

# Martinsburg American Legion Riders (ALR) Chapter Bylaws

These Bylaws are based on the guidance provided by Resolution No. 35: American Legion Riders as a National Program, passed by the National Executive Committee, Indianapolis, Indiana, October 17-18, 2007. It incorporates existing Internal Affairs guidance, concepts and rules of procedure from existing successful ALR bylaws, and samples provided by many department and chapter Riders programs across the country.

## Chapter By-Laws

### Article I--Name

*Section 1.* The Chapter existing under these By-Laws is to be known as Martinsburg American Legion Riders WV-014, (aka Tri-County ALR), Martinsburg Post #14, The American Legion, Department of West Virginia.

*Section 2.* The name and nature of this Chapter are as set forth in the Constitution.

### Article II—Management

*Section 1.* [See Department requirements] The officers of the Chapter shall be Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, Chaplain, and Membership Chairman. Safety Officer. [Note that the titles “President” and “Vice-President” are permissible replacements for “Director” and “Assistant Director”.] [Underlined positions are Elected Officers, and are the Executive Committee, Past Directors will also retain the right to be a member of the executive committee].

*Section 2.* Between Chapter meetings, the administrative power of the Chapter shall be vested in the Chapter Executive Committee, which shall consist of all elective officers for the current year, and in addition the previous years Director will have voting rights.

*Section 3.* Officers of this Chapter shall be elected annually at the March Monthly Meeting and take office at the meeting next following that of the election. All elections of officers shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

*Section 4.* All vacancies existing in any office of the Chapter from any cause other than the expiration of the term shall be filled by a majority vote of the remaining members of the

committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whose position was vacated.

*Section 5.* A vacancy shall exist when a member or officer is absent from the Chapter due to resignation, loss of qualifications, incapacity from injury or illness, or for a continuous period of three (3) unexcused absences which will be considered detrimental to the interest of the Chapter by the remaining members of the Executive Committee.

*Section 6.* All Past Chapter Presidents shall be members of the Executive Committee with voice but without voting privileges.

### **Article III—Meetings**

*Section 1.* The regular meeting of the Chapter shall be held at The Moose Lodge on the second Thursday of the *month at 18:30hrs* at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed agreeable by the officers of the Chapter.

*Section 2.* The Chapter President or a majority of the Executive Committee shall have power to call a special meeting of the Chapter at any time.

*Section 3.* Upon the written request of 1/3 (One Third)members, the Executive Committee shall call a special meeting of the Chapter.

*Section 4.* *Eight (8)* members shall constitute a quorum.

*Section 5. Attendance of Officers: Officers are expected to attend monthly meeting unless excused by President or Vice-President for a. work, b. illness, c. family emergencies. Any other requests for excused absence must be approved by the President or Vice- President on a case by case basis. Three unexcused absences from the installation of officers to the next installation will result in said officer being excused from their respective position.*

### **Article IV—Chapter Executive Committee**

*Section 1.* The Chapter Executive Committee shall meet for organizational or such other business as may come before it at the call of the Chapter Director within 10 days after the installation of the new officers. Thereafter the Chapter Executive Committee shall meet as often as Chapter Director may deem necessary. The Chapter Director shall call a meeting of the Chapter Executive Committee upon the joint written request of three or more members of said Chapter Executive Committee, and Four (4) members of the committee shall constitute a quorum thereof.

*Section 2.* The Chapter Executive Committee, based on a majority vote, shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall provide or require adequate bonds/protections from all persons having custody of chapter funds; shall hear the reports of chapter committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this chapter.

### **Article V—Duties of Officers**

*Section 1. Duties of the President:* It shall be the duty of the Chapter President to preside at all meetings of the Chapter and to have general supervision over the business and affairs of the Chapter, and such officer shall be the chief executive officer of the Chapter. The President shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Chapter for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department adjutant. The President shall perform such other duties as directed by the Chapter.

*Section 2. Duties of the Vice President.* The Vice President shall assume and discharge the duties of the office of commander in the absence or disability of the President, or when called upon by the Chapter commander.

*Section 3. Duties of Chapter Secretary.* The Secretary shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Post and Department organizations may require, and under direction of the Director handle all correspondence of the Chapter.

*Section 4. Duties of the Treasurer.* The Treasurer shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Chapter Executive Committee the condition of the finances of the Chapter, with such recommendations as he or she may deem expedient or necessary to carry on the financial activities of the Chapter. The Treasurer and President shall be a signer for all checks disbursing the monies of the Chapter, and shall be provided such surety bonds in such amounts as shall be fixed by the Chapter Executive Committee and obtained by the Chapter. *[It is required that the signature of one or more other members of the Chapter Executive Committee, (President) in addition to that of the Treasurer, be required for the expenditure of funds.]* The Treasurer prepares the Chapter's monthly financial report for the sponsoring department/post Executive Committee.

*Section 5. Duties of Chapter Historian.* The Chapter Historian shall be charged with the individual records and incidents of the Chapter and Chapter members, and shall perform such other duties as may properly pertain to the office as may be determined by the Chapter or the Executive Committee.

*Section 6. Duties of Chapter Chaplain.* The Chapter Chaplain shall be charged with the spiritual welfare of the Chapter comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department headquarters from time to time.

*Section 7. Duties of Road Captain.* The Road Captain shall plan all tours, runs, activities, and events; lead the chapter in formation riding or parades; arouse interest in activities; enforce all rules of safe motorcycle operation and group riding. Additionally, the Road Captain may select assistants to aid in special tasks and may chair appropriate activities committee as directed by the chapter President or Executive Committee.

*Section 8. Duties of the Sergeant-at-arms.* The Sergeant-at-arms shall preserve order at meetings and gatherings, assist the Road Captain in enforcing all rules of safe riding during rides and runs; and perform such other duties or chair such committees as may be from time to time assigned by the President or Chapter Executive Committee.

*Section 9. Duties of Membership Chairman.* The Membership Chairman is responsible for maintenance of membership records. The Membership Chairman shall collect membership dues in the amount of \$15.00 annually, and provide same to Treasurer on a regular basis. The Membership Chairman is charged with the review and/or collection of eligibility documentation as required to demonstrate compliance with National membership requirements, and to demonstrate any additional requirements as may be defined by the sponsoring Post Executive Board, applicable Department rules; or State and Local laws. The Membership Chairman shall render detailed membership reports annually or when called upon to do so at regular meetings of the Chapter. Additionally, the Membership Chairman shall send renewal notification to members of record upon availability of TAL, ALA, and SAL membership cards for the following membership year.

*Section 10, Safety Officer.* The safety officer prepares and publishes (either printed or published on the Chapter website) safety briefs in accordance with such as from the Motorcycle Safety Foundation, NTSB, or similar reliable sources for the safety of and benefit of Chapter members.

*Section 11. Additional Roles.* The Chapter may define additional roles, either elected or appointed, within their local by-laws. Any such addition to the by-laws must definitively state whether the position is elected or appointed. If an additional role is filled by appointment, any such addition to the by-laws must definitely define who has the right of appointment (usually the President, or Chapter Executive Committee by majority). Finally, Any such additions to the bylaws must defined which, if any, of the additional positions constitute membership on the Chapter Executive Committee.

#### **Article VI—Delegates**

*Section 1.* Delegates and alternates to a Department American Legion Riders meeting, convention, regional gathering or other activity shall be elected by ballot by the Chapter at a regular meeting of the Chapter to be held prior to the date of such event.

#### **Article VII—Appointments**

*Section 1.* The Chapter President, immediately upon taking office each year, may appoint standing committees or commissions for the furtherance of chapter programs.

*Section 2.* Such standing committees shall consist of such persons, and the chair thereof, as designated by the Chapter President.

#### **Article VIII—Resolutions**

*Section 1.* All resolutions of state or national scope presented to this Chapter by a member or reported to this Chapter by a committee shall merely embody the opinion of this Chapter on the subject and copy of same shall be forwarded to the Post/Department headquarters for its approval before any publicity is given or action other than mere passage by the Chapter is taken.

#### **Article IX—Notices**

*Section 1.* Every member shall furnish the Chapter Secretary with a valid email or postal mailing address.

*Section 2.* The Chapter Secretary shall cause notice of the annual election to be given at least two weeks prior thereto.

#### **Article X—Rules of Order**

*Section 1.* All proceedings of this Chapter shall be conducted under and pursuant to Roberts' Rules of Order (Newly Revised), except as herein otherwise provided.

#### **Article XI—Limitations of Liabilities**

*Section 1.* This Chapter shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Chapter, subdivision, members of The American Legion, post, departments, or other individuals, corporations or organizations.

## Article XII—Amendments

*Section 1.* These By-Laws may be amended at any regular Chapter meeting by a vote of two-thirds of the members of said Chapter attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting. Any changes will be reported to the sponsoring department or post.

*Section 2.* Written notice to the addresses of record indicated in Article IX, Section 1, shall have been given to all members at least 5 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting there will be presented a proposal to amend the By-Laws.

*Section 3.* Social members or Friends of the Legion Riders will be accepted by vote, be able to wear the vest and enjoy all member events and activities but will not be able to vote. Social members must pay appropriate dues to the Post, Auxiliary, or SAL.

*Section 4.* Riders who can not ride due to illness or injury will retain full member status as long as they are in good standing and dues are paid.

*Section 5.* In order to ride safely with the ALR, motorcycles must meet a minimum requirement displacement. For Cruiser style motorcycles the minimum is 650 cc and for sports bikes the minimum is 450 cc displacement.

*Section 6.* All Past ALR Presidents are paid for life for ALR yearly dues.

*Section 7.* All Riders must certify that they have all the insurance required by law and that they are licensed and competent to operate a motorcycle in a safe manner and that their license has the endorsement or certificate required by the State.

*Section 8.* Expenditures that will put the combined assets of all accounts below \$500.00 will not be honored except for emergencies. Emergency expenditures that would put our accounts below our base of \$500.00, must be voted on and approved by the Executive Committee.

*\*Section 9.* Legion Riders, Junior Riders Program. The Post 14 Junior Riders Program will welcome any Child under the age of 16 to participate in activities of an age appropriate nature with the members of the American Legion Riders, Post 14 Martinsburg, WV. Junior Riders may wear the vest with appropriate patches including one designating them as official "Junior Riders" of Post 14, Martinsburg, WV. There will be no dues involved until they become adult members of the American Legion Riders Family.

**APPROVED BY POST 14 EXECUTIVE COMMITTEE: APRIL, 9, 2020**