

# Constitution and By-Laws



## American Legion Riders

Motorcycle Association

Post 91

Chandler, Arizona

# ALR Post 91

## Chapter Constitution

### Preamble

As American Legion Riders of Post 91, we associate ourselves 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 participate in parades and other ceremonies which are in keeping with the aims and purposes of the American Legion; to promote motorcycle safety programs and to provide a social atmosphere for American Legion members who share the same interest and to use our association to promote and support the programs of the American Legion.

### 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 American Legion Riders Chapter No. 91 Wayne V. McMartin Post No. 91 of the American Legion.

### 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 Legion Family,” who share an interest in motorcycling.

**Section 2.** The American Legion Riders upholds the declared principles of The American Legion as well as 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 wearing 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 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. 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, and shall be a member of Wayne V. McMartin Post 91 of The American Legion.

**Section 3.** Members will not at any time hold membership in more than one chapter of The American Legion Riders nor be a member of any 1% Motorcycle Club.

**Section 4.** In addition to sections 1-3 above, members must be the legally registered owner of a motorcycle or be the spouse or significant other of the legally registered owner within the state of registration. Significant Other shall be defined as a person (not necessarily a spouse) with whom the member cohabits and/or shares a long-term relationship.

**Section 5.** All operators must be properly licensed and insured per state laws.

**Section 6.** All members will obey the motor vehicle laws in any state in which they are operating a motorcycle or riding as a passenger.

**Section 7.** Individuals interested in membership must complete a minimum of 3 rides with the members before presenting themselves to the ALR members at a regular meeting, at which time a vote will be held by the Riders to grant or deny membership.

**Section 8.** Members in good standing may continue to retain full membership if they have given up motorcycle ownership involuntarily because of age, injury, health reasons, or financial hardship.

**Section 9.** The Chapter may allow “supporting members” or “chapter supporters”. These supporting members must still meet the requirements of Section 2 and be current members of The American Legion, Auxiliary or Sons of the American Legion at the Wayne V. McMartin Post 91. Supporting members or chapter supporters shall pay annual dues, but may not vote or hold office in the chapter.

**Section 10.** Membership in ALR 91 must be maintained by active participation. All members will be required to submit monthly activity logs to the treasurer for reporting to the State ALR. All members will be required to participate in a minimum of eight (8) ALR events, rides, functions or meetings annually. Members who fail to participate in the required number of ALR events, rides, functions or meetings will be ineligible to renew their membership.

**Section 11.** Any member who fails to maintain membership eligibility or resigns from the ALR will be required to complete three (3) rides and present themselves to the members at a regular meeting to be considered for reinstatement.

**Section 12.** 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. Dues for ALR 91 are \$20.00 annually. Dues are to be collected in January for the membership year January 31 to December 31. Dues for new members, joining during the year, will not be prorated. All members, including Charter members and Supporting members, will be expected to pay dues annually. Dues may be waived by the executive committee for members who meet the requirements of section 8 above.

**Section 13.** Any member may be expelled or suspended from the Chapter by a two-thirds vote of the general membership in attendance at a regular Chapter meeting. One week's written notice of the time and place when the membership will consider the charges against him, accompanied by a written specification of the charges, shall be given to the accused member, and at such time and place he shall be entitled to appear and defend himself against such charges. A member who is subject to expulsion or suspension shall be entitled to be present at the meeting at which their expulsion or suspension is to be considered, and shall be entitled to verbally address the membership and/or to present written material, at the option of the member. Expulsion or suspension may only be done for good cause. "Good cause" is hereby defined as actions or activities by a member who brings discredit or dishonor to The American Legion or to the American Legion Riders, disloyalty, neglect of duty, dishonesty, theft or conduct unbecoming a member of The American Legion.

#### **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 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.** Use of rockers or patches physically attached to The American Legion Riders back patch are not recommended due to trademark laws.

**Section 6.** 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 President, Vice President, Junior Vice President, Secretary, Treasurer, Sergeant at Arms, Road Captain, Historian, Chaplain and Membership Chairman, elected annually

**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 officers for the current year and the immediate Past President.

**Section 3.** All other past chapter Presidents 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. Dues are not a requirement at the national level and are optional at all other levels.

**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—Membership Identification**

**Section 1.** The ALR vest or jacket shall be worn for all ALR functions. American Legion Riders and Chapter patches will be worn on a black or brown leather or denim vest or jacket.

The front of the ALR vest or jacket will consist of the following:

- a. An American flag will be worn on the left side of the vest/jacket, high on the chest. An Arizona state flag will be placed immediately below the American flag. No pins or patches will be placed above the American flag.
- b. A POW/MIA patch will be worn on the upper right side of the vest or jacket. No pins or patches will be placed above the POW/MIA patch.
- c. Nicknames and officer titles may be worn below the POW/MIA patch with the officer title below the road name.

The back of the ALR vest or jacket will consist of the following:

- a. The American Legion Riders patch will be centered on the vest or jacket.
- b. A rocker "Legion Riders" will be centered above the ALR patch. The rocker will have a black background with yellow block style lettering and border
- c. A THWR (That's How We Roll) patch will be placed at the bottom left.
- d. A Post 91 Chandler patch will be placed at the bottom right, with a district 12 patch

directly above.

Military Service, Memorial and other related patches and/or pins may be worn on the vest subject to the following guidelines:

- a. Patches and/or pins must not contain profane language. (no F-bombs)
- b. No 1% Motorcycle Club (M/C) support patches and/or pins shall be worn on an ALR vest.

Lower Rockers may be worn below the back patch providing that the following provisions are met:

- a. The designation Veteran is only to be worn by those who satisfy the requirements of Article IV, Section 2, and can produce a DD214.
- b. The designation Squadron is only to be worn by those who and are members in good standing of the Sons of The American Legion. A current, valid SAL membership card shall suffice as evidence of these requirements
- c. The designation Auxiliary is only to be worn by those who are members in good standing of The American Legion Auxiliary. A current, valid Legion Auxiliary membership card shall suffice as evidence of these requirements.
- d. The designation Supporter may be worn by supporting members.
- e. Rocker placement shall be in such a way as to not make it appear that the ALR Rider or Chapter is a Motorcycle Club, and to not create any potential problems with motorcycle clubs.

Vests purchased prior to May 19, 2013 are grandfathered.

### ALR 91 Vest Layout



**Article IX—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 Constitution 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.

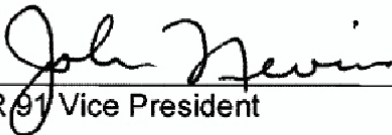
**Article X – Enacting Clause**

This constitution of the American Legion Riders Chapter No. 91 Wayne V. McMartin Post No. 91 of the American Legion approved and adopted by two-thirds (2/3) affirmative vote of the ALR members present at a meeting held May 19, 2013.


Date 6-5-13



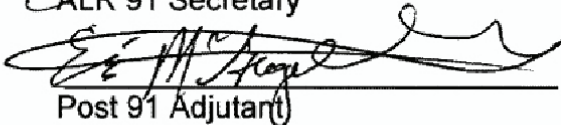
ALR 91 President




ALR 91 Vice President



ALR 91 Secretary



Post 91 Adjutant



Post 91 Commander

# ALR Post 91

## Chapter By-Laws

### Article I--Name

**Section 1.** The Chapter existing under these By-Laws is to be known as American Legion Riders Chapter No. 91 Wayne V. McMartin Post No. 91 of the American Legion, Department of Arizona.

**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 President, Vice President, Junior Vice President, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, Chaplain and Membership Chairman.

**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 President.

**Section 3.** Officers of this Chapter shall be elected annually on the Third Sunday in May and take office at the meeting next following that of the election. All elections of officers shall be by private 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 Executive Committee.

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

**Section 7.** Any officer may be removed for inefficiency by a two-thirds vote of the ALR members present and voting at a regular meeting of the ALR.



### **Article III—Meetings**

**Section 1.** The regular meeting of the Chapter shall be held at 9:00 AM on the third Sunday 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 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 six (6) members, the Executive Committee shall call a special meeting of the Chapter.

**Section 4.** Five (5) members 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 President within 10 days after the installation of the new officers. Thereafter the Chapter Executive Committee shall meet as often as Chapter President may deem necessary. The Chapter President 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 Five (5) 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.

**Section 3.** Chapter Executive Committee expenditures shall not exceed the amount of \$500.00. Expenditures in excess of \$500.00 shall first be voted upon by the members.

### **Article V—Duties of Officers**

**Section 1. Duties of 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 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. 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 Vice President.** The Vice President shall assume and discharge the duties of the office of the President in the absence or disability of, or when called upon by the

Chapter President.

**Section 3. Duties of Junior Vice President.** The Junior Vice President shall assume and discharge the duties of the office of the President and Vice President in the absence or disability of, or when called upon by the President.

**Section 4. 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, render reports of membership annually or when called upon at a meeting, and under direction of the President handle all correspondence of the Chapter.

**Section 5. 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 to carry on the financial activities of the Chapter. The treasurer and president, 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 prepares the chapter's monthly financial report rendered to the sponsoring department/post at a regular meeting. The Treasurer 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. The Treasurer prepares the Chapter's monthly financial report for the sponsoring department/post Executive Committee.

**Section 6. 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 7. 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 8. 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 9. 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 10. Duties of the Membership Chairman.** The Membership Chairman shall assist the Secretary in keeping and maintaining accurate membership records of the chapter.

## **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—Standing Rules**

**Section 1.** Standing rules are motions or resolutions governing actions of the chapter. They may be adopted from time to time as needed to support the bylaws.

**Section 2.** Standing rules may be adopted at any meeting of the chapter without previous notice by a majority vote of members present who are in good standing.

**Section 3.** Standing rules may be rescinded or amended at any meeting of the chapter by a 2/3 vote of the members present who are in good standing. If notice of the proposed action was given at a previous meeting, or in the call for a special meeting, the standing rules may be rescinded or amended by a majority vote of the members in good standing present at the meeting.

**Section 4.** Standing rules may be suspended (waived) for one meeting only by a majority vote

of the members in good standing present at any meeting of the chapter.

**Section 5.** Standing rules cannot be adopted if they conflict with any provisions of the chapter, post, department or national constitution and bylaws. Should such a conflict occur, the standing rules in question are null and void and the bylaws shall take precedence.

**Article XIII—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.

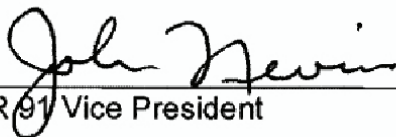
**Section 2.** Written notice to the addresses of record indicated in Article IX, Section 1, shall have been given to all members at least 5 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting there will be presented a proposal to amend the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


**Article XIV – Enacting Clause**

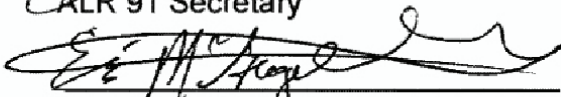
These by-laws of the American Legion Riders Chapter No. 91 Wayne V. McMartin Post No. 91 of the American Legion approved and adopted by two-thirds (2/3) affirmative vote of the ALR members present at a meeting held May 19, 2013.

Date 6-5-13

  
\_\_\_\_\_  
ALR 91 President

  
\_\_\_\_\_  
ALR 91 Vice President

  
\_\_\_\_\_  
ALR 91 Secretary

  
\_\_\_\_\_  
Post 91 Adjutant

  
\_\_\_\_\_  
Post 91 Commander