

CONSTITUTION
and
BY-LAWS
of
The American Legion
Department of Tennessee



“LEGION RIDERS”



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(corrected copy)

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When used in this Constitution and By-Laws, the words “he, him and men” represent both the masculine and feminine genders. The term “Post 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 95 = American Legion Riders Post 95, East Ridge”)

CONSTITUTION – LEGION RIDERS

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 devotion to mutual helpfulness.

PURPOSE

The American Legion Riders is formed to promote the aims and purposed 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 TO ORGANIZE

Resolution No. 35: American Legion Riders as a National Program, passed by the National Executive Committee of The American Legion, Indianapolis, Indiana October 17-18, 2007.

ARTICLE I – Name

The American Legion Riders of Tennessee, Post No._____, City/Town_____ (as appropriate).

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 (SAL), collectively “The Legion Family,” who share an interest in motorcycling.

Section 2. The American Legion Riders (ALR) upholds the declared principles of The American Legion as well as conforms to and abides by the regulations and decisions of the Department, Post, or other duly constituted governing body.

Section 3. The ALR maintains and protects the image of The American Legion at all times through appropriate wearing of The American Legion Emblem. The emblem of The American Legion demands “that the wearer shall ever guard the sanctity of home and country and free institutions.”

Section 4. 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 one's community, state and nation through the sport of motorcycling.

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

ARTICLE III – Organization

The American Legion Riders will be organized at The American Legion Post. Each Post ALR 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 Adjutant. Minimum number of paid current American Legion, American Legion Auxiliary and SAL members is five (5), of which three (3) must be eligible paid current Legionnaires. Legion, Auxiliary and SAL membership dues must be paid current at all times in accordance with edits of their respective Department or Detachment Constitution and By-Laws. Approved Charter Applicants will receive a "Post Legion Rider Charter" from the Department. Issued charters will be signed by the Department Commander. The cancelling of ALR Charters rest with the Department Executive Committee (DEC) of The American Legion. Said decisions of the DEC are final.

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 a Post American Legion Rider will not at any time hold membership in more than one American Legion Post, American Legion Auxiliary Unit, or Sons of The American Legion Squadron.

Section 4. Members of a Post ALR cannot be a member of one American Legion Post, American Legion Auxiliary Unit, or Sons of Then American Legion Squadron and at the same time be a member of a different Post, Unit, or Squadron. Chartering of a Post ALR is based upon total sponsorship and legal liability of one American Legion Post with associated Auxiliary and SAL.

Section 5. In addition to sections 1-4 above, members must be the legally registered owner of a motorcycle, or the spouse of the legally registered owner within the State of Tennessee.

Section 6. All motorcycle operators must be properly licensed and insured per Tennessee State laws.

Section 7. All members will obey the motor vehicle laws in any state in which they are operating a motorcycle or riding as a passenger.

ARTICLE V- Wear of American Legion Emblem (Patches, Legion Caps and Rider Berets)

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

Section 2. No other back patch, shoulder patch or rocker is authorized.

Section 3. Department standers for patches and rockers are on file with Emblem Sales.

Shoulder and back patches will be as follows: Shoulder patch 3 line (4"x5.5"); Back patch 3 line (8.5"x12"). Top line of patch will be TENNESSEE and the bottom two lines will be the Post number (Example Post # 2) and the third line would be the Post location (Example, Knoxville). Rockers will be in white letters and placed above the respective size patch, small and larger accordingly. The words on the Rocker can only be EAST TENNESSEE, WEST TENNESSEE, OR MIDDLE TENNESSEE. Rockers are optional.

Section 4. Use of rockers or patches **physically attached** to The American Legion Riders patches are not authorized due to trademark laws.

Section 5. Legion Riders belonging to an officially Charter Post Legion Rider, are permitted to wear the Legion Rider **vest** to Department Mid-Winter Conferences, Department Conventions, District Meetings/Conventions Post Meetings and Rider Meetings, provided the patches are in accordance with this Constitution and By-Laws. Legion Riders shall not wear the Legion Rider **Beret** to Department Mid-Winter Conference or Department Convention. The only cap authorized for such events is the official American Legion, American Legion Auxiliary, or SAL cap. Legion Rider **Berets** may be worn with the **vest** to District Meetings/Conventions, Post meetings and Rider meetings. The **Rider Director** at Post and Department level may wear the "**Rider Director**" Patch on the right side of their Legion cap, and on the left front breast of the Rider Vest. Rider Director Patches are optional.

ARTICLE VI - Elected Officers

Section 1. Elected ALR Post Officers will be:

- 1) ALR Post Director.
- 2) ALR Assistant Post Director.
- 3) ALR Post Secretary.
- 4) ALR Post Treasurer.
- 5) ALR Post Sergeant-at-Arms.
- 6) ALR Post Road Captain.
- 7) ALR Post Historian.
- 8) ALR Post Membership Chairman, and
- 9) Immediate Past Legion Rider Director (**not elected**)

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

Section 2. Between Post ALR meetings, the administrative power of the Chapter shall be vested in the Post ALR Executive Committee, who's voting members shall consist of all elective officers for the current year and the Immediate Past ALR Post Director. All other Past Post ALR Directors shall be members of the Post ALR Executive Committee with voice, but no vote.

ARTICLE VII – FINANCE

Section 1. The revenue of the Post ALR shall be derived from such membership fees or dues and from such other sources as may be approved by the Post 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 Post ALR Executive Committee and approved by the sponsoring American Legion Post Executive Committee.

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

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 Mid-Winter Conference. 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 Post ALR Director and the Department ALR Director. All proposed amendments shall be submitted through the Department Adjutant to the Department Constitution and By-Laws Committee at least thirty (40) days prior to the annual Department Mid-Winter Conference. 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 Director.

BY-LAWS - LEGION RIDERS

ARTICLE I - Name

Section 1. The Post ALR existing under these By-Laws is to be known as The American Legion Riders of Tennessee, Post No._____, City/Town_____ (as appropriate).

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

ARTICLE II – Management

Section 1. The elected officers of the Post ALR shall be:

- 1) ALR Post Director.
- 2) ALR Post Assistant Director.
- 3) ALR Post Secretary.
- 4) ALR Post Treasurer.
- 5) ALR Post Sergeant-at-Arms.
- 6) ALR Post Road Captain.
- 7) ALR Post Historian.
- 8) ALR Post Membership Chairman, and
- 9) Immediate Past Legion Rider Director (**not elected**).

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

Section 3. Officers of the Post ALR shall be elected annually, on the same date as the sponsoring American Legion Post's annual election of Post officers, or on a date as designated by the sponsoring American Legion Post Executive Committee. Elected officers shall take office at the Post ALR meeting next following that of the election. All elections of ALR Post officers will be by personal vote in attendance at a schedule Post 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 is a candidate.

Section 4. All vacancies existing in any office of the Post ALR from any cause other than the expiration of the term, shall be filled by a majority vote of the members of the ALR Post 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 Post ALR is absent due to resignation, loss of qualifications, incapacity from injury or illness, or for a continuous period of three (3) monthly unexcused absences, considered detrimental to the interest of the Post ALR by the remaining members of the ALR Post Executive Committee.

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

ARTICLE III – Meetings

Section 1. The regular meetings of the Post ALR shall be held with the regular monthly schedule meeting of the sponsoring American Legion Post. 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 Post 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 Post ALR Director, or a majority of the ALR Post Executive Committee shall have power to Call a special meeting of the Post 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 Post ALR minutes.

Section 3. The American Legion Riders shall have an ALR Committee meeting at both the Department Mid-Winter Conference and Department Convention. Said meeting to be coordinated by the Department Director of The American Legion Riders. All American Legion Riders are encouraged to attend said meeting and the subsequent Mid-Winter Conference and Department Convention.

Section 4. The Department Director American Legion Riders shall make a report to the attendees at The American Legion Mid-Winter 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 Post Executive Committee

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

Section 2. The Post ALR Director shall Call a meeting of the ALR Post Executive Committee upon the joint written request of three (3) or more members of the ALR Post Executive Committee, and fifty-one (51) percent members of the committee shall constitute a quorum thereof. Such special Called meetings must be coordinate with the sponsoring Post Commander.

Section 3. The ALR Post Executive Committee shall have an odd number to prevent tie votes. The Immediate Past ALR Post Director is considered a voting member of the ALR Post executive

Committee.

Section 4. The ALR Post 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 Post funds; shall hear the reports of ALR Post committee chairs; shall have charge of and be responsible for the management of the affair of the respective Post ALR.

Section 5. The ALR Post Executive Committee shall provide the sponsoring American Legion Post Commander with a copy of the minutes of the Post ALR executive Meetings.

ARTICLE V – Duties of ALR Post Officers

Section 1. Duties of ALR Post 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 Post ALR and such officer shall be the chief executive officer of the Post ALR. The Director shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post ALR for the year, and recommendations for the ensuing year. Subject report shall be provided the sponsoring Post Executive Committee in writing prior to end of the fiscal 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 Assistant ALR Post Director. The Assistant ALR Post Director shall assume and discharge the duties of the office of the Post ALR Director in the absence or disability of, or when called upon by the Post ALR Director.

Section 3. Duties of the Post ALR Secretary. The Secretary shall have charge of and keep a full and correct record/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.

Section 4. Duties of the Post ALR Treasurer. The Treasurer shall have charge of all finances and see that they are safely deposited in some local bank or banks. The Treasurer shall report once a month to the ALR Post Executive Committee the financial conditions of the respective ALR, with recommendations as he may deem expedient or necessary to carry on the financial activities of the Post ALR. The Treasurer shall be the primary signer for all checks disbursing the monies of the Post ALR, and shall be provided such **surety bonds** in such amounts as shall be fixed by the ALR Post Executive Committee and obtained by the Post ALR. One or more other members of the Post ALR, in addition to that of the Treasurer, be required to sign checks for expenditure of funds. The Treasurer shall prepare the Post ALR's monthly financial report for the sponsoring American Legion Post Executive Committee.

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

Section 6. Duties of the Post ALR Chaplain. The ALR Chaplain shall be charged with the spiritual welfare of the Post 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 Post ALR Road Captain. The Road Captain shall plan all tours, runs, activities, and events; lead the Post 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 activities committee as directed by the Post ALR Director, or ALR Post Executive Committee. The road Captain will insure all operators of motorcycles are properly licensed in accordance with Tennessee State Law and have active motorcycle insurance prior to any organized tour, run or motorcycle activity.

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

ARTICLE VI – Delegates

Delegates and Alternate to a Department American Legion Riders meeting, Mid-Winter Conference, or Department Convention shall be elected by majority vote of Post ALR members attending the preceding meeting of the ALR Post members.

ARTICLE VII – Appointments

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

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

ARTICLE VIII – Resolutions

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

Section 2. All resolutions of a state or national scope must be submitted to the Department Adjutant by the host sponsoring American Legion Post at least twenty (20) days prior to being reviewed by the Department Resolution Committee and must be signed by the Post Commander and Post Adjutant. The Department Resolution committee will review all submitted resolutions at either the Mid-Winter Conference and make a recommendation to the DEC, or at the Department Convention and make a recommendation to the Legion Delegates attending the Department Convention.

ARTICLE IX – NOTICES

Section 1. Every member shall furnish the Post ALR Secretary with a valid email, postal address and phone number.

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

ARTICLE X – Rules of Order

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

ARTICLE XI – Limitation of Liabilities

Section 1. The Post American Legion Riders shall not incur, or cause to be incurred, no liability nor obligation whatever, which shall subject to liability any other Post 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 Tennessee. Failure to do so will result in expulsion from the respective Post ALR.

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

ARTICLE XII – 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.

Section 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 Mid-Winter Conference. 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 Post ALR Director and the Department ALR Director. 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 Mid-Winter Conference. 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 members' addresses 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 Director.

Section 5. Upon approval of By-Law amendments, it will be the responsibility of the ALR Department Director to disseminate the amendment/change to all ALR members in the Department of Tennessee within thirty (30) days of DEC approval.