

# American Legion Riders, Austin L. Grove Riders

## Chapter 403 Constitution

8 November, 2016

### Preamble

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

### Purpose

The American Legion Riders is formed to promote the aims and purposes of The American Legion as a family oriented motorcycling activity for members of The American Legion, The American Legion Auxiliary, and The Sons of The American Legion.

### Article I—Name

The name of this program shall be *THE AMERICAN LEGION RIDERS of Pennsylvania, Post 403*.

### Article II—Nature

*Section 1.* The American Legion Riders (ALR) is a program for members of The American Legion, The American Legion Auxiliary, and The Sons of The American Legion members, collectively “The American Legion Family,” who share an interest in motorcycling.

*Section 2.* The American Legion Riders upholds the declared principles of The American Legion and conforms to and abides by the regulations and decisions of the department, post, or other duly constituted governing body.

*Section 3.* The ALR maintains and protects the image of The American Legion at all times through appropriate wear of The American Legion Emblem. The emblem of The American Legion demands “that the wearer shall ever guard the sanctity of home and country and free institutions.”

*Section 4.* Under no circumstances shall any emblem of The American Legion be marketed, sold, or subordinated to any other organizational logo or emblem without the approval and consent of The American Legion national organization.

*Section 5.* Members of the ALR avoid any perception of being a motorcycle or “biker” club or gang. Rather, the focus of membership is for the enjoyment of motorcycles and comradeship and furthering Legion programs in the community.

*Section 6.* The ALR strives to improve the public’s perception of the motorcycling

community by promoting the honorable nature of military service, and service to one's community, state and nation through the sport of motorcycling.

*Section 7.* Members of the ALR comply at all times with the motor vehicle safety, licensing, and insurance laws or regulations of the state in which operating.

### **Article III—Organization**

The American Legion Riders is organized at either the department or the post, and each chapter exists at the discretion of the sponsoring post/department. The chapter officers and executive committee are responsible and accountable to the sponsoring post/department executive committee. All officers of the American Legion Riders chapter must be named by the hosting post or department, or if elected must be confirmed or installed by the hosting post or department.

### **Article IV—Membership Eligibility**

*Section 1.* Eligibility for basic membership in The American Legion Riders shall be as prescribed by the national constitutions of The American Legion, the American Legion Auxiliary, and the Sons of The American Legion.

*Section 2.* All members of The American Legion Riders must further demonstrate current individual membership in The American Legion, the American Legion Auxiliary, or the Sons of The American Legion.

*Section 3.* Members will not at any time hold membership in more than one chapter of The American Legion Riders.

*Section 4.* Each ALR member shall establish and maintain membership by owning, individually or through marriage, a motorcycle licensed and insured as required under local laws.

*Section 5.* Members in good standing may continue to retain full membership if they have given up motorcycle ownership involuntarily because of age, injury, or health reasons.

*Section 6.* There shall be no form or class of membership except an active membership, and dues shall be paid as required by the chapter or by the department. There are no national dues.

*Section 7.* All members will obey the motor vehicle laws in any state in which they are operating a motorcycle or riding as a passenger.

### **Article V—Wear of American Legion Emblem**

*Section 1.* The American Legion Riders back patch, as copyrighted and sold by The American Legion's Emblem Sales division, is authorized for wear by all current members of the ALR. American Legion logos and emblems may also be authorized by the host post for wear by selected volunteers performing work on behalf of the local post or post programs.

*Section 2.* No other back patch or back patch design is authorized for wear as an ALR emblem.

*Section 3.* Department standards and specifications for patch sales should be on file with Emblem Sales.

*Section 4.* If department or post identifying information is to be embroidered on the patch, Emblem Sales must have on record authorization from the department adjutant that such specific identifying information may be used on the patch.

*Section 5.* No other patch, tab, rocker, text, background art or color that is in conflict with an American Legion protected trademark may be used on clothing, banners, flags, posters or advertisements.

#### **Article VI—Determine Elected Officers**

*Section 1.* The recommended officers of the Chapter are Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, Safety Officer, and Membership Chairman, elected annually. [*Note that the titles “President” and “Vice-President” are permissible replacements for “Director” and “Assistant Director.”*]

*Section 2.* Between chapter meetings, the administrative power of the chapter shall be vested in the chapter executive committee, whose voting members shall consist of all elective officers for the current year and the immediate past chapter director.

*Section 3.* All other past chapter directors shall be members of the executive committee with voice but no vote.

#### **Article VII—Finance**

*Section 1.* The revenue of the chapter shall be derived from such membership fees or dues and from such other sources as may be approved by the chapter executive committee.

*Section 2.* The amount of such membership or initiation fees and the amount of such annual chapter dues shall be fixed and determined by the chapter.

*Section 3.* The chapter will provide a monthly financial report to the sponsoring department/post executive committee.

#### **Article VIII—Amendments**

*Section 1.* This constitution is adopted, subject to the provisions of the national constitution, department constitution, and post constitution of which this chapter is a subordinate program. Any amendment to the national, department, or post constitutions that is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of the constitution and bylaws of this chapter to the extent of such conflict.

*Section 2.* This constitution may be amended at any regular chapter meeting by a vote of two-thirds of the membership attending such regular meeting provided that the proposed amendment shall have been submitted in writing, and read at the immediate preceding chapter meeting. Further, that traditional mail or electronic mail notice shall have been sent to all members' addresses of record at least 5 days in advance of the date which such amendment is to be voted upon, notifying said members that at such meeting there will be a proposal to amend the constitution.

# **Austin L. Grove Riders Chapter 403 By-Laws**

8 November, 2016

## **Article I--Name**

*Section 1.* The chapter existing under these by-laws is to be known as Austin L. Grove Riders, American Legion Post 403, The American Legion, Department of Pennsylvania.

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

## **Article II—Management**

*Section 1.* The officers of the chapter shall be Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, Safety Officer, and Membership Chairman. [Note that the titles “President” and “Vice-President” are permissible replacements for “Director” and “Assistant Director”.]

*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 immediate past director.

*Section 3.* Officers of this chapter shall be elected annually on the 2<sup>nd</sup> Tuesday in June 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. All such officers shall be confirmed by vote at a regular post meeting, or installed by the host post or department at a suitable installation ceremony.

*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. Any person so appointed or elected to fill a vacancy shall be confirmed or installed by the hosting post or department.

*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 unexcused absences considered detrimental to the interest of the chapter by the remaining members of the chapter executive committee.

*Section 6.* All past chapter directors shall be members of the chapter executive committee with voice but without voting privileges.

## **Article III—Meetings**

*Section 1.* The regular meeting of the chapter shall be held at 7 pm on the 2<sup>nd</sup> Tuesday of each month 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 director 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 3 members, the executive committee shall call a special meeting of the chapter.

*Section 4.* A majority of officers shall constitute a quorum.

#### **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 a majority of 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 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 Director.* It shall be the duty of the chapter director to preside at all meetings of the chapter and to have general supervision over the business and affairs of the chapter. The chapter director shall be the chief executive officer of the chapter. The director shall approve all orders directing the disbursement of funds and shall provide a monthly report covering the business and finances of the chapter at each regular meeting of the hosting American Legion post, with a copy thereof immediately forwarded to the post or department adjutant. The director shall perform such other duties as directed by the chapter membership.

*Section 2. Duties of Assistant Director.* The assistant director shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the chapter director.

*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 hosting post and department organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the chapter 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 both the chapter executive committee and the hosting post the condition of the finances of the chapter, with such recommendations as he or she may deem expedient or necessary. The treasurer and director, and at least one member of the chapter executive committee and one officer of the host post or department, shall be signatory on any and all accounts of the chapter. The treasurer shall be provided such surety bonds in such amounts as shall be fixed by the chapter executive committee and obtained by the chapter. The treasurer prepares the chapter's monthly financial report rendered to the sponsoring department/post at a regular meeting.

*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 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 director or executive committee.

*Section 8. Duties of the Safety Officer.* The safety officer shall work closely with the road captain and sergeant-at-arms to maximize the safety of all participants at all events. The safety officer shall also prepare and present safety training or present a safety tip to the membership at every regular meeting, and assist the road captain and treasurer with event planning and event insurance issues.

*Section 9. Duties of the Sergeant-at-arms.* The sergeant-at-arms shall preserve order at meetings and gatherings, assist the road captain and safety officer 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 director or 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 director, 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 director.

#### **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.

*Section 2.* This chapter shall take such steps necessary to secure appropriate event insurance for all organized rides, events, celebrations and functions undertaken under the name of the hosting post or department.

### **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.

*Section 2.* Written or electronically transmitted 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.* Any amendments will be reported to the sponsoring department or post, and such amendments will not be effective until approved by the sponsoring department or post.