1:30 pm
Breakout Sessions 3	1:30-2:20 pm
Break in Exhibit Area	2:20-2:30 pm
Breakout Sessions 4	2:30-3:20 pm
Reception & Network Opportunities	3:20-5:00 pm

Join transportation stakeholders and key industry experts for a forum that addresses the future of transportation safety.

You Don't Want to Miss This!
Register today to secure your spot!

For more information, visit www.transportation-safety.com