



American Legion Riders of Missouri

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; 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; and to foster and perpetuate a one hundred percent Americanism.

I. NAME

The name of this organization shall be the American Legion Riders of Missouri, hereinafter referred to as the “Riders”.

II. NATURE

1. The Riders is a civilian organization. Membership therein does not affect, nor increase liability for military or police service.
2. The Riders shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person or group seeking public office or preferment.
3. The Riders shall be absolutely non-sectarian.
4. Each member shall perform his/her full duty as a citizen according to his/her own conscience and understanding, in accord with the law.

III. ORGANIZATION

1. The Riders are organized as a subordinate body, as a program of and under the sponsorship and jurisdiction of The Department of Missouri, The American Legion.

2. The Riders shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, and by the Department of Missouri Executive Committee.

3. The Riders are accountable to The American Legion Riders Committee, appointed by The American Legion, Department of Missouri. Known hereafter as the Committee.

4. The Riders shall hold regularly scheduled conferences and conventions at the same time and place as The American Legion, Department of Missouri conferences and conventions.

5. Any action taken at Riders meetings shall be subject to review and approval of the Committee.

6. All activities within the Riders, Districts or Chapters shall be approved by their respective governing body.

IV. RIDERS OFFICERS

1. Election of Officers shall be as provided in the By-Laws. The elected officers shall be a Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms/Run Coordinator, Chaplain and Judge Advocate.

2. Any officer may be removed from office for cause by a two-thirds (2/3) majority of the members attending and voting at a joint meeting of Committee and the Riders elected officers. The vacancy would then be filled by the ALR Executive Committee, subject to the approval of The American Legion, Department of Missouri Executive Committee.

V. RIDERS EXECUTIVE COMMITTEE

1. The administrative authority of the Riders shall be vested in a Riders Executive Committee. The voting members of this Committee shall consist of the Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms/Run Coordinator, Ride Captain, Chaplain and Judge Advocate. Hereafter referred to as "The Committee".

2. The Committee shall hold meetings at the same time and place as the

Department Executive Committee to consider any business that may come before it. The Committee shall hold other meetings at the request of the Director and/or three members of the Committee.

3. The Committee without meeting physically may conduct business by telephone, email, mail, or other suitable method of communication on matters of urgency not involving new policy that cannot be delayed until the next regular meeting of said Committee.

4. Any actions taken by the Committee may be subject to review and approval by the Department Legion Riders Committee, contingent upon the Riders preferences.

VI. ELIGIBILITY

1. There are two requirements for regular membership in the American Legion Riders of Missouri;

a. Be a member in good standing of the American Legion, the American Legion Auxiliary or the Sons of the American Legion, **AND**

b. Be the legally registered owner of a street legal motorcycle or motortricycle as stated in paragraph 6 a or b, possess a driver's license with motorcycle endorsement in the state of legal residence and maintain proof of insurance coverage for all motorcycle medical, property damage and liability insurance required by local and state laws. Due to some activities there may be requirements of minimum sizes of motorcycles for participation; **OR** be the spouse of a current Riders member; **OR** be the minor child of a Riders member.

c. Chapters may allow for continued membership for those members who have given up motorcycle ownership because of age, illness, injury, or other reasons outside the member's control.

2. Chapters, after careful consideration, may have special class members who do not meet requirement 1[b]. Special class members shall not be required to pay dues, nor be able to vote.

3. There shall be no "waiting" or "probationary" period to ascertain eligibility.

4. A member in any Chapter of The American Legion Riders within the geographical state of Missouri is a member of the Riders.

5. "Honorary" members are not authorized.

6. In accordance with Missouri Statute Section 301.010, the following definitions apply :

a. **"Motorcycle"** is defined as a motor vehicle operated on two wheels;

b. **"Motortricycle"** is defined as a motor vehicle upon which the operator straddles or sits astride that is designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the definition of all-terrain vehicle;

c. **"Autocycle"** is defined as a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards. *Autocycles do not meet the eligibility requirement for the Riders of Missouri.*

VII. CHAPTERS

1. Chapters of the Riders shall be organized under the jurisdiction of the local Posts of The American Legion. Each Chapter exists through sponsorship of the individual post of The American Legion and is subject to such rules, regulations and supervision as shall be created by the sponsoring post not in conflict with rules and regulations established by the Department of Missouri.

2. All the Chapters of the Riders, shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, and by such further rules and regulations as may be prescribed by the Department Executive Committee of The American Legion, Department of Missouri.

3. Application to form a Chapter of the American Legion Riders shall be by a Post Commander of The American Legion in the area in which the Chapter will exist. Upon the Post Commander's approval, the application shall be forwarded to the Riders then Department for final approval and issuance of charter.

4. The minimum number of members for forming a Chapter of the Riders shall be five (5).

5. The minimum required officers for a Chapter shall be Director, Assistant Director, and Secretary. Other officers may be elected/appointed at the discretion of the Chapter membership. Officer titles shall reflect that of the Riders of Missouri, and National guidelines.

6. There shall be only one (1) Chapter per Post.

7. Chapters will be assigned the same number as their sponsoring Post (i.e. Chapter 5 / Post 5)

8. Each Chapter shall elect officers at a regular meeting not less than thirty (30) days prior to the Riders Annual Meeting at the Department Convention and report these officers to the Riders Secretary at least twenty (20) days prior to the Annual meeting. Installation of said officers shall be held within sixty (60) days of the Annual Meeting.

9. Each Chapter shall be the judge of its own membership.

10. The amount of annual Chapter dues shall be determined by the Chapter and the sponsoring American Legion Post. These dues, which will include any appropriate per capita for District, the Riders or National, shall be collected by the Chapters. The Chapter shall be responsible for forwarding the appropriate per capita to the Programs Secretary.

VIII. CHAPTER OPERATIONAL REQUIREMENTS

1. In order for a chartered chapter to remain viable the following requirements must be met:

- a. Chapter must maintain the 5 member threshold.
- b. Chapter must submit an officer roster following annual elections, even if no changes in Chapter officers result.
- c. Chapter must submit the designated per-capita dues to the Department Programs Secretary at the designated time each year.
- d. Chapter Director or designated representative must attend at least one of the three annual Riders meetings (Fall/Spring Conference or Department Convention).
- e. Chapter must submit an annual Consolidated Chapter Report (CCR) detailing the Chapter activities for the Legion Year.

2. Failure to comply with these requirements will result in Chapter being placed on probation.

IX. CHAPTER PROBATION

1. Any Chapter that fails to meet its operational requirements may be placed on probation by a two-thirds (2/3) vote of the Committee.

2. Chapter will be given 45 days' notice in writing of the actions needed to avoid being placed on probation.
3. Chapter Director or Post Commander should communicate any extenuating circumstances preventing compliance to the Department ALR Director immediately upon probation warning.
4. The Department ALR Director will initiate probation review by the Committee at the end of the 45 day warning period.
5. The final decision to place a Chapter on probation will be communicated in writing to the Chapter Director, Post Commander, District ALR Director, and the District Commander. Once placed on probation a Chapter will have 180 days to correct the noted discrepancies.
6. If after 180 days the Chapter is still not in compliance then a recommendation to revoke the Chapter Charter will be forwarded to the Committee for review.

X. CHAPTER REVOCATION

1. Department ALR Director will initiate a review for charter revocation of ALR Chapters on probation that fail to correct pending issues within the 180 day probationary period.
2. This review will be conducted by the Committee.
3. Any decision to revoke a Chapter Charter will require a two-thirds (2/3) vote of the Committee.
4. The Chapter Director; Sponsoring Post Commander; and / or any Chapter member in good standing will be permitted to address the Committee during the deliberation process.
5. If a decision is made to revoke a Chapter Charter that decision will be communicated in writing to the, Chapter Director, Post Commander, District ALR Director, District Commander, Programs Secretary.
6. The Department ALR Director will also brief the DEC on any revocation actions.

XI. CHAPTER REINSTATEMENT

1. A Chapter that has had its charter revoked may apply for reinstatement once all operational requirements have been met and the sponsoring Post has approved its reinstatement.
2. The Department ALR Director will forward all requests for reinstatement to the Committee for review and deliberation.
3. The Committee will have 60 days to review and approve/disapprove any application for reinstatement.
4. A two-thirds vote of the Committee will be required to reinstate a revoked Chapter.
5. The final decision on an application for reinstatement will be communicated in writing to the Chapter Director, Post Commander, District ALR Director, District Commander, Programs Secretary.
6. The Department ALR Director will brief the DEC of any reinstatement actions.

XII. DISTRICTS

1. Intermediate organizations, between the Riders and Chapters, may be formed to be known as Riders Districts.
2. Application for formation of a Riders District will be in letter format and given to the American Legion District Commander for consideration and approval and forwarding to the Department Adjutant.
3. Each Riders District of the American Legion Riders will carry the same numeric designation and area boundaries as The American Legion District in which it is located.
4. The purpose of the Riders District is to act as a liaison between the Chapters and the Riders and to promote the overall programs in their area through common efforts.
5. Riders Districts may elect officers from and among their members. Titles, duties and terms of office shall generally conform to those of the Chapter organizations.

XIII. CHAPTER AND DISTRICT CONSTITUTION AND BY-LAWS

Each Chapter and Riders District shall adopt a Constitution and By-Laws. In the formation of such, there shall be no conflict with any provision of this document. In forming the Constitution and Bylaws, it is strongly encouraged that there be a well thought out "Discipline" paragraph.

XIV. UNIFORM

1. The uniform for the American Legion Riders of Missouri shall be a black vest and the appropriate American Legion Family Cap, American Legion Riders Cap, or the American Legion Riders Beret. The American Legion Riders Back Patch, configured as put forth by the Founding members, shall be the dominate feature of the back of the vest upon which it is worn.

2. Only items favorable to the American Legion Riders, the American Legion, the American Legion Auxiliary, Sons of the American Legion or regalia of the appropriate military forces may be worn on the vest. Chapters may approve other items that are of local interest to be worn on the vest. The American Flag, when worn should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

3. Motorcycle operators who have attained 26 years of age, have motorcycle/medical insurance, and have the appropriate endorsement on their driver license, have the choice to operate with or without a helmet, with the following stipulations:

- a. If you are under 26, you must wear a helmet.
- b. If you ride with a passenger under 26, they must wear a helmet.
- c. If you are any age, and operating on an instruction permit, you must wear a helmet.
- d. DOT compliant helmets be worn at any organized ride originating from a Department Conference or Convention, and the Missouri Legacy Ride by motorcycle operators and passengers alike.
- e. For Chapter and Post sanctioned motorcycle events and organized group rides protective headgear will be prescribed by the sponsoring Post leadership in accordance with paragraph VII 1 and 2.

XV. FINANCES

1. The revenue of the Riders shall be derived from annual membership dues and from other sources as may be approved by the Committee.

2. The amount of such annual dues shall be fixed by the Riders, and shall become due and payable on October 20 of each year for the succeeding calendar year, and be considered delinquent by December 31. The Riders membership year will be aligned with the American Legion.

3. The annual dues collected by the Riders shall be kept in an appropriate account maintained by The American Legion, Department of Missouri. The American Legion, Department of Missouri, shall distribute the funds of the Riders upon the direction of the Riders Advisor within the scope of an approved budget.

4. A member whose dues, for the current year, have not been paid by January first shall be classed as delinquent. If his/her dues are paid on, or before, February first, he/she shall be automatically reinstated. If he/she is still delinquent after February first, he/she shall be suspended from all privileges. If he/she is still under suspension on June thirtieth of such year, his/her membership in the American Legion Riders shall be forfeited. A member so suspended or whose membership has been forfeited, may be reinstated to active membership in good standing by payment of dues for the year in which reinstatement occurs, at the discretion of the Chapter membership.

XVI. DISCIPLINE

The Committee may suspend or revoke the charter of any Chapter of the American Legion Riders in the Department of Missouri which violates its Constitution and By-Laws, or take such other disciplinary measures as may be for the benefit of the Chapter, District, or the organization as a whole. Any action taken is subject to review and agreement of the Committee.

XVII. AMENDMENTS

1. This Constitution is adopted, subject to the provisions of the Constitution and By-Laws of the American Legion, Department of Missouri of which the Riders is a subordinate program. Any amendment to the Department Constitution and By-Laws, which is in conflict with any provision hereof, shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

2. This Constitution may be amended at the Annual Convention by a vote of two-thirds (2/3) of the delegates attending, provided the proposed amendment(s) have been submitted to the Riders in writing sixty (60) days prior to the opening of such Annual Meeting and provided to all Chapters/Districts for their review a minimum of forty-five (45) days prior to the Annual Meeting.

3. Approved amendments shall subsequently be submitted without delay to the Committee for consideration and modification and/or approval and thence to the Department of Missouri Executive Committee for final approval prior to any implementing action on the part of the Riders.

BY-LAWS

I. MEETINGS

1. The procedure at all Chapter, District and Rider meetings shall be governed by Roberts Rules of Order (Revised).

2. A quorum shall be considered present for a Riders meeting when three elected Officers and three members of different Chapters in attendance, total representation equaling at least four Chapters for any business that may come before the conferences or conventions.

II. ELECTIONS OF OFFICERS

1. Only Chapters which have submitted an Officers Roster shall be eligible to vote. Chapters whose Officers Roster have not been received by the Director will be ineligible to vote or submit a nomination for Committee office to the floor.

2. Elections for offices shall be held during the Annual Convention and shall be accomplished by vote of the delegates.

3. Each Chapter shall be entitled delegates on the following basis:

a. One (1) delegate for each Charter issued.

b. One (1) delegate for each Chapter Director or Secretary in attendance at the convention. No proxies are permitted.

c. Past Rider Directors shall be entitled to one (1) vote provided they are present at the convention. Their vote will be included with their chapters.

4. Installation of officers shall follow the First Session of the Annual Convention, and shall be done according to ritual.

5. All officers shall hold their office from the installation at the Annual Convention until a successor is installed at the next Annual Convention the following year.

III. OFFICERS DUTIES AND RESPONSIBILITIES

1. Director: The Director shall be the Executive Head of the Riders, and will have full authority to enforce the provisions of the Constitution and By- Laws and the policies and mandates of the National Executive Committee of The American Legion, and the Department Executive Committee. In fulfillment of his/her role as Director,

he/she shall also be responsible for promoting of the American Legion Riders programs with Chapters and assisting in the formulation of new Chapters by enlisting the aid of the Assistant Director. The Director will also serve as the liaison to the Department Executive Committee.

2. Assistant Director: The Assistant Director shall be responsible for membership. He/She shall directly represent the Director on all matters referred to him/her and shall, upon request, preside over meetings. He/She shall act as the Director in his/her absence and be the administrative coordinator with the Department of Missouri Staff.

4. Secretary: The Secretary shall be charged with the administrative duties required in carrying out the policies and mandates of the American Legion Riders.

5. Treasurer: The Treasurer shall be direct custodian of the fund books. He/She shall assist in the preparation of a budget for the ensuing year, subject to the approval of the Committee.

6. Sergeant-at-Arms/Run Coordinator: The Sergeant-at-Arms/Run Coordinator shall be charged with the responsibility of preserving order at all meetings and he/she shall be given custody of the colors between such meetings. He/She shall be the logistics person in charge of organized runs, and serve as mentor for Chapter Run Coordinators.

7. Chaplain: The Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be prescribed by The American Legion. He/She shall organize and conduct the memorial service at the Annual Meeting.

8. Judge Advocate: The Judge Advocate shall provide advice in conduct of all official meetings of the Riders. He/She shall be the guardian of the Constitution and By Laws.

9. Ride Captain: The Ride Captain shall be responsible for coordination and execution of the Annual Missouri Legacy Ride. The Ride Captain may appoint Assistant Ride Captains and other support personnel as needed to support the success of the ride.

IV. AMENDMENTS

1. These By Laws are adopted, subject to the provisions of the Constitution and By-Laws of the American Legion, Department of Missouri. Any amendment to the Department Constitution and By-Laws, which is in conflict with any provision hereof, shall be regarded as automatically repealed or modifying the provisions of these By Laws to the extent of such conflict.

2. These By Laws may be amended at the Annual Convention by a vote of two-

thirds (2/3) of the delegates attending, provided the proposed amendment(s) have been submitted to the Riders in writing sixty (60) days prior to the opening of such Annual Meeting and provided to all Chapters/Districts for their review a minimum of forty-five (45) days prior to the Annual Meeting.

3. Approved amendments shall subsequently be submitted without delay to the ALR Executive Committee for consideration and modification and/or approval and thence to the Department of Missouri Executive Committee for final approval prior to any implementing action on the part of the Riders.