

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 25-70

FOR: POSTPONING THE EXPIRATION OF AN ADMINISTRATIVE RULE
TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, Ind. Code § 4-22-2.6 provides that an administrative rule expires January 1 of the fifth year after the year in which it takes effect, unless said rule expires or is repealed on an earlier date, or except as otherwise specified in Ind. Code §§ 4-22-2.6-1 or -10;

WHEREAS, Ind. Code § 4-22-2.6-1(b)(3) provides that if the latest version of a rule becomes effective in calendar year 2019, then it will expire not later than January 1, 2026;

WHEREAS, Ind. Code § 4-22-2.6-10 provides that if a rule is not readopted and the governor finds that the failure to readopt it causes an emergency to exist, then the governor may, by executive order before the rule's expiration date, postpone the expiration date of said rule until a date that is not later than one (1) year after the date specified in Ind. Code § 4-22-2.6-1;

WHEREAS, Executive Order 25-17 requires agencies to undertake a rigorous review of the continued need for existing regulations before readopting them;

WHEREAS, as part of the review required by EO 25-17, the Indiana Department of Transportation ("INDOT") identified changes to its existing regulations that should be made in the best interest of Hoosiers prior to readopting the regulations;

WHEREAS, INDOT has submitted a request to the Governor to postpone, for three hundred sixty-five (365) days, the expiration of the following rules, as designated by the citation to the Indiana Administrative Code, which were last readopted in 2019, have not been readopted since, and, without further action, will expire on January 1, 2026:

1. 105 IAC 11: PREQUALIFICATION OF CONTRACTORS AND BIDDING

WHEREAS, in the interests of efficiency and prudent use of taxpayer resources, INDOT should not undertake the time and expense to readopt the rules listed above this year when INDOT will be revising the same rules in light of the EO 25-17 review; and

WHEREAS, the failure to readopt the rules listed above would cause an emergency to exist, such that it is necessary and appropriate to postpone their expiration date;

NOW, THEREFORE, I, MIKE BRAUN, by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby order that: the expiration date of the rules listed above shall be postponed for three hundred sixty-five (365) days until January 1, 2027.



IN TESTIMONY WHEREOF, I, Mike Braun, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 23rd day of September, 2025.

Mike Braun

Mike Braun
Governor of Indiana

ATTEST: *DIEGO MORALES*
Diego Morales
Secretary of State