

**American Legion Riders Department of California,
District 6, Post 383, Fair Oaks, California
Organized July 31, 2007
Chartered June 7, 2007**

By-Laws

These By-Laws are established in accordance with and shall not conflict with the Constitution and By-Laws of the American Legion Riders Department of California, the Constitution and By-Laws of the Department of California American Legion, or the Constitution and By-Laws of The American Legion.

AMERICAN LEGION RIDERS PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To participate in parades and other ceremonies which are in keeping with the aims and purposes of the American Legion; to promote motorcycle safety education programs and to provide a social atmosphere for American Legion members with the same motorcycle interests.

**ARTICLE I
NAME**

Section 1. The name of this organization shall be the American Legion Riders, Chapter 383 located at: American Legion Post 383, Fair Oaks, California; Hereinafter referred to as "ALR Post 383".

**ARTICLE II
OBJECTS**

Section 1. The objects and purposes of this Chapter shall be to promote the principles and policies as set forth in the foregoing Preamble and the National and Department Constitution of the American Legion.

Section 2. To use our association to promote and support programs of the American Legion.

Section 3. To participate in activities in order to provide a social atmosphere for American Legion members who share the same interest.

Section 4. To promote motorcycle safety programs.

**ARTICLE III
ORGANIZATION**

Section 1. This Chapter formed at Post 383, Fair Oaks, California, District 6, Department of California, was chartered on **June 7, 2007**, by the American Legion Riders Department of California.

Section 2. The American Legion Riders, District 6, Post 383, shall be organized as a Chapter of the American Legion Riders Department of California, and as a subordinate body to and in accordance with the regulations of The American Legion Riders Department of California.

ARTICLE IV
MEMBERSHIP

Section 1. There is one recognized "class" of membership in the ALR Chapter 383 as defined below.

A. **Regular members** must meet the following requirements:

Section 1. Must be a current member of the American Legion, American Legion Auxiliary or Sons of the American Legion, within the 6th District of the Department of California and be at least 18 years of age.

Section 2. Must own and be legally licensed to ride a motorcycle of at least 350cc in size or be the spouse or registered domestic partner of an owner who is a regular association member. The motorcycle must be operational and registered upon renewal annually.

A. "Legally licensed" shall be interpreted to mean holding a permanent license from their state of residence to drive the vehicle that qualifies them for membership.

B. A person may become a provisional member without voting privileges if they hold a "learner's permit" for up to six months. This period will begin on the date the member joins the organization or the date these by-laws are accepted, whichever occurs later.

C. An active member in good standing who becomes permanently unable to ride may apply for retired member status. If the retired members spouse is also a member, but not a licensed motorcycle rider they will be extended the same retired status.

Section 3. To remain a member in good standing each member must be an active participant in Post activities to include:

- A. Attendance at each quarterly general meeting of American Legion Riders, Post 383, when scheduled
- B. Attendance of at least one American Legion Post 383 general meeting per calendar quarter
- C. Attendance and ride on at least one ALR Post 383 ride event per calendar quarter when scheduled. (Note: monthly rides during the winter may not be scheduled due to inclement weather)

Section 4. Applications for membership will be presented to the Membership officer, which shall, at each regular meeting of the Chapter, report upon all applications received during or after the previous regular meeting. Acceptance of a new member will be contingent upon:

- A. The applicant must attend two (2) ride events with ALR Post 383 to allow current members to make an informed decision when voting on acceptance of new members.
- B. A majority vote of those members present at a regular meeting and voting shall elect or reject a candidate. All regular members are eligible to vote. The

applicant must be present at the meeting but will be excused while the vote is taken.

- C. The vote of the membership is final and may not be appealed.
- D. When accepted, the new member will take the Oath of Allegiance as follows:
 - i. For God and Country, I, (Full Name), associate myself with the American Legion Riders Post 383, for the following purposes: To uphold and defend the Constitution of the United States of America, to maintain law and order, to promote Americanism, to participate in parades and other ceremonies which are in keeping with the aims and purposes of the American Legion and American Legion Riders, to promote motorcycle safety, and to participate in a social atmosphere with members of the American Legion Riders who have the same interests.

Section 5. Any member who resigns from the Chapter 383 American Legion Riders will be required to comply with Article IV, Section 2, if they request to be reinstated into the American Legion Riders Chapter 383.

Section 6. Founding member status in District 6, Chapter 383, American Legion Riders is granted to members listed on the rolls during the 1st 12 months from the date the Chapter was founded.

Section 7. Active members in good standing; who for any reason can no longer operate a motorcycle, may be granted Retired status by a vote of the local Chapter. The status retired, only applies to the operating of a motorcycle requirement and does not create another class of membership. All other provisions of these bylaws will apply to members granted this status. The chapter will communicate to the Department Secretary in writing, the granting of Retired Status, the members information, and the reason for granting retired status.

Article V **Initiation Fee and Dues**

Section 1. The Initiation fee for membership is \$104.00 which includes the first year dues of \$10.00 and the cost of the ALR back patch and Post 383 Patch set, which is non-refundable.

Section 2. Dues are set at \$10 per year and may be adjusted by a majority vote at the annual membership meeting in accordance with Article VIV, Section 6, Finances.

ARTICLE VI **EXECUTIVE BOARD**

Section 1. The Executive Board shall be composed of the elected officers of the Chapter and one member appointed by the Commander of American Legion Post 383.

Section 2. The President shall serve as Chairperson of the Executive Board and the Vice-president shall assume that position in his absence. The Secretary of the Chapter shall serve as Secretary of the Executive Board.

Section 3. The Executive Board will meet once a month, prior to the regular meeting of the Chapter each month to discuss Chapter business in accordance with Article VII Section 1 of these by-laws.

ARTICLE VII **OFFICERS AND ELECTIONS**

Section 1. All regular members are eligible to hold office.

Section 2. All officers will serve from June of the year elected through June of the following year. Nominations of officers will be made at the annual April meeting and elections will be held annually at the May meeting. Formal installation of Officers will take place in June, except that the founding board elected will serve from the time of election until June one year after their election. If the position of any officer becomes vacant, the President may appoint a member to fill that position until an election can be held to fill the vacancy. Nominations will be received at the next regularly scheduled meeting after the vacancy occurs and elections will be conducted at the first regular meeting 30 days after nominations have been opened.

Section 3. The elected officers of the Chapter shall be the President, Vice-President, Secretary, Treasurer, and Sergeant-at-Arms.

Section 4. The President, with the concurrence of the Executive Board, can appoint the following officers: Ride Coordinator, Historian, Chaplain, Membership Officer and Public Relations Officer.

Section 5. A member may hold more than one office except for the offices of President and Vice-President.

Section 6. All elected or appointed officers shall have only one vote at the Executive Board or Chapter Meeting except that the presiding Chairperson shall have no vote except to break a tie vote.

Section 7. . Nominations for officers will open during the April Quarterly Meeting and elections will be held at the Yearly General Meeting in May.

Section 8. Elections shall be by secret ballot. A majority of all votes cast by those present at a regular meeting will determine the winner. In the case of non-opposed offices, a voice vote may be the method of voting.

Section 9. The duties of the officers shall be as follows:

A. **PRESIDENT:** Will serve as Chief Administrative Officer and will preside over all general meetings. Shall have general supervision over the affairs of the Chapter. Shall perform such duties as directed by the general membership. Must hold a valid motorcycle license. Will serve as Chairperson of the Executive Board.

B. **VICE-PRESIDENT:** Will assume the duties of the President in his/her absence and will assist the President in the performance of his duties. Must hold a valid motorcycle license, Will be limited to no more than two consecutive terms.

C. SECRETARY: Will assume the duties of the Vice-President in his absence. Will have charge of and keep correct records of all proceedings of all meetings and under the direction of the President handle all correspondence of the Chapter. Will keep the membership rolls and report to the Membership committee if members become delinquent or no longer meet eligibility requirements. Will serve as Chairperson of the Membership Committee.

D. TREASURER: Will have charge of all finances of the Chapter. Will disburse funds as directed by the general membership. Will give detailed financial reports at each general meeting. Will serve as Chairperson of the Finance Committee.

E. SERGEANT AT ARMS: Will preserve order at meetings and other such duties as may be assigned to him by the Chapter.

F. RIDE COORDINATOR: Must hold a valid motorcycle license. The Ride Coordinator will be the person in charge (Road Captain) during organized rides of the Chapter. The Ride Coordinator will also act as the Safety Officer, ensuring that motorcycle safety is observed at all times during events. May, at her/his discretion, appoint assistant road captains or take any other measures necessary to help insure the safety of the group during a ride. The Ride Coordinator will also verify that all guest riders attending ride events hold a valid motorcycle license and provide proof of insurance. The Ride Coordinator will also obtain a signed liability waiver from each guest rider and co-riders (passenger), and will provide a guest list to the Adjutant at the next general meeting.

G. HISTORIAN: Will keep a record of Chapter incidents and activities and other duties as may be directed by the Executive Committee and the Chapter.

H. CHAPLAIN: Will be charged with the spiritual welfare of the Chapter members and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., and to adhere to such ceremonial rituals as are requested by the Chapter.

I. PUBLIC RELATIONS OFFICER: Will provide advertising flyers, WEB postings, news releases and other material to publicize chapter activities. Will perform other duties as directed by the Chapter.

J. MEMBERSHIP OFFICER: Will gather new membership applications, Will validate the eligibility of each new member, at each regular meeting of the Chapter, report upon all applications received during or after the next previous regular meeting, gather and forward all membership records to the chapter Secretary.

K. JUDGE ADVOCATE: Shall advise the ALR 383 officers on the interpretation of the by-laws of the ALR 383, by-laws, Department of California Riders and National American Legion Riders by-laws, and perform such other duties as incident to the office of Judge Advocate.

Section 10. In the event that any officer shall be absent for three consecutive meetings of the Chapter without being excused by the President or the Executive Board, such

office may be declared vacant by a majority vote of those present at a regular Chapter meeting.

Section 11. Elected officers can be removed from office by a two-thirds (2/3) vote of the membership at a regular meeting. Motions to remove an officer must first be presented to the Executive Board for consideration. Article IV, Section 2 of these By-Laws shall govern the reinstatement of an expelled officer under this section.

ARTICLE VIII **MEETINGS AND QUORUM**

Section 1. Meetings will be held monthly, on 4th. Tuesday of each month at American Legion Post 383. Meetings will be in conjunction with the American Legion Post 383 Meeting to foster greater participation in American Legion Post 383 events and activities. The Executive Board will meet as needed before the stated meeting.

Section 2. Quarterly General Meeting: On the first month of each calendar quarter, ALR Post 383 will hold a Quarterly General Meeting immediately following the monthly American Legion Post 383 meeting.

Section 3. Yearly General Meeting: The Yearly General Meeting in will be in June at the regularly scheduled meeting time and day.

Section 4. As described in Article VII, Section 7, nominations for officers will open during the April Quarterly Meeting and elections will be held at the Yearly General Meeting in May.

Section 5. A majority of three (3) elected officers present including the President or Vice-President **with a total of seven members present (including officers)** will constitute a quorum.

Section 6. All meetings will be conducted in compliance with the most recent publication of Robert's Rules of Order, opening and closing ceremonies will be observed in accordance with the American Legion Post Officers Manual.

Section 7. The Agenda for each meeting will be published electronically and posted on the ALR 383 Website. Copies of the Agenda will be available for review at each meeting.

Section 8. Special meetings of the Chapter may be called by the President or the Executive Board and must be called, upon the written request of ten members. No special meetings shall be called unless announced by the President at the regular meeting preceding or unless notice is mailed to each member seven (7) days prior to said meeting, stating the time, place of the meeting and the subject to be considered.

ARTICLE VIV
FINANCES

Section 1. Finances of the Chapter will be from the membership dues and/or such other sources, as approved by the membership.

Section 2. Finances of the Chapter will be held in a bank account within the City of Fair Oaks. Signatures on the account will include the Treasurer, President, Vice-President and Secretary. Signatures of the Treasurer and one other officer will be required to disburse funds.

Section 3. Disbursement of funds will only be those authorized at a Chapter meeting except in case of an emergency. Emergency disbursements may be made in exigent circumstances but in no case will expenditures be allowed that may have been foreseen **but not** authorized at a regular meeting of the membership. Emergency expenditures must be presented and approved by the members at the next regular membership meeting.

Section 4. The Chapter will be a non-profit organization and may only disburse funds in a manner that is in keeping with all local, state and national laws regarding non-profit organizations.

Section 5. An emergency disbursement of funds may be authorized by agreement of three elected officers.

Section 6. Annual dues shall be set each year by a majority vote of the membership.

Section 7. Dues are due and payable by January 1 of each year. Should a member be delinquent in their dues after February 1, they shall be removed from the roles and must re-apply for membership. Only members who are current in their dues may hold office or be elected to office. Candidates for office must be current in their dues for the period in which they hold office. Members of ALR 383 must also be current on dues and in good standing with their home Post, Unit, or Squadron in accordance with Article V, Section 2, of these by-laws.

Section 8. The Treasurer will provide a finance report, in writing, at each regularly called meeting of the American Legion Riders Chapter 383. The report will be attached to the minutes of that meeting and presented to the membership for approval at the next regularly called meeting of the American Legion Riders Chapter 383. The minutes and the financial report will be made available for review to the members of the American Legion Riders Chapter 383.

ARTICLE X
DRESS CODE

Section 1. Vests or Jackets that have the patches of the "American Legion Riders" will conform to the following guidelines.

- A. At all official meetings, the American Legion Riders beret or official cap of a member's parent organization will be the only allowed headwear.
- B. American Legion Riders back patches will be worn on a vest or jacket. Members having riding vests and jackets with the large patch affixed to the back will comply with the guidelines of this Article of the by-laws
- C. The ALR is a program of The American Legion and is not a "motorcycle club," and as such, members are representatives of The American Legion. It is required that members dress in a manner that promotes a positive image for The American Legion, particularly when operating in group activities or interacting with the community. Patches and pins containing profanity or representing lewd, sexual, and violent or other such behavior or subjects will not be worn by members when they are engaged in an ALR activity or when wearing the ALR patch.
- D. The front of the vest or jacket should have an American flag patch high on the left hand side. If worn, no other patch or pin will be worn higher than this patch.
- E. The American Legion Riders back patch will be worn on the back of the jacket or vest along with top and bottom rockers as described below. The name of the Department "California" may be embroidered at the bottom of the back patch. If rockers are worn with the back patch, they must be affixed to the vest or jacket adjoining the patch to resemble a one piece patch.
- F. The bottom rocker shall designate the member's organization status as follows: Post members – "Veteran" Auxiliary Unit members – "Auxiliary", Sons of the Legion members – "Squadron".
- G. The top rocker will designate the local organization that the member belongs to. In lieu of rockers, an elongated back patch may be worn with the same embroidered restrictions as stated in this Article.
- H. No Pins or Patches showing support for motorcycle clubs or their support organizations shall be worn on the American Legion Riders vest or jacket or on any other apparel while wearing the American Legion Riders vest or jacket. Motorcycle club is defined as an organization using the term "MC" or "motorcycle club" in its name or as part of its patch or is commonly known as such.
- I. Members at the time of the first annual convention in Fresno, March 31-(Month) 1, 2007, may continue to wear their existing vests and jackets without change if they do not comply with this ARTICLE except they must conform to Sections C or E.

ARTICLE XI
CONDUCT

Members of the American Legion Riders shall be held to the same standards of conduct as those of the American Legion. Members of the American Legion Riders Chapter 383 shall at all times conduct themselves in a manner that brings respect to the American Legion and the American Legion Riders. Every attempt must be made to avoid the appearance of being or belonging to a Motorcycle Club (MC). Loud or vulgar language, swearing in public, the excessive consumption of alcoholic beverages while on rides and/or behavior that is inconsistent with the standards of the American Legion may result in suspension or removal from the American Legion Riders Chapter 383. Proper decorum will be followed when participating with or interacting with members of other motorcycle associations and clubs.

ARTICLE XII
DISCIPLINE

Section 1. Members may be suspended or expelled under the same procedures providing for the suspension or expulsion of a member of The American Legion in the Department Trail Manual and these bylaws.

Section 2. A member may be temporarily suspended from membership by agreement of a majority of officers in attendance at any function where they are representing the American Legion Riders if they are judged by the officers to be acting in a manner bringing discredit on the organization. This suspension will be immediate and in effect until the next regularly scheduled monthly meeting. The suspended member is required to discontinue wearing clothing bearing the American Legion Riders identification immediately in accordance with these bylaws and California Military and Veterans Code Section 1820 and until they are restored to full membership status.

Section 3. Any member may be expelled or suspended from the Chapter by a majority vote of the general membership present at a regular chapter meeting. The expelled member is required to discontinue wearing clothing bearing any American Legion Riders identification in accordance with California Military and Veterans Code Section 1820. A member may be expelled if they no longer meet the requirements of membership or they have acted in such a manner as to bring discredit on the organization. An expelled member may appeal for reconsideration to the Post 383 Executive Board.

Section 4. Any member expelled or suspended from Post 383 or their home Post will be automatically expelled from the Chapter 383 American Legion Riders. When the member is reinstated, they must make a new application for membership in the Post 383 American Legion Riders as described in Article IV, Section 2 of these By-Laws.

ARTICLE XIII
AMENDMENT

Section 1. Proposed amendments to these By-Laws must be submitted in writing to the Executive Board and at a regular meeting of the Chapter and read there at. At the next regular meeting, or subsequently if postponed, the proposed amendment may be adopted by a two-thirds (2/3) affirmative vote of those present and voting. A committee of officers and members shall be appointed annually to review and recommend amendments to the By-Laws.

Section 2. Any provision of these By-Laws shall be automatically amended to conform to any amendment adopted by The American Legion National, Department, Area, District, or Post 383 under which this organization operates. Such amendments will be announced at the next regularly scheduled meeting of the Chapter 383 American Legion Riders.

Section 3. It shall be the responsibility of the Judge Advocate to ensure that the By-Laws of the American Legion Riders Chapter 383 are in agreement with the American Legion National, Department, Area, District, and Post 383 By-Laws under Article XII, and to present the necessary proposed amendments to the Board of Directors and the membership at a regularly called meeting.

Section 4. These By-Laws and any amendment initiated by the Chapter shall be in effect until approved by The Department of California American Legion Riders.

These By-laws were adopted on (Month/Day/Year) at (City/Post), California, Post 383, by vote of the members of ALR Chapter 383 at the regular membership meeting.

