

CONSTITUTION and BY-LAWS



of

The American Legion
Department of Florida
LEGION RIDERS



*Adopted by the Department Finance Committee on behalf of the Department Executive Committee on
February 10, 2012*

When used in this Constitution and By Laws, the words "he, him and men" represent both the masculine and feminine genders. The term "ALR" represents "The American Legion Rider members" of a sponsoring American Legion Post. The word "Rider" may be used in lieu of American Legion Riders or ALR. For example; "Riders 75" = American Legion Riders Post 75, Crestview.

PREAMBLE
The American Legion

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 foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our association in the Great Wars; to include 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 guard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotions to mutual helpfulness.

PURPOSE

The American Legion Riders is formed to promote the aims and purpose 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.

AUTHORITY OR ORGANIZE

American Legion Riders is recognized by the National organization as a program of The American Legion through National Executive committee Resolution 35 in 2007 and Amended in 2011 by Resolution 32.

ARTICLE I - Name

The American Legion Riders Department of Florida

ARTICLE II - Nature

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

Section 2. The American Legion Riders (ALR) uphold the declared principles of The American Legion as well as conforms to and abides by the regulations and decisions of the Department.

Section 3. The ALR maintains and protects the image of The American Legion at all times through appropriate wearing of The American Legion Emblem.

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 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 ones community, state and nation through the sport of motorcycling.

Section 6. Members of the ALR shall comply at all times with the motor vehicle safety, licensing, insurance laws and regulations of the state of Florida.

ARTICLE III - Organization

Section 1. The American Legion Riders will be organized at The American Legion Post. Each ALR Chapter exists at the discretion of the sponsoring American Legion Post. Posts desiring to charter an ALR unit will submit an application for a Legion Rider Charter to the Department Legion Riders Chairman who will submit a notice of sponsorship and the application to the Department Commander and Department Adjutant for final approval.

Section 2. The minimum number of paid current American Legion, American Legion Auxiliary and SAL members is five (5) whose membership dues must be paid current at all times in accordance with their respective Department or Detachment Constitution and By Laws. These are the elected officers of the Chapter (see ARTICLE VI). Approved Charter Applicants will receive a "Legion Rider Charter" from the Department. Issued charters will be signed by the Department Commander, Department Adjutant and the Department ALR Chairman.

Section 3. The suspension or revocation of ALR Charters rests with the Department Executive Committee (DEC) of The American Legion. Said decisions of the DEC are final.

Section 4. Each ALR Chapter is required to participate in a Legion Riders State function, either by participation of the Chapter members or monetary donation, each year.

Section 5. Each ALR Chapter shall make reports to their membership at least once per month, concerning the status of all financial activities of the Chapter. Such report shall include, but is not limited to: total income, cost of sales, expenses, accounts receivable, accounts payable, inventory, a profit and loss statement and any other information necessary to provide the membership with sufficient information to make decisions concerning these activities. This report will be provided to the sponsoring American Legion Post Executive Committee on a monthly basis.

Section 6. If a Post chooses to revoke a sponsored American Legion Riders Charter, the membership of the Post must be notified of the request and vote upon the decision at the next regularly scheduled meeting. The majority of those voting carry the decision. The decision of the post to revoke their sponsored American Legion Riders Charter will be forwarded to the Department Legion Riders Chairman who will submit a notice to the Department Commander and Department Adjutant for review. The letter will include the reason for revoking the Charter, alternatives explored and the results of the vote to include meeting minutes. Final action for the revocation of a Legion Rider Chapter rests with the Department Executive Committee or Department Finance Committee, when the Department Executive Committee is not in session. All decisions of the Department are final.

Section 7. Upon revocation of an ALR Chapter's Charter, the hosting Post Commander will send notice to all current Chapter Members to confirm the Charter has been revoked and that all American Legion Riders patches, pins, shirts and other items identifying the Chapter shall not be worn or displayed. The Post Commander shall ensure a full accounting of all debts, expenses, and return of all monies remaining to the Post, which shall be included in the Post monthly finance report. The dissolved American Legion Riders Charter shall be returned to the Department ALR Chairman.

ARTICLE IV - Membership Eligibility

Section 1. Eligibility for basic membership in The American Legion Riders shall be prescribed by the respective Department and Detachment Constitution and By Laws 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 of an American Legion Rider Chapter will not at any time hold membership in more than one ALR Chapter, American Legion Post, American Legion Auxiliary Unit or Sons of The American Legion Squadron.

Section 4. Chartering of a ALR is based upon total sponsorship and legal liability of one American Legion Post and/or associated Auxiliary and SAL.

Section 5. All members of a chapter must sign the Department of Florida Waiver and Release from Liability Form, for Chapter membership to be valid (see attached).

Section 6. Accepting membership in a Chapter subjects the member to be governed by the Constitution and By Laws of the Chapter, Post and Department.

ARTICLE V - Wearing of American Legion Emblem (Patches and Legion Caps)

Section 1. Only The American Legion Riders shoulder and back patch, as copyrighted and sold by The American Legion's Emblem Sales division or Nationally approved vender, is authorized for wear by all current members of the ALR.

Section 2. Department standards for patches and rockers are on file with Emblem Sales. Shoulder and back patches will be as follows: Shoulder patch (4"x5.5"); back patch (8.5"x12"). Both will have two bottom lines. The first being the Post location (Example: Fruitland Park) and the second will be 'FLORIDA CHAPTER' and the Post number (Example: FLORIDA CHAPTER 219). Gold stitching on the rim of the patch indicates Charter Members and gold stars on either side of the word "AMERICAN" indicate a life member. Rockers will be in gold letters and placed below the respective size patch, small and larger accordingly. The words on the Rocker can only be: Legionnaire, Auxiliary, Squadron, or Veteran. Rockers are optional.

Section 3. Legion Riders belonging to an officially chartered Legion Rider Chapter are permitted to wear the Legion Rider vest to Department Convention, Fall Conference, District Meetings and Conferences.

ARTICLE VI - Officers

Section 1. Elected ALR Officers will be:

- 1) ALR Director
- 2) ALR Assistant Director
- 3) ALR Historian
- 4) ALR Treasurer
- 5) ALR Sergeant-at-Arms

ALR officers appointed at the discretion of the members will be:

- 6) ALR Chaplain
- 7) ALR Road Captain
- 8) ALR Secretary
- 9) ALR Membership Chairman

Each is to be elected annually by the paid current members of the ALR. See ARTICLE II, Section 3 and 4 of the By Laws for election procedures.

Section 2. Between ALR meetings, the administrative power of the Chapter shall be vested in the ALR Executive Committee whose voting members shall consist of all elected officers for the current year and the Immediate Past ALR Director. All other Past ALR Directors shall be members of the ALR Executive Committee with voice, but no vote. The current ALR Director will cast one vote for his Chapter on ALR related issues during the ALR Committee meetings to be held at Department meeting. The ALR Director or designated representative must be on the floor.

ARTICLE VII - Finance

Section 1. The revenue of the ALR shall be derived from such membership fees or dues and from such other sources as may be approved by the ALR Executive Committee and approved by the respective American Legion Post Executive Committee. ALR dues are not required at the Department level.

Section 2. The amount of such ALR membership or initiation fees and the amount of such annual dues shall be fixed and determined by the ALR Executive Committee and approved by the sponsoring American Legion Post Executive Committee.

Section 3. The ALR Director or ALR Treasurer will provide a monthly financial report to the sponsoring American Legion Post Executive Committee

Section 4. The ALR Chapter is a program of the Post and, as such, all funds received and/or dispersed by the ALR Chapter must fall within the guidelines of IRS law. (See publication 557 of the IRS)

ARTICLE VIII - Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution and the Department Constitution of The American Legion. Any amendment to the National or Department Constitution of The American Legion that is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution and By Laws to the extent of such conflict.

Section 2. This Constitution may be amended at the annual American Legion Department Executive Meetings (DEC). The American Legion Department Executive Committee's regular Called meeting is conducted during The American Legion Fall Conference and Department Convention. Amendment approval or disapproval requires a vote of two-thirds of the Department Executive Committee.

Section 3. The proposed amendment shall be submitted in writing, and have approval signatures of the respective sponsoring American Legion Post Commander, the ALR Director and the Department ALR Chairman. All proposed amendments shall be submitted through the Department Adjutant to the Department Constitution and By Laws Committee at least forty (40) days prior to the annual Department Fall Conference or Department Convention. The recommendation of the Department Constitution and By Laws Committee will be made to the Department Executive Committee for final approval or denial.

Section 4. Further, that traditional mail or electronic mail notice shall have been sent to all ALR members' address of record at least thirty (30) days prior, in advance of the date which such amendment is to be reviewed by the Department Constitution and By Laws Committee. The dissemination of this notice is the responsibility of the Department ALR Chairman.

Section 5. Proposed Amendments will be reviewed and voted upon at the next regularly scheduled meetings of the ALR at Fall Conference or Department convention. The ALR Department Chairman will provide the results of the vote for consideration at the next regularly scheduled Department Executive Committee.

Section 6. Upon approval of constitutional amendments it will be the responsibility of the ALR Department Chairman to disseminate the amendment to all ALR Chapter Directors of record in the Department of Florida within thirty (30) days of the DEC approval.

BY-LAWS - FLORIDA LEGION RIDERS

ARTICLE 1 - Name

Section 1. The ALR existing under these By Laws is to be known as The American Legion Riders Department of Florida.

Section 2. The name and nature of The American Legion Riders are as set forth in this Constitution.

ARTICE II - Management

Section 1. Elected ALR Officers will be:

- 1) ALR Director
- 2) ALR Assistant Director
- 3) ALR Historian
- 4) ALR Treasurer
- 5) ALR Sergeant-at-Arms

ALR officers appointed at the discretion of the members will be:

- 6) ALR Chaplain
- 7) ALR Road Captain
- 8) ALR Secretary
- 9) ALR Membership Chairman

Section 2. Between ALR meetings, the administrative power shall be vested in the ALR Executive Committee, which shall consist of all elective officers of the respective ALR and the Immediate Past ALR Director.

Section 3. Officers of the ALR shall be elected annually, during the same time period as the Post elections (Department Constitution Article X, section 13); not more than ninety (90) days, nor less than ten (10) days prior to the Annual Department Convention. Certification to be made on forms furnished or prescribed by the Department ALR Chairman. All elections of ALR officers will be by personal vote in attendance at a scheduled ALR meeting. Nominations and seconds can be received from the floor and voted on after discussion. The nominee/candidate receiving the highest number of votes from paid current ALR members shall be elected the respective office or offices for which he/she is a candidate. Elected officers shall all take office at the Post installation of officers.

Section 4. All vacancies existing in any office of the ALR from any cause other than the expiration of the term shall be filled by a majority vote of the members of the ALR Executive 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.

Section 5. A vacancy shall exist when a member or officer from the ALR is absent due to resignation, loss of qualifications, incapacity from injury or illness, or for continuous period of three (3) monthly unexcused absences, considered detrimental to the interest of the ALR by the remaining members of the ALR Executive Committee.

Section 6. All Past ALR Directors shall be members of the ALR Executive Committee with voice, but without voting privileges. However, the Immediate Past ALR Director is a voting member of the ALR Executive Committee.

ARTICLE III - Meetings

Section 1. The regular meetings of the ALR shall be held monthly. Meetings shall transact such business as may be properly brought up for action; such meetings may be afterward converted into entertainment meetings, as may be deemed agreeable with the sponsoring Post Executive Committee and by the officers of the ALR. At no time shall local, state or federal civil laws be violated, nor the ARTICLES of the National and Department American Legion Constitution and By Laws.

Section 2. The ALR Director or a majority of the ALR Executive Committee shall have power to Call a special meeting of the ALR members at any time, provided the meeting is coordinated with the Commander of the sponsoring American Legion Post. Names of the majority members voting to approve the special meeting of the ALR members will be recorded and maintained in the ALR minutes.

Section 3. The American Legion Riders shall have an ALR Committee meeting at both the Department Fall Conference and Department Convention. Said meeting shall be coordinated by the Department Chairman of The American Legion Riders. At said meeting, for purposes of voting, each chapter in good standing will cast one official vote per chapter by an identified representative who is on the floor. All American Legion Riders are encouraged to attend said meeting and the subsequent Fall Conference and Department Convention.

Section 4. The Department Chairman American Legion Riders shall make a report to the attendees at The American Legion Fall Conference and Department Convention.

Section 5. All members of The American Legion Riders are encouraged to attend the annual National Convention of The American Legion as a delegate or guest of their respective parent organization (Legion, Auxiliary or SAL).

ARTICLE IV - ALR Executive Committee

Section 1. The ALR Executive Committee should meet for organizational or such other business as may come before it at the Call of the ALR Director within 10 (ten) days after installation of the new officers. Thereafter, regular monthly meetings shall take place, time and location as coordinated with the ALR Director.

Section 2. The ALR 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 ALR funds; shall hear the reports of ALR Committee Chairs; shall have charge of and be responsible for the management of the affair of the respective ALR.

Section 3. The ALR Executive Committee shall provide the sponsoring American Legion Post Commander with a copy of the minutes of the ALR Executive Meetings.

ARTICLE V - Duties of the ALR Officers

Section 1. Duties of ALR Director - It shall be the duty of the ALR Director to preside at all meetings of the ALR and to have general supervision over the business and affairs of the ALR. For the purpose of reporting, the Director shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the ALR for the year and recommendations for the ensuing year. Subject report shall be provided to the sponsoring Post Executive Committee in writing by the required date each year. The Director shall perform

other duties as directed by legally constituted authority. The Director will coordinate all American Legion Rider activity with the sponsoring American Legion Post Commander.

Section 2. Duties of the Assistant ALR Director - The Assistant ALR Director shall assume and discharge the duties of the office of the ALR Director in the absence or disability of, or when called upon by the ALR Director.

Section 3. Duties of the ALR Secretary - The Secretary shall have charge of and keep full and correct records/minutes 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 Director handle all correspondence of the ALR. The Secretary shall collect from every member a valid email, postal address and phone number. This information is to be retained on file by the Secretary and **used only for official ALR correspondence.**

Section 4. Duties of the ALR Treasurer - The Treasurer shall have charge of all finances and see that they are safely deposited in some local bank or banks approved by the Post Executive Committee. The Treasurer shall report once a month to the ALR Executive Committee and the hosting post the condition of the finances of the chapter, the financial conditions of the respective ALR, with recommendations as he/she may deem expedient or necessary to carry on the financial activities of the ALR. The Treasurer, and at least one member of the chapter executive committee and one officer of the hosting post, shall be the primary signers for all checks disbursing the monies of the ALR and shall be provided such surety bonds in such amounts as shall be fixed by the ALR Executive Committee and obtained by the ALR. The Treasurer shall prepare the ALR's monthly financial report for the sponsoring American Legion Post Executive Committee.

Section 5. Duties of the ALR Historian - The ALR Historian shall be charged with the historical records and incidents of the ALR and ALR members and shall perform such other duties as may properly pertain to the office as may be determined by the ALR Executive Committee.

Section 6. Duties of the ALR Chaplain - The ALR Chaplain shall be charged with the spiritual welfare of the ALR 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 sponsoring American Legion Post or the Department Commander or Department Adjutant from time to time.

Section 7. Duties of the ALR Road Captain - The Road Captain shall plan all tours, runs, activities and events; lead the ALR 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 activity committees as directed by the ALR Director or ALR Executive Committee. The Road Captain will insure all operators of motorcycles are properly licensed and are endorsed in accordance with Florida State Law and have active motorcycle insurance and a signed Release from Liability form prior to any organized tour, run or motorcycle activity.

Section 8. Duties of ALR 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; perform such other duties or chair such committees as may be, from time to time, assigned by the ALR Director or ALR Executive Committee.

ARTICLE VI - Delegates

Section 1. Delegates and Alternates to a Department American Legion Riders meeting, Department Convention, shall be elected by majority vote of ALR members attending the preceding meeting of the ALR members. Each sanctioned chapter will be allowed one (1) vote and must be present on the floor.

ARTICLE VII - Appointments

Section 1. The ALR Director, immediately upon taking office each year may appoint Standing committees or commissions for the furtherance of American Legion programs.

Section 2. Such standing committees shall consist of such persons, and the Chair thereof, as designated by the ALR Director.

ARTICLE VIII - Resolutions

Section 1. All resolutions of local, state or national scope presented to the ALR by a member of the ALR or reported to the ALR by a committee shall merely embody the opinion of the ALR on the subject and copy of same shall be forwarded to The American Legion Post Executive Committee for consideration.

ARTICLE IX - Rules of Order

Section 1. All proceedings of the ALR shall be conducted under and pursuant to Roberts' Rules of Order (Newly Revised), except as herein otherwise provided.

ARTICLE X - Limitation of Liabilities

Section 1. The American Legion Riders shall incur, or cause to be incurred, no liability nor obligation whatsoever which shall subject to liability any other ALR, subdivision, members of the American Legion, Post, Department or other individuals, corporations or organizations.

Section 2. American Legion Riders, operating a motorcycle will maintain individual motorcycle insurance in accordance with the laws of the State of Florida. Failure to do so will result in expulsion from the respective ALR.

Section 3. Organized rides and trips will be insured accordingly. It will be the responsibility of the Road Captain or the ALR Director to secure group event, trip, or ride insurance prior to the start of the activity.

ARTICLE XI - Amendments

Section 1. This By Law is adopted subject to the provisions of the National Constitution and By Laws and the Department Constitution and By Laws of The American Legion. Any amendment to the National or Department constitution and By Laws of The American Legion that is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution and By Laws to the extent of such conflict.

Sections 2. This By Law may be amended at the annual American Legion Department Executive Meeting. The American Legion Department Executive Committee's regular Called meeting is conducted during the Fall Conference or Department Convention. Amendment approval or disapproval requires a vote of two-thirds of the Department Executive Committee.

Section 3. The proposed amendment to the By Laws shall be submitted in writing and have approval signatures of the sponsoring American Legion Post Commander, the ALR Director and the Department ALR Chairman. All proposed amendments shall be submitted through the Department Adjutant to the Department Constitution and By Laws Committee at least forty (40) days prior to the annual Fall Conference or Department Convention. The recommendation of the Department Constitution and By Laws Committee will be made to the Department Executive Committee for final approval or denial.

Section 4. Further, that traditional mail or electronic mail notice shall have been sent to ALR Chapter Directors of record at least thirty (30) days in advance of the date which such amendments is to be reviewed by the Department Constitution and By Laws Committee. Dissemination of this notice is the responsibility of the appointed ALR Department Chairman.

Section 5. Proposed Amendments will be reviewed and voted upon at the next regularly scheduled meetings of the ALR at Fall Conference or Department Convention. The ALR Department Chairman will provide the results of the vote for consideration at the next regularly scheduled Department Executive Committee.

Section 6. Upon approval of By Law amendments it will be the responsibility of the ALR Department Chairman to disseminate the amendment change to all ALR Chapter Directors of record in the Department of Florida within thirty (30) days of DEC approval.

The name American Legion Riders, The American Legion, American Legion Auxiliary, Son's of The American Legion and their associated logos are registered trademarks and protected by Federal Laws.