

THE AMERICAN LEGION RIDERS
DEPARTMENT OF PENNSYLVANIA

Constitution

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 are 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 Sons of The American Legion.

ARTICLE I - NAME

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

ARTICLE II - NATURE

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

Section 2. The ALR will uphold the declared principles of The American Legion as well as conform to and abide by the rules, 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. Members of the ALR will 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 American Legion programs in the community.

Section 5. 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 6. Members of the ALR must comply at all times with the motor vehicle safety, licensing, insurance laws and regulations of the state in which operating.

ARTICLE III - ORGANIZATION

The ALR are organized at either the Department through Post levels inclusive. Each chapter exists at the discretion of the sponsoring Post. The chapter officers and executive committee are responsible and accountable to the sponsoring Post/Department Executive Committee.

ARTICLE IV - MEMBERSHIP ELIGIBILITY

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

Section 3. Members will not hold membership in more than one chapter of ALR at one time.

Section 4. In addition to sections 1-3 above, members must be the legally registered owner of a motorcycle, 250cc or above, or the married spouse of the legally registered owner.

Section 5. All operators must be properly licensed and insured per their state rules and regulations.

Section 6. Riders that have a physical limitation that prevents operation and/or ownership of a motorcycle can remain active members; however, they must have been a member of the ALR, Department of Pennsylvania for a minimum of two continuous years.

Section 7. All the ALR, Department of Pennsylvania membership cards will be provided to the Regional Directors for distribution by The American Legion, Department of Pennsylvania.

ARTICLE V - WEARING OF THE AMERICAN LEGION EMBLEM

Section 1. The ALR back patch, as copyrighted and sold by The American Legion Emblem Sales division, and is authorized for wear by all current members of the ALR.

Section 2. No other back patch, or back patch design, is authorized for wear.

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

Section 4. Use of rockers, or patches, physically attached to the ALR back patch is not allowed, due to trademark laws.

ARTICLE VI - WEARING OF VESTS AND JACKETS

Section 1. Members in good standing shall be authorized to wear the ALR small and large patches on a vest, or jacket. When wearing both patches the small patch shall be worn on the breast (either side) and the large patch shall be worn on the back.

Section 2. The large patches are available, and will be sold, to members of the ALR. The large and small patches are available for purchase from The American Legion, Department of Pennsylvania Emblem Sales, at 717-730-9100.

Section 3. All authorized large and small patches will have PENNSYLVANIA embroidered on them.

Section 4. A rocker patch should be worn beneath the large ALR patch, indicating the chapter name and post number, with a maximum of ¼ of an inch between the rocker and the patch, but not touching.

Section 5. When the American flag is worn, it must be the highest patch on the left. Members should have a POW/MIA patch on the right or left breast.

Section 6. Other patches and pins may be worn on the front of the vest, or jacket. Nothing is permitted on the back, except the large patch and rocker. Offensive patches are strictly prohibited.

Section 7. No property or percentage patches. We are members of The American Legion, not a bike club. We are veterans who ride motorcycles and enjoy associating with our families and other veterans.

ARTICLE VII - WEARING OF APPROVED HEAD GEAR

The only head gear permitted to be worn at formal American Legion meetings is the service cap.

ARTICLE VIII - DETERMINE ELECTED OFFICERS

Section 1. The elected officers of the State ALR will be the President, Vice President, Secretary, Treasurer, and Road Captain. The Chaplain, Sergeant-at-Arms, Historian, Membership Chairperson, or any other American Legion DEC approved position, may be added either by appointment, or election, at the discretion of the State ALR/Chapter.

Section 2. Between State ALR meetings, the administrative power of the State ALR shall be vested in the State ALR Executive Committee.

Section 3. Between Chapter meetings, the administrative power of the Chapter shall be vested in the Chapter Executive Committees.

ARTICLE IX - FINANCES

Section 1. The revenue of the State ALR/Chapter shall be derived from such membership fees, or dues, and from such other sources as may be approved by The American Legion DEC.

Section 2. The amount of such membership, or initiation fees, and the amount of such annual fees shall be fixed and determined by the State ALR/Chapter.

Section 3. The Chapter must provide a monthly financial report to the sponsoring Post Executive Committee.

ARTICLE X - EXPULSION OR SUSPENSION

Section 1. Any member may be expelled, or suspended, from the ALR for non-payment of dues to their sponsoring American Legion group.

Section 2. Any member of the ALR may be expelled, or suspended for cause after an appropriate hearing and by the majority vote of the general membership, at a regular chapter meeting. (i.e. - for behavior unbecoming a Legionnaire).

Section 3. The initial start of the appeal process will begin at the Chapter/Post level, followed by the Region, with the final stopping point being with the State ALR/Department Executive Committees.

Section 4. All new ALR members will be under an initial 90 day probation period.

ARTICLE XI - AMENDEMENTS

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 this Constitution and By-Laws to the extent of such conflict.

By-Laws

ARTICLE I - NAME

Section 1. The program existing under these by-laws is to be known as The American Legion Riders, Department of Pennsylvania, Post Name and Post Number.

Section 2. The name and nature of this program is set forth in the constitution.

ARTICLE II - STATE ALR EXECUTIVE OFFICERS/DIRECTORS

Section 1. The officers of the State ALR shall be as follows:

- a. 1 State ALR President
- b. 1 State ALR Vice President
- c. 1 State ALR Secretary
- d. 1 State ALR Treasurer
- e. 1 State ALR Road Captain
- f. 1 State ALR Chaplain
- g. 1 State ALR Sgt-at-Arms
- h. 1 State ALR Historian

and any other Department approved position, may be added either by appointment, or election. The President and Vice President shall not succeed themselves. Each officer shall be at least 18 years of age and shall hold their office for a term of one year. The election of officers will be held annually prior to the Department Convention. The individual candidate receiving the largest number of votes for a particular office shall be declared elected.

Section 2.

- a. The State ALR President and the State ALR Vice President shall be elected at the Department Convention on the first day of the convention prior to the opening ceremony by the majority vote of the delegates at the Department Convention. He/she shall serve for one year or until their successor is elected and they shall not be eligible to succeed themselves.
- b. In the event of a vacancy in the office of State ALR President, the State ALR Vice President shall fill said vacancy for the balance of the term. Any subsequent vacancy shall be filled by The American Legion DEC.

Section 3. One individual will be elected in each region as Regional Director. Each of the Regional Directors shall be elected for a term of two years, and shall not be eligible to succeed themselves. Regional Directors to be elected in the even numbered Regions shall be elected in the even numbered years. Regional Directors to be elected in the odd numbered Regions shall be elected in the odd numbered years.

Section 4. Any officer may be removed upon vote of the State ALR Executive Committee when they judge that the best interests of The American Legion will be served.

Section 5. The ALR, Department of Pennsylvania shall be divided into seven (7) geographical regions; the area of each may be adjusted from time to time by The American Legion DEC.

Section 6. Any member may attend all State ALR Executive Committee meetings, but only the State ALR Executive Committee and the Regional Directors has a voice and a vote.

Section 7. The State ALR Executive Committee shall be made up of the elected officers and the Regional Directors.

Section 8. A majority of the State ALR Executive Committee constitute a quorum for the transaction of business at meetings.

Section 9. All State ALR Officers and Directors that were elected by the members must be approved by The American Legion DEC prior to taking office.

ARTICLE III - DUTIES OF THE STATE OFFICERS/DIRECTORS

Section 1. Duties of State President. It shall be the duty of the State President to preside at all meetings, have general supervision over the organization. The President shall make an annual report covering the business of the State ALR for the year, make recommendations for the ensuing year, which shall be read at the annual State Convention, and a copy thereof immediately forwarded to Department. The President shall perform such other duties as directed by The American Legion DEC.

Section 2. Duties of State Vice President. The State Vice President shall assume and discharge the duties of the office of President in his/her absence, or disability of, or when called upon by the State President.

Section 3. Duties of State Secretary. The State Secretary shall have charge of and keep a full and accurate record of proceedings of all meetings, keep such records as Department organizations may require.

Section 4. Duties of the State Treasurer. The State Treasurer shall have charge of all finances and shall report to The American Legion DEC the condition of the finances of the State ALR, with such recommendations as they may deem expedient, or necessary, to carry on the financial activities of the State ALR.

Section 5. Duties of State Road Captain. The State Road Captain shall plan all tours, runs, activities, and events; lead the state in formation riding and parades; arouse interest in activities; encourage all rules of safe motorcycle operation and group riding. Additionally, the Road Captain may select assistants to aid in special tasks prior to the ride and may chair appropriate activities committee as directed by the State President or ALR Executive Committee. If there is not a Sergeant-at-Arms (appointed or elected) in the State, the Road Captain will keep order at all meetings.

Section 6. Duties of the State Sergeant-at-Arms. The Sergeant-at-Arms shall maintain order at meetings and gatherings and assist the Road Captain in encouraging all rules of safe riding during sponsored events; and perform such other duties and/or chair such committees as may be assigned by the State President, or ALR Executive Committee.

Section 7. Duties of State Historian. The State Historian shall be charged with the individual records and incidents of the State and Chapter members, and shall perform other such duties as may properly pertain to the office, or as may be determined by the State President or ALR Executive Committee.

Section 8. Duties of State Chaplain. The State Chaplain shall be charged with the spiritual welfare of the Riders and will offer divine, but nonsectarian, service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by National or Department.

Section 9. Duties of a State Regional Directors. The State Regional Directors will assist new chapters that wish to form. Visit each chapter in the region to ensure compliance to the State ALR mandated By-Laws. Ensure that all state information is given to the chapters in their region. Report on the region at all State ALR Executive Committee meetings.

ARTICLE IV - STATE ALR MEETINGS

Section 1. State ALR Executive Committee meetings will be held at all The American Legion DEC meetings, State Convention or any other time or place set by Department, the ALR Committee, or by the State President.

Section 2. State ALR meetings, conventions, regional gatherings, and other activities, will have business voted on by delegates, and in the delegates absence alternates, which will be elected by the Chapters.

Section 3. A letter from each chapter must be mailed to Department five (5) days prior to the event, stating who the elected delegates and alternates are. Chapters that don't send letters, or if elected

delegates and alternates do not sign in, even if other members from the Chapter are in attendance, that Chapter will not have a vote.

Section 4. Notice of meeting(s), or events, will be sent to the Chapters by Department, State Officers, or Regional Directors in advance of the meetings, or events.

ARTICLE V - REGIONAL DIRECTORS

Section 1. There shall be one Regional Director for each of the Regions in the State.

Section 2. Regional Directors shall be elected as provided in Article II, Section 3 of these By-Laws and by one of the following methods:

- a. At the Department Convention by the delegates from the respective Region, in which event the Rules for the Department Convention shall govern, or,
- b. At a caucus of the State ALR Convention delegates, to be held not earlier than 30 days prior to the Department Convention, at a time and place as designated by the Regional Director. The Regional Directors shall notify each Chapter president within his Region of the place, time, and purpose of such caucus, and at least ten days prior thereto. Such notice will be given by first class mail. In turn, each Chapter president shall notify the delegates and alternates to the Department Convention of the place, time and purpose of the Regional Caucus. A majority of the votes of the accredited delegates present and voting shall be necessary to elect a Regional Director.
- c. Or, by the duly qualified delegates and/or alternates, assigned by each Chapter to the Regional organization, at a Regional meeting to be held as set forth in Subsection (b) supra. A majority vote of the accredited delegates and/or authorized alternates in the Regional organization, present and voting shall elect a Regional Director.

Section 3. State ALR Constitution and By-Laws shall determine the method of election to be used in the respective regions.

Section 4. In the event that a Regional Director fails to function or does not perform the duties prescribed for him to the satisfaction of his State ALR President and The American Legion DEC, or fails to attend two successive DEC meetings without giving reasons for his absence there from, the State ALR President, with the consent of The American Legion DEC, may declare the office vacant.

Section 5. In the event of a vacancy in the office of Regional Director, the State ALR President, or his duly appointed representative, shall call a meeting composed of one representative from each Chapter in the Region, such representative to be appointed by the Chapter President. These representatives shall elect a member of the Region, who shall serve the unexpired term of said office. For the purpose of said special election to fill the vacancy, each representative shall cast the same number of votes to which his Chapter was entitled in the last regular Department Convention.

Section 6. Each Regional Director may appoint as many Assistant Directors as needed according to the size of the region. All appointments must be approved by the State ALR Executive Officers.

ARTICLE VI - CHAPTER EXECUTIVE COMMITTEE

Section 1. The officers of the Chapter shall be the President, Vice President, Secretary, Treasurer, and Road Captain. The Chaplain, Sergeant-at-Arms, Historian, Membership Chairperson and any other American Legion DEC approved position, may be added either by appointment, or election, at the discretion of the Chapter.

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.

Section 3. Officers of the Chapter shall be nominated annually in May, elected in June and take office at the first meeting following the PA State Convention. 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.

Section 4. All vacancies existing in any office of the Chapter, for any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Chapter Executive Committee and a person so appointed shall hold office for the unexpired term of the officer, whose position was vacated.

Section 5. A vacancy shall exist when an officer, is absent from the Chapter due to resignation, loss of qualifications, incapacity from injury, or illness, or for a continuous period of 3 unexcused absences.

Section 6. The Chapter Executive Committee shall meet for organizational or other such business as may come before it, at the call of the Chapter President within 30 days after the installation of the new officers. Thereafter the Chapter Executive Committee shall meet monthly or as often as the Chapter President may deem necessary. Three (3) or more members of the committee shall constitute a quorum.

Section 7. The Chapter Executive Committee, based on a majority vote, shall authorize and approve all expenditures; shall provide adequate bonds for all persons having custody of chapter funds; shall hear the reports of chapter committee chairs; shall have charge of, and be responsible for, the management of the affairs of the chapter.

ARTICLE VII - MEETINGS

Section 1. The regular meeting of the Chapter shall be held at _____ on _____ at which may be transacted such business which is properly brought up for action.

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

Section 3. Upon the written request of _____ members, the Chapter Executive Committee shall call a special meeting of the Chapter.

Section 4. _____ members shall constitute a quorum.

ARTICLE VIII - DUTIES OF OFFICERS

Section 1. *Duties of Chapter 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. The President shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Chapter for the year; make recommendations for the ensuing year, which shall be read at the annual meeting, and a copy thereof immediately forwarded to the standing committee, or State ALR Officers. The President shall perform such other duties as directed by the Chapter Executive Committee. The President, or his/her representative, shall make a monthly report at The American Legion Post meeting.

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

Section 3. *Duties of Chapter Secretary.* The Chapter Secretary shall have charge of, and keep a full and accurate record of, proceedings of all meetings, keep such records as the Post and Department organizations may require; render reports of the newly elected officers and membership, annually in August, and handle all correspondence of the Chapter.

Section 4. *Duties of the Chapter Treasurer.* The Chapter Treasurer shall have charge of all finances and see that they are safely deposited in a local bank and shall report once a month to the Chapter Executive Committee the condition of the finances of the Chapter, with such recommendations as he/she may deem expedient, or necessary, to carry on the financial activities of the Chapter. 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. One other member of the Chapter Executive Committee, in addition to the Treasurer, is required for the expenditure of funds. The Treasurer will prepare the Chapter's financial report for the sponsoring Post Executive Committee.

Section 5. *Duties of Chapter Road Captain.* The Chapter Road Captain shall plan all tours and runs, lead the chapter in formation riding and parades; arouse interest in activities; and encourage 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, or committees, as directed by the Chapter President, or Chapter Executive Committee. If there is not a Sergeant-at-Arms appointed, or elected, in the Chapter, the Road Captain will keep order at all meeting.

Section 6. *Duties of the Chapter Sergeant-at-Arms.* The Chapter Sergeant-at-Arms shall maintain order at meetings and gatherings and assist the Road Captain in encouraging all rules of safe riding during sponsored events, shall perform such other duties and/or chair such committees as may be assigned by the Chapter President, or Chapter Executive Committee.

Section 7. *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, or as may be determined by the Chapter, or Chapter Executive Committee.

Section 8. *Duties of Chapter Chaplain.* The Chapter Chaplain shall be charged with the spiritual welfare of the Chapter and will offer divine, but nonsectarian, service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by National or Department.

Section 9. *Duties of the Chapter Membership Chairperson.* The Chapter Membership Chairperson is responsible for accurate records of all Officers, and members of the Chapter. Information such as; first and last name, address, state, zip code, telephone number, the 9 digit ID number (from the members Legion, Legion Auxiliary or Sons membership card) Home post number, and email address. A report of the Officers and membership shall be sent to Department of PA, by July 1st each year.

ARTICLE IX - CHAPTER DELEGATES

Section 1. Chapter Delegates and alternates to a State ALR, convention, regional gathering, or other activity, shall be elected by ballot at a regular meeting of the Chapter, which will be held prior to the date of such event.

Section 2. Each Chapter will be entitled to 1 delegate per 25 members, and/or part of 25, of their total membership.

Section 3. Alternate(s) will vote only if the delegate(s) cannot attend the State ALR meeting, convention, regional gathering, or other activity.

ARTICLE X - APPOINTMENTS

Section 1. The Chapter President, immediately upon taking office each year, shall appoint committees, or commissions, for the furtherance of State ALR/Chapter programs.

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

Section 3. The Chapter President shall be EX-OFFICIO member of all committees he/she appoints and upon leaving office; all committees appointed by him/her shall be dissolved.

ARTICLE XI - RESOLUTIONS

All resolutions to change these by-laws must be written in The American Legion format and forwarded to the ALR Program Committee for consideration.

ARTICLE XII - NOTICES

Section 1. Every member shall furnish the Chapter Secretary a valid email and mailing address, and telephone number, only if a Chapter Membership Chairperson has not been appointed, or elected.

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

ARTICLE XIII - RULES OF ORDER

All proceedings of this Chapter shall be conducted under and pursuant to Roberts' Rules of Order (Newly Revised).

ARTICLE XIV - LIMITATIONS OF LIABILITIES

This Chapter shall not incur, or cause to be incurred, any liability or obligation whatsoever, which shall subject liability to any Chapter, member(s) of The American Legion, Post, Department, or any other individual, corporation, or organization.

ARTICLE XV - AMENDMENTS

The only items that maybe changed, or amended, by a vote of two-thirds of the members of this Chapter attending a regular Chapter meeting are: the time of the meeting, date of the meeting, dues and how many constitute a quorum.

Corrected 5/11/10