

***DEPARTMENT OF TENNESSEE AMERICAN LEGION
RIDERS' DEPARTMENT CONSTITUTION AND
BYLAWS***



CONSTITUTION

and BYLAWS

of

The American Legion Department of Tennessee

"LEGION RIDERS"

Adopted January 23, 2010 – Amended June 18, 2023

When used in this Constitution and Bylaws, 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")

PREAMBLE

For God and Country, we associate ourselves 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 all 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

CONSTITUTION – LEGION RIDERS

PURPOSE

The American Legion Riders (ALR) 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 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; and subsequent Resolution No. 32 amending Resolution 35, passed by the National Executive Committee, Indianapolis, Indiana May 4-5, 2011.

ARTICLE I– Name

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

ARTICLE II – OBJECTIVES

Section 1. Promote motorcycle safety while providing a social atmosphere for members of The American Legion family who share common interests in serving veterans, their communities and motorcycling.

Section 2. Promote, support, and participate in the programs and ceremonies of the American Legion including calling for a full accounting of all Prisoners of War and those Missing in Action; and honoring our nation's fallen soldiers, sailors, airmen, *guardians*, and Marines, and to support their families.

Section 3. Promote membership recruiting and be the standard bearer for The American Legion's Legacy fund supporting children of U.S. military members who died while on active duty on or after September 11, 2001, as well as children of post-9/11 veterans having been assigned a combined disability rating of 50 percent or greater by the Department of Veterans Affairs also qualify.

Section 4. As ambassadors of The American Legion Family, Riders will always represent the organization in a manner in keeping with the Preamble of the Constitution of The American Legion.

ARTICLE III – ORGANIZATION

Any Post of The American Legion Department of Tennessee may establish a local Tennessee American Legion Riders organization by application for same to the Department (State) Adjutant payment of all approved fees and verification of members' eligibility.

Section 1. Application for establishment must be completed by duly elected officers of the Post and contain the names of all members.

Section 2. Approved Post Riders organization will be subject to all applicable provisions of the Department of American Legion Department of Tennessee American Legion Riders Constitution and Bylaws.

Section 3. A Post Riders organization in violation of The American Legion Department of Tennessee American Legion Riders Constitution and Bylaws Constitution will be suspended, and all members will be denied voice and vote in Department meeting.

Section 4. There will be no official organization of Tennessee American Legion Riders in the Department of Tennessee other than those approved by the Department Executive Committee. The Post Riders organization may from time-to-time cooperate, coordinate, or come together to conduct joint activities under the auspices of their American Legion Riders Department of Tennessee, if the event is properly insured by the host riders' post.

Section 5. Must have a minimum of five (5) members from the same Post, Unit, and/or Squadron to start a Post Riders chapter. Of these five (5) members, three (3) must be eligible paid current Legionnaires.

Section 6. Posts of the American Legion are not required to maintain Constitution and Bylaws for the program of the American Legion; therefore, The American Legion Department of Tennessee "Legion Riders Constitution and Bylaws" shall be the sole governing document for Post Riders in the Department of Tennessee.

ARTICLE IV – Membership

There shall be two classes of membership: Regular and Special.

Section 1. (a) Regular Membership shall be open to any verified current member of The American Legion sponsoring post, American Legion Auxiliary unit, and The Sons of the American Legion squadron. Must be the registered owner of a street legal motorcycle, a valid motorcycle endorsement or motorcycle learner permit and motorcycle insurance equivalent or exceeds Tennessee's minimum requirement bodily injury liability for one person injured in an accident: and Tennessee's maximum for all accident injuries, and for property damage. Currently all states adjacent to Tennessee have the same or exceed Tennessee's minimums, except for Missouri and Kentucky. Riders registered in Kentucky and Missouri will need to increase their minimum insurance to meet Tennessee insurance standard to become member of the Tennessee American Legion Rider.

(b) Spouses, significant others (significant other is defined as a partner which resides at the same permanent residency of the rider) or dependents who meet the criteria described in Section 1 above may also be members.

Section 2. Special Membership shall be open to current regular members only who have relinquished ownership or ridership of a qualifying motorcycle because of disability, injury, or a death. Qualifying death shall be that of a spouse or significant other who was the sole or joint owner of the qualifying motorcycle. Qualifying injury or disability shall be a limitation which prevents proper operation of a motorcycle.

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 American Legion Rider chapter.

Section 2. No other ALR back patch or shoulder patch is authorized.

Section 3 (a) The American Flag shall be worn as a shoulder patch on the uppermost front Left shoulder of the rider's vest. No other patches or pins are allowed to be higher than the American Flag on the front of the vest. Shoulder patch and back patches will be as follows: Shoulder patch will be either the Legion Riders Mini Patch; the 1-Line Legion Riders Shoulder Patch stating either Tennessee, TN Post Number, or Tennessee Post Number; or the 3-Line Legion Riders Shoulder Patch following the stated guidelines for the back patch. Either shoulder patch is optional as long as the entire chapter is consistent and uniform to each member. All other ALR (shoulder patch, name plate, current and past ALR Officers, POW/MIA) should be placed and worn at the discretion of the Post American Legion Riders Chapter.

(b) The American Legion Riders Back patch is to be worn centered on the back of the vest. Back patch 3 line (8.5"x12"). The 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 either gold or white letters and placed above the respective size patch, small or large accordingly. The words on the rocker can only be EAST TENNESSEE, WEST TENNESSEE, OR MIDDLE TENNESSEE, and the entire chapter will be consistent and uniform to each other. A bottom rocker stating "Charter Member" is optional for those members meeting charter criteria and will have the same color letters as the top rocker. 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 Chartered 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 Bylaws. 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 Post ALR Officers will be:

- a. Post ALR Director
- b. Post AL Secretary/Treasurer
- c. Post ALR Road Captain
- d. Optional Elected Post positions at the discretion of each individual post:
- e. Post Assistant ALR Director
- f. Post Sergeant at Arms/Road Captain
- g. ALR Post Historian
- h. ALR Post Membership Chairman, and
- i. Immediate Past Legion Rider Director {not elected}

Each is to be elected annually by the paid current members of the Post ALR. See ARTICLE II, Sections 3 and 4 of the Bylaws 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 is voting members shall consist of all elected officers for the current year and the Immediate Past Post ALR 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. Members are required to pay per capita dues annually as approved by the Department Executive Committee. Membership year coincides with the American Legion, Auxiliary, and SAL; 1 Jan - 31 December annually.

Section 2. The amount of such ALR membership, or initiation fees and the amount of such annual dues, beyond the per capita rate set by the Department Executive Committee, 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.

Section 4. That the Department Adjutant will issue a membership card for each member listed on a submitted roster and the membership card issued by the Department will be the only

authorized membership card and the cost of each membership card is \$3.00. The funds derived from the membership cards will be divided into two parts. One dollar (\$1) will be retained at the Department level for expenses associated with the cards and two dollars (\$2) will be donated to the National Legacy Scholarship Fund, and activities associated with raising funds for the National Legacy Fund.

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 conflicts with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution and Bylaws 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, or 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 Post ALR Director and the Department ALR Director. All proposed amendments shall be submitted through the Department Adjutant to the Department Constitution and Bylaws Committee at least forty (40) days prior to the annual Department Mid-Winter Conference, or Department Convention. The recommendation of the Department Constitution and Bylaws Committee will be made to the Department Executive Committee for recommended approval, or denial before presentation to the Department Convention.

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 Bylaws Committee. The dissemination of this notice is the responsibility of the Department ALR Director.

BYLAWS - LEGION RIDERS

ARTICLE I - Name

Section 1. The Post ALR existing under these Bylaws 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 may be:

- a. ALR Post Director.
- b. ALR Post Secretary/Treasurer.
- c. ALR Post Road Captain.
- d. Optional Elected Post positions at the discretion of each individual post:
- e. Post Assistant ALR Director
- f. Post Sergeant at Arms/Road Captain
- g. ALR Post Historian
- h. ALR Post Membership Chairman, and
- i. 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 at the November meeting. Elected officers will take office at the January meeting. All elections of ALR Post officers will be by personal vote in attendance at the November 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 to the respective office. The elected ALR Director cannot be both the Director and Secretary/Treasurer

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 or at another date or location approved by the sponsoring American Legion Post Commander. 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 Bylaws.

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. The 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 Post ALR Executive Committee shall meet for organizational, or such other business as may come before it at the Call of the Post ALR 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 of members of the committee shall constitute a quorum thereof. Such special Called meetings must be coordinate with the sponsoring Post Commander.

Section 3. The Post ALR 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 Post 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 Post ALR 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 the Post 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 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. The subject report shall be provided to the sponsoring Post Executive Committee in writing prior to the end of the fiscal year. The Director shall perform other duties as directed by a legally constituted authority. The Director will coordinate all American Legion Rider activity with the sponsoring American Legion Post Commander.

Section 2. Duties of the Post Assistant ALR 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/minute of all proceedings of all meetings, keep such records as the Post and Department organizations may require, render membership reports annually to the Department Adjutant and Department Riders Director or when called upon at a meeting, and under direction of the Director manage all correspondence of the ALR. To collect annual dues and forward per capita dues as determined by the Department Executive Committee to the Department Adjutant.

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 on the financial conditions of the respective ALR, with recommendations as he may deem expedient or necessary to execute 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 with such surety bonds

in such amounts as they 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. Issue a check/money to Department Adjutant to cover per capita dues processed by the Post ALR Secretary.

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 they 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 ensure 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 and the responsibility to secure event insurance.

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 people, 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 Department Executive Committee, 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 their American Legion/Auxiliary/SAL membership number, 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 proceedings 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, or equivalent thereto. 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, trip, ride, or event insurance prior to the start of the activity.

ARTICLE XII – Amendments

Section 1. These Bylaws are adopted, subject to the provisions of the National Constitution and Bylaws and the Department Constitution and Bylaws of The American Legion. Any amendment to the National, or Department Constitution and Bylaws of The American Legion that conflicts with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution and Bylaws to the extent of such conflict.

Section 2. This Bylaw 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. Then proposed amendment to the Bylaws 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 Bylaws Committee at least forty (40) days prior to the annual Mid-Winter Conference. The recommendation of the Department Constitution and Bylaws Committee will be made to the Department Executive Committee for final approval, or denial.

Section 4. Further, that traditional mail or electronic mail notice should have been sent to ALR members' addresses of record at least forty (40) days in advance of the date on which such amendments are to be reviewed by the Department Constitution and Bylaws Committee. Dissemination of this notice is the responsibility of the appointed ALR Department Director.

Section 5. Upon approval of Bylaw 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 Department Convention approval.