



**ETHICS DISCLOSURE STATEMENT**  
**CONFLICTS OF INTEREST – DECISIONS AND VOTING**  
State Form 55860 (R / 10-15)  
OFFICE OF THE INSPECTOR GENERAL  
IC 4-2-6-9

**FILED**

**JAN 06 2025**

**INDIANA STATE  
ETHICS COMMISSION**

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Smith	Name (first) Michael	Name (middle) J.
Name of office or agency INDOT	Job title Commissioner	
Address of office (number and street) 100 N. Senate Ave. Room N758	City Indianapolis	ZIP code 46204
Office telephone number ( 855 ) 463-6848	Office e-mail address (required) michael.smith@indot.in.gov	

Describe the conflict of interest:

Michael Smith is the Commissioner of INDOT. Mr. Smith is in negotiations with HNTB to accept a position as a National Practice Consultant. HNTB is an INDOT vendor. Mr. Smith does not sign contracts in his current role. Mr. Smith is seeking a waiver of post-employment restrictions at the upcoming State Ethics Commission Meeting. Until the State Ethics Commission provides a decision, Mr. Smith has agreed to and executed a formal screen. Said screen prohibits Mr. Smith from working with HNTB in his capacity as an INDOT employee, including exercising any of his official duties or otherwise participating in any decision, vote, or matter related to such decision or vote, related to HNTB or for which HNTB has any interest. Mr. Smith has agreed to be further screened from assisting any future employer, including HNTB, with any matter in which he personally and substantially participated while employed at INDOT. This screen can be revised, as needed, after the State Ethics Commission issues its decision. This disclosure was provided to Michael Smith's appointing authority for purposes of this matter on January 6, 2024. Evidence of said disclosure to the appointing authority was executed and filed with the State Ethics Commission.

Describe the screen established by your ethics officer. (Attach additional pages as needed.)

#### AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee

*Mr. J. Smith*

Date signed (month, day, year)

*1/6/2025*

Printed full name of state officer, employee or special state appointee

*Michael J. Smith*

#### FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer

*Kate Shelby*

Date signed (month, day, year)

*1/6/2025*

Printed full name of ethics officer

*Kate Shelby*

ms  
1/6/2025

**CONFLICT OF INTEREST SCREEN FOR MICHAEL J. SMITH**

**I. RECITALS**

WHEREAS, Michael J. Smith is the Commissioner for the Indiana Department of Transportation ("INDOT" or "Department"); and

WHEREAS, Smith is considering potential employment with HNTB, an engineering consulting firm, and

WHEREAS, HNTB has business relationship with INDOT, including active contracts; and

WHEREAS, as Commissioner for INDOT, it is possible that Smith could possibly participate in matters in which HNTB has an interest as part of his regular duties; and

WHEREAS, Smith's employment negotiations with HNTB created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, pending final decision by the State Ethics Commission, Smith is subject to the particular matter restriction (IC 4-2-6-11(a)) and cannot assist future employers, including HNTB, with any matter he personally and substantially participated in for INDOT; and

WHEREAS, Smith obtained confidential information in the course of his employment with INDOT and has an affirmative duty to protect such information from disclosure and to refrain from relying on such information for the benefit of himself or future employers.<sup>1</sup>

NOW THEREFORE, Smith, for his remaining tenure with INDOT, or until he discontinues employment negotiations with HNTB, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Smith must adhere to terms three (3) and four (4) regarding the particular matter restriction and confidential information in perpetuity.

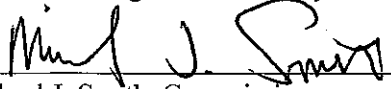
**II. CONFLICT OF INTEREST SCREEN**

1. Michael J. Smith shall not participate in any decision or vote, or any matter related to such decision or vote, in which HNTB has a financial interest.
2. Michael J. Smith is screened from participating in any present or future contract or other matter involving HNTB.
3. Michael J. Smith shall not assist any future employers, including HNTB, with any matter he personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, for the life of the particular matter.
4. Pursuant to his duty under Ind. Code §5-14-3-10, Michael J. Smith shall not disclose or otherwise rely upon information classified as confidential under Ind. Code §5-14-3-4. This restriction applies in perpetuity, so long as the subject information is deemed confidential.

**III. EMPLOYEE AFFIRMATION**

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which HNTB has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with HNTB, whichever occurs first. I further understand that terms three (3) and four (4) regarding particular matters and confidential information respectively, apply in perpetuity, for the life of each matter and so long as the subject information is deemed confidential. I have shared and discussed this Conflict of Interest Screen and its requirements with the appointing authority for my position.

Executed and agreed this 6<sup>th</sup> day of January, by:

  
\_\_\_\_\_  
Michael J. Smith, Commissioner  
Indiana Department of Transportation

<sup>1</sup> State employees have an affirmative duty under Ind. Code §5-14-3-10 to protect from disclosure and to refrain from relying upon information defined as confidential under Ind. Code §5-14-3-4.

1/6/25

**From:** [Shelby, Kate](#)  
**To:** [Heerens, Joe](#)  
**Subject:** notification of official screen for Mike Smith  
**Date:** Monday, January 6, 2025 1:11:00 PM  
**Attachments:** [image001.png](#)  
[INDOT Commissioner Smith disclosure and screen executed January 2025.pdf](#)

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Joe,

This email is to notify you, as delegated appointing authority, of a conflict of interest disclosure and screen filed for Michael J. Smith, INDOT Commissioner, related to HNTB. These documents will be filed with the State Ethics Commission shortly.

Thank you,

Kate

**Kate Shelby**

***Deputy Commissioner and Chief Legal Counsel***

Indiana Department of Transportation

Central Office

**Office:** 855-463-6848

**Email:** [kshelby@indot.in.gov](mailto:kshelby@indot.in.gov)

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