

American Legion Riders, Chapter 5 of Roscoe Enloe, Post 5 Constitution

Preamble

For God and Country, we associate ourselves together for the following purposes: To promote and support programs of The American Legion: to participate in parades and other ceremonies. To promote motorcycle safety programs, and to provide a social atmosphere for American Legion Members who share the same interest. To uphold and defend the Constitution of the United States of America: To maintain law and order; to foster and perpetuate one hundred percent Americanism.

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, Chapter 5, Roscoe Enloe, Post 5.

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 ALR upholds the declared principles of The American Legion, 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. All ALR members shall strive to maintain the image of The American Legion, at all times upholding The American Legion name and emblem, which symbolizes the integrity and principles of this great organization.

Section 5. All ALR members shall avoid any perception of being a "motorcycle club" or "biker 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. All ALR members shall 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, Chapter 5 is organized at The Roscoe Enloe, Post 5, and Chapter 5 exists at the discretion of Post 5. The Chapter 5 officers and executive committee are responsible and accountable to Post 5 executive committee. All officers of the ALR Chapter 5 will be elected by the members of Chapter 5 and will be confirmed by Post 5.

Article IV—Membership Eligibility

Section 1. Eligibility for basic membership in The ALR 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 ALR must further demonstrate current individual membership in The American Legion, the American Legion Auxiliary, or the Sons of The American Legion.

Section 3. Each American Legion Rider member shall establish and maintain membership with ownership, individually or through marriage, of a legally registered, street legal motorcycle, and maintain proof of license and insurance as required under local and state laws.

Section 4. Members in good standing may continue to retain full membership if they have given up motorcycle ownership involuntarily because of age, illness, injury, or other reasons outside the member's control.

Section 5. Due to the nature of some activities, there may be requirements of minimum sizes of motorcycles for participation in particular events. This is for the safety of the members and may be addressed on a case-by-case basis. The event designated Road Captain and Safety Officer will announce the size requirement prior to starting the event. This event driven restriction does not preclude membership in ALR Chapter 5.

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. Members will not at any time hold membership in more than one chapter of The ALR .

Section 8. Members will pay Chapter and Department dues annually to be retained in good status. There are no National dues.

Article V—Special Class Member Eligibility

Section 1. Lack of qualification of Article IV, Section 3 shall provide the eligibility as a Special Class Member in The ALR Chapter 5. This Special Class Member will be known as American Legion Rider Supporting Member of Chapter 5.

Section 2. The Supporting Member shall be as prescribed by the national constitutions of The American Legion, the American Legion Auxiliary, and the Sons of The American Legion.

Section 3. All Supporting Members of The ALR Chapter 5 must further demonstrate current individual membership in The American Legion, the American Legion Auxiliary, or the Sons of The American Legion.

Section 4. The individual role of the American Legion Rider Supporting Member is critical to the functionality and longevity of the local organization. The Supporting Member shall provide support to the ALR through their presence and their assistance at Chapter 5 ALR meetings and events when possible.

Section 5. Although a Supporting Member has an immeasurable role in the organization, the Supporting Member will not be allowed to hold an executive office.

Section 6. The ALR Chapter 5 Supporting Member may volunteer or be appointed to perform duties as a member or chairperson of a sub-committee in support of the organization.

Section 7. The ALR Chapter 5 Supporting Member program is a locally recognized program so Supporting Members will only be asked to donate Chapter dues to be retained in good status.

Section 8. All Supporting Members will obey the motor vehicle laws in any state in which they are operating a car or riding as a passenger on a motorcycle.

Section 9. Supporting Members will not at any time hold membership in more than one chapter of The ALR.

Section 10. Supporting Members shall not be allowed to outnumber the members described in Article IV.

Article VI—Wear of American Legion Emblem

Section 1. The ALR back patch, as copyrighted and sold by The American Legion's Emblem Sales division, is authorized for wear by all current members of ALR Chapter 5. American Legion logos and emblems may also be authorized by the Post 5 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.

Section 6. 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.

Article VII—Determine Elected Officers

Section 1. The officers of Chapter 5 are Director, Assistant Director, Secretary, Treasurer, Judge Advocate, Sergeant-at-Arms, Historian, and Chaplain. The Chapter 5 members in good standing as defined in Article IV, with a secret ballot system, will elect these officers annually.

Section 2. Between chapter meetings, the administrative power of the chapter shall be vested in the Chapter 5 Executive Committee. The voting members of Chapter 5 Executive Committee shall consist of all elected officers for the current year and the immediate Past Chapter 5 Director.

Section 3. All other Past Chapter 5 Directors shall be members of the Executive Committee with voice but no vote.

Article VIII—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 Post 5 Executive Committee.

Section 4. A member whose dues, for the current year, have not been paid by 1 January shall be classed as delinquent. If the member's dues are paid on, or before, 1 February, the member shall be automatically reinstated. If the member is still delinquent after 1 February, the member shall be suspended from all privileges. If the member is still under suspension on 13 June of such year, the member shall forfeit their membership in the ALR. A member so suspended or whose membership has been forfeited, may be reinstated to active membership in good standing by vote of the Chapter and payment of dues for the year in which reinstatement occurs.

Article IX—Amendments

Section 1. This constitution is adopted, subject to the provisions of the national constitution, department constitution, and post constitution of which ALR Chapter 5 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 ALR Chapter 5 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.

**American Legion Riders, Chapter 5
of Roscoe Enloe, Post 5
By-Laws**

Article I--Name

Section 1. The chapter existing under these by-laws is to be known as The American Legion Riders, Chapter 5, Roscoe Enloe, Post 5, The American Legion, Department of Missouri.

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

Article II—Management

Section 1. The elected officers of the chapter shall be Director, Assistant Director, Secretary, Treasurer, Judge Advocate, Sergeant-at-Arms, Historian, and Chaplain. A Road Captain and Safety Officer will be appointed or volunteer or serve on a rotational basis to service in this capacity for each event as needed.

Section 2. Between chapter meetings, the administrative power of the chapter shall be vested in the chapter executive committee, which shall consist of all elected officers for the current year, and in addition the immediate past director.

Section 3. Officers of this chapter shall be elected annually at the regularly scheduled meeting in June and take office at the regular scheduled meeting in August following the election. All elections of officers shall be by secret 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, and installed by Post 5 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 and installed by Post 5.

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 Chapter 5 shall be held at 6:00 pm on the first Thursday of the 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 25% of the members in good standing, the executive committee shall call a special meeting of the chapter.

Section 4. 51% of members making the formal written request for a special meeting of the chapter (Article III, Section 3) plus an equal number of members at large in good standing, shall be present at the special meeting to constitute a quorum of the chapter.

Section 5. At least 10% of the total membership must be present to constitute a quorum at any regularly scheduled meeting.

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 five 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. The Chapter 5 Executive Committee will be authorized to meet through electronic mail. Purpose will be to conduct Chapter 5 business that is urgent in nature, and will be presented at the next scheduled meeting. The Chapter 5 Secretary will keep an electronic or paper copy.

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 American Legion Post 5, with a copy thereof immediately forwarded to the post 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 Post 5 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 a local bank or banks and shall report once a month to both the chapter executive committee and Post 5 the condition of the finances of the chapter, with such recommendations as he or she may deem expedient or necessary. The treasurer and director 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 Post 5 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 as they pertain to the good of the chapter as a whole, 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 Judge Advocate. The Judge Advocate shall work closely with the Chapter Director and Chapter 5 Executive Committee to ensure meetings are conducted according to Robert's Rules Order. The Judge Advocate shall ensure the guidelines of Chapter 5 Constitution and By-Laws are followed and adhered to at all times. The Judge Advocate shall provide Chapter 5 Constitution and By-Laws updates as necessary to ensure Chapter 5 is in compliance with National, Department and Post guidelines. The Judge Advocate may aid in special tasks and may chair appropriate committees as directed by the chapter director 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 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.

Section 9. Duties of Road Captain (duties assumed on a rotational/appointed/voluntary basis but not considered a member of the Executive Committee). The road captain shall plan 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. The road captain and the safety officer will work together to determine and announce the minimum motorcycle size required for each event. Additionally, the road captains may select assistants to aid in special tasks and may chair appropriate activities committee as directed by the chapter director or executive committee.

Section 10. Duties of the Safety Officer (duties are the responsibility of every member and not considered a member of the Executive Committee). The safety officer shall work closely with the road captain and sergeant-at-arms to maximize the safety of all participants at all events; enforce all rules of safe motorcycle operation and group riding. The safety officer and the road captain will work together to determine and announce the minimum motorcycle size required for each event. 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.

Article VI—Delegates

Delegates and alternates to a department ALR 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

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 Post 5 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

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 Post 5.

Article XII—Members & Prospects

Section 1. While prospective members are welcome to visit open meetings and rides, these visits will be limited to no more than 3 meetings per year.

Section 2. Drinking while riding is never encouraged or supported by the ALR. However, drinking with minor passengers on board is prohibited while on chapter sponsored rides.

Section 3. Blatant violation of the guidelines in this document can result in loss of membership and being blocked for future membership for a period of one year as per Department ALR guidance.

Article XIII—Conduct

Section 1. All ALR members shall strive to maintain the image of The American Legion, at all times upholding The American Legion name and emblem, which symbolizes the integrity and principles of this great organization.

Section 2. Members of the ALR shall be held to the same standards of conduct as those of Post 5 and The American Legion.

Section 3. Members of the ALR shall at all times conduct themselves in a manner that brings respect to The American Legion and The American Legion Riders. 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 ALR. Proper decorum will be followed when participating with or interacting with members of other motorcycle associations and clubs.

Section 4. All ALR members shall avoid any perception of being a "motorcycle club" or "biker gang". Rather, the focus of membership is for the enjoyment of motorcycles and comradeship and furthering Legion programs in the community.

Section 5. All ALR members shall comply at all times with the motor vehicle safety, licensing, and insurance laws or regulations of the state in which operating.

Article XIV—Discipline of Chapter Members

Section 1. Members may be suspended or expelled from the ALR only upon a proper showing of cause. Charges must state members conduct and show discrepancy against current ALR Chapter 5 standards as stated in Article XIII- Conduct. All charges must be in writing and signed by the accuser(s).

Section 2. No member in good standing shall lose their membership until given a fair hearing by a panel of seven chapter members selected by lottery and convened by the Judge Advocate. The member being considered for suspension or expulsion will have the right to present their case to the panel members, if so desired by the aforementioned member.

Section 3. The panel of seven chapter members in good standing will be selected by lottery at the next regularly scheduled monthly meeting. The panel will be convened by the Judge Advocate as a non-voting member, within forty-five days notification of an infraction. The seven panel members will meet and consider all available facts as evidence. The seven panel members will by two-third vote render a recommendation to be given to the Executive Committee of the chapter, by the Judge Advocate within ninety days of the initial notification. In the event the allegation is sustained, the seven panel members will submit a recommendation of sanction to the Executive Committee. The Executive Committee will render a final decision via a two-thirds vote. The Executive Committee will not increase the sanction although a lesser sanction may be imposed on the chapter member.

Section 4. In the event the member being considered for suspension or expulsion is a member of the chapter Executive Committee, that member will recuse themselves from the decision making in this process until such time as a final decision is determined.

Section 5. Any appeal of the decision will be presented to the Roscoe Enloe Post 5 Executive Committee.

Article XV—Amendments

Section 1. The Chapter Constitution and By-Laws will be reviewed yearly in April by a committee appointed by the Executive Committee. This Committee will be chaired by the Judge Advocate. Members of the committee will include the immediate past Judge Advocate, and an additional 3 to 5 Chapter Members.

Section 2. The Judge Advocate Review Committee may recommend that these by-laws be amended at any regular chapter meeting. The amendments will be implemented after a required 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 3. 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 4. Any amendments will be reported to Post 5, and such amendments will not be effective until approved by Post 5.