



NEW MEXICO AMERICAN LEGION RIDERS (NMALR) MOTORCYCLE ASSOCIATION  
BY-LAWS  
REVISION NUMBER 4; 16 July 2016

PURPOSE: To participate in parades and other ceremonies that is in keeping with the aims and purposes of The American Legion. To promote motorcycle safety education programs and to provide a social atmosphere for The American Legion members with the same motorcycle interests. The American Legion Riders (ALR) will be an asset in promoting and supporting the programs within The American Legion.

I. EXECUTIVE COMMITTEE

- A. Executive Committee will consist of the following:
  - 1) NMALR State elected officers
  - 2) Presidents of all Chapters
  - 3) State Judge Advocate, appointed by the President
  - 4) Past NMALR State Presidents
    - a. Past State Presidents, while in good standing with their respective Chapter, shall have a voice but no vote; they shall count towards establishing a quorum
- B. In the absence of the Chapter President, the Chapter Vice President may sit in the meeting, participate in the discussion and vote for their Chapter. In the absence of both the Chapter President and Chapter Vice President, a Chapter delegate may represent the Chapter and does have a vote.
- C. The purpose of the committee is to address new Chapter applications, grievances, and business pertaining to the NMALR Motorcycle Association.
- D. Duties of the Executive Committee:
  - 1) Monitor and oversee the activities of all NMALR Chapters to ensure their compliance with the NMALR Motorcycle Association State By-Laws.
  - 2) Enforce disciplinary action against any Chapter who fails to comply with these By-Laws.

II. NMALR STATE OFFICERS

- A) NMALR State Officers will consist of the following:
  - 1) President\*
  - 2) Vice President\*
  - 3) Secretary
  - 4) Treasurer
  - 5) Sgt-at-Arms\*
  - 6) Road Captain
  - 7) Judge Advocate (appointed by the State President)
  - 8) Chaplain
  - 9) Historian

**Note:** Positions identified with a (\*) may **NOT** be combined with other positions

**Note:** Each State officer will have only one (1) vote. They cannot cast their Chapter vote.

## B. Duties of NMALR State Officers

**President:** Serves as chief administrative officer; determines the frequency and location of State meetings and presides over these meeting; exercises general supervision over the affairs of the NMALR Motorcycle Association; performs such duties as directed by the Association's general membership; reports annually to the New Mexico American Legion State Convention as to the activities of the NMALR for the past year; and insures that all local Chapters are kept informed in a timely manner as to NMALR business.

**Vice President:** Assumes the duties of the president in his/her absence; assists the president in performance of their duties when called on to do so by the president; and oversees new Chapter and membership recruitment.

**Secretary:** Keeps full and correct records of all proceedings at the State meetings; maintains State records; and informs all Chapters in a timely manner as to NMALR business.

**Treasurer:** Maintains charge of all finances of the NMALR State Motorcycle Association; authorized to disburse funds not to exceed \$50.00 unless approved by a quorum of the State officers; gives detailed financial reports at each regular meeting and furnished copies to the Chapters, if requested; files all required financial documentation to federal, State and local agencies, as required; and prepares the annual State NMALR budget.

**Sgt-at-Arms:** Maintains order and discipline at NMALR State meetings and takes any measures necessary to insure the safety of the Association; verifies attendance of authorized delegates at the State meetings; and assists Chapter in the enforcement of State and Chapter By-Laws.

**Road Captain:** Coordinates and maintains a schedule of all State NMALR rides involving State functions; promotes a motorcycle safety education program; and plans a minimum of one State NMALR ride that will involve as many Chapters as possible.

**Chaplain:** charged with the spiritual welfare of the NMALR and offers divine, but nonsectarian service, in the event of dedications, funerals, public functions, etc.; and adheres to such ceremonial rituals as recommended by the State NMALR officers.

**Historian:** Provides guidance to Chapter historians as needed and performs other duties as may properly pertain to the office and as may be determined by the NMALR president.

**Judge Advocate:** Advises the NMALR Executive committee on issues requiring clarification of proper procedures to follow when conducting NMALR business and elections; reviews and ensures existing/new NMALR State and Chapter Constitutions/By-Laws do not violate NM Department and National Rules.

**All NMALR State Officers:** Recruits new members for the American Legion Riders; assists Posts in the organization of new Chapters, and maintains their membership in good standing within their individual Chapter with the following restrictions:

- a. Will not be counted to establish a quorum, when attending any Association Chapter general membership meeting other than his/her own.
- b. Will not have a vote in their respective Chapter's decision on NMALR State business to avoid a conflict of interest among other Chapters.
- c. May give input and participate in any discussion.
- d. An officer holding more than one voting position still only gets one vote.

## III. ELECTIONS

- A. Beginning June 2005 NMALR State Officer elections will occur every odd year in June during the American Legion State Convention.
- B. A nomination committee of three (3) members shall be established by the NMALR president for the purpose of soliciting members to serve as State officers. The nomination committee shall present a slate of officers to be considered for the biennial election. Members of the committee shall be NMALR State officers or delegates.
- C. Officers will hold their position for two (2) years. At the end of the term, an officer may seek reelection as they see fit. There are no term limits.

- D. Any member who is an officer in another motorcycle association, other than the ALR, or is a member of any motorcycle club or one of their support organizations, cannot be a NMALR State or Chapter officer.
- E. Each NMALR Chapter must be certified in good standing in order to participate in NMALR State elections. Each NMALR Chapter must be in good standing in order to have a voice and vote in any State meeting. Certification requires submission of the following to the NMALR State secretary by May 15 each year:
  - a. current paid up membership roster;
    - Note:** delegate strength will be based upon the most recent roster received by the state; therefore, although only required once per year – it is encouraged that Chapters submit their roster as frequently as changes occur, especially where delegate strength may change.
  - b. list of delegates;
  - c. annual finance report;
  - d. a consolidated Chapter report;
  - e. appropriate assessment fees must also have been paid.
- F. The State president may appoint temporary officers from the NMALR membership as required for special project or circumstances, with their concurrence. They will hold their temporary position for as long as the president determines.
- G. Proxies and absentee ballots are not authorized as The American Legion does not authorize their use.
- H. Upon election of Chapter Officers, Chapters must provide their list of elected officers to their respective Post for acceptance by the Post Executive board.

#### IV. CHAPTER DELEGATES

A delegate is a person chosen or elected to act for or represent the Chapter especially at a convention or meeting in the absence of the elected representatives of President or Vice-President. This is not to be confused with a 'proxy' who only represents 1 person, not an organization.

- A. Each Chapter shall have one (1) delegate per ten (10) members with a maximum of five (5) delegates per Chapter to represent their Chapter at the State level.
  - Note: Chapters with less than ten (10) members shall have one (1) delegate.
- B. Each Chapter will determine how their delegates are appointed.
- C. Delegate names will be verified in writing by their respective Chapter President and presented to the NMALR Secretary and the State Sgt-at-Arms prior to the beginning of the State meeting. Copies of each delegate's current American Legion, Auxiliary, or S.A.L membership card and NMALR Chapter membership card will be provided to the NMALR State Secretary for certification.
- D. Delegates should attend as many State meetings as possible.
- E. Delegates will have full voting authority as derived from their Chapter. One delegate may cast all votes authorized for his/her Chapter.
- F. Delegates shall have a term of one (1) year and must be reappointed or elected by their Chapter each year.
- G. Each Past NMALR State President shall have one additional delegate vote counted towards their Chapter vote but must be present to cast such a vote and is not inclusive of the 5 vote cap. (Example: 1-10 members equal 1 vote; 11-20 members equal 2 votes; 21-30 equal 3 votes; 31-40 equal 4 votes; 41-50 equal 5 votes; for each Past NMALR State President in a Chapter, add 1 vote if that Past State President is present.)

#### V. MEETINGS

- A. State Meetings:
  - 1. State President will determine the frequency and location of State meetings, but meetings shall be held no less than once per quarter.

2. Any NMALR State Officer shall be removed from office if they accumulate three (3) unexcused absences during a calendar year or if they are Suspended/Expelled by their Chapter.
  3. A quorum for State Officer Meetings will consist of four State officers one of which must be the State President or Vice President. The president will only vote on issues to break a tie vote.
  4. A quorum for E-Board and General Membership State meetings is a majority of the Chapters with four State Officers.
  5. There will be no consumption of alcohol, smoking, or wearing of head gear of any kind, to include bandanas and sunglasses on top of head, in the State meeting. The only authorized hats are the nationally authorized hats of The American Legion, Sons of the American Legion, or The American Legion Riders.
- B. Chapter Meetings:
1. Each Chapter's membership will determine the time and place of their general membership meeting.
  2. Monthly general membership meetings should be held, but a Chapter cannot hold meetings less than once every quarter.
- C. State and Chapter Meetings will be conducted in accordance with the current edition of Robert's Rules of Order.

#### VI. NMALR STATE FUNDS

- A. The operating budget of the NMALR Motorcycle Association will be derived primarily from the assessment fees of individual Chapters.
- B. Each Chapter will forward an assessment fee, the amount to be determined by the NMALR Executive Committee at our June Meeting, but not less than \$5.00 per member, not including Associates, to the NMALR State Treasurer for administrative support not later than the first day of November each calendar year.
- C. The assessment fee will be based on the Chapter's paid membership for the current year.
- D. Chapter membership dues will be paid to the Chapter not later than December 31 of the current year for the following year. Members up to 30 days in arrears may pay their dues and be reinstated without penalty. Members 31-60 days in arrears will be considered "not in good standing" and may pay their dues but it will be the Chapters discretion to accept membership renewal without a vote. Members 61 days and more in arrears are "not in good standing" and must be voted on by the Chapter membership and passed with a 2/3 vote as if they were a new member. (All members retain their ALR Chapter membership number assigned.)
- E. At the conclusion of each fiscal year (July 01 to June 30), the NMALR State Treasurer will provide an annual finance report no later than June 30<sup>th</sup> to all Chapters and the American Legion Department of New Mexico Executive Committee at annual Convention.
- F. At the conclusion of each fiscal year (July 01 to June 30) each Chapter Treasurer will provide an annual finance report to the State Treasurer no later than May 15<sup>th</sup>.
- G. Each Chapter will ensure that an Officer (e.g. - finance officer) of the sponsoring Post is included on signature cards for Chapter accounts.

#### VII. MEMBERSHIP REQUIREMENTS

- A. American Legion Rider must:
1. Be a member in good standing with The American Legion, Auxiliary, or the Sons of The American Legion.
  2. Must be at least 18 years of age. (Resolution 35 does not allow for juniors.)
  3. Possess a valid and current motorcycle license endorsement issued by the member's home State.

4. Members must be the legally registered owner(s) of a motorcycle of at least 350cc displacement or be the spouse of the legally registered, licensed, and insured owner and said owner also must be a member in good standing with the NMALR.
  5. New applicants and members must provide proof of a current motorcycle endorsement, registration, insurance when joining or when asked by State or Chapter President, Vice President or Sgt-at-Arms. Spouses who are passengers only and do not drive the motorcycle are not required to have a motorcycle endorsement.
  6. Spouses of Legion Riders in good standing who lose their spouse due to death may remain a Rider.
  7. Spouses of Legion Riders in good standing who decide to divorce, and desire to retain status in their respective Chapter, must at the earliest possible time, re-establish membership within the AL, AUX, or SAL first by their own standing, and then within the Chapter. Upon updated status, they must update the wear of patches should status change from Rider to Associate or vice-versa.
  8. Legion Riders in good standing who wish to transfer from one NMALR Chapter to another must complete a Member Data/Transfer Form with the gaining Chapter President before the transfer is official. Either an electronic or hard copy of the completed form for transfers, new members, and changes to a Chapter's membership will be sent to the NMALR State Vice President in a timely manner. Members that may be a Charter member which transfer to an existing Chapter will retain their Charter designation.
  9. Individual Chapter may, at their discretion, permit non-riding associates
- B. Medical(ly) Retired
- Legion Riders in good standing; who for physical or medical reasons can no longer operate a motorcycle be granted "retired" or "medical" status by a vote of the local Chapter membership. This status only applies to operating of a motorcycle requirement and does not create another class of membership. All other provisions of these By-Laws will apply to members granted this status. The Chapter will communicate to the State secretary in writing, the granting of retired status, the member's information, and the reason for granting this status. DUI/DWI does not constitute medical or retired status.
- C. Associates: Individual Chapters, at their discretion, may permit non-riding Associates.
- Associates:
1. Are not Members of the Association, they are *associated* with the Members.
  2. Are defined as American Legion, Auxiliary, or Sons of the American Legion members who do not ride motorcycles and wish to participate in a support capacity at an ALR function or event.
  3. Do not pay dues for participating, but may provide a suggested donation, if called for by Chapter By-Laws.
  4. May give inputs and participate in any discussion within their respective Chapter.
  5. May not vote or hold office at the Chapter or State level.
  6. Must be 18 years of age or older. (Resolution 35 does not permit for juniors.)
  7. Do not count towards total Chapter membership numbers.

#### VIII. RULES OF CONDUCT

- A. Any new and all existing Chapters must agree in writing to abide by the NMALR State By-Laws if they wish to be a part of the NMALR Motorcycle Association of the Department of New Mexico. Should they not wish to comply with the NMALR State By-Laws they will be required to remove any American Legion Rider emblems and surrender their Charter. This is achieved through signing membership applications.
- B. Each Chapter has responsibility for individual member discipline. If the Chapter is unable to effectively control or discipline any of their members, the Chapter President may call on the State executive committee for advice and assistance.

- C. All members or associates will conduct themselves in a professional manner at all times when attending and/or participating in a State or Chapter Rider meeting/event and will comply with the instructions of the State or Chapters Sgt-At-Arms at all times. If they are unwilling or cannot conduct themselves accordingly, they will be directed to leave the meeting/event and will not be allowed to return to that meeting/event.
- D. If a Chapter intends to expel a Member or Associate the Chapter must send all supporting documentation to the State Officers for review prior to taking action against the individual. The State Officers will review the information and decide the merit of the expulsion. If the State Officers concur with the expulsion, the expelled party will be denied membership/associate status to any other NMALR Chapter. Members who are under suspension from their home Chapter cannot wear their vest or conduct Legion rider business during the time they are suspended.
- E. No Rider shall operate their motorcycle in such a manner that could endanger themselves, another individual or property.
- F. Members or associates will at all times conduct themselves in such a manner that they will not bring discredit upon The American Legion, The American Legion Auxiliary, the sons of The American Legion, or the American Legion Riders.
- G. The constitution and By-Laws of the American Legion National, NM State department and Post supersede and are the governing By-Laws of the NMALR.
- H. Chapters will abide by the Constitution and By-Laws of the American Legion National, NM State Department, and the Post in addition to the By-Laws ratified by the individual NMALR Chapters.
- I. American Legion Riders will abide by the individual post's house rules while visiting a post even if they differ from the member's home post.
- J. The NMALR State Officers have the responsibility to monitor the activities of each Chapter. If in the opinion of the State President a Chapter has not complied with the State By-Laws, he/she will contact the offending Chapter's President and remind him/her of the requirement of the Chapter to comply. If the Chapter continues to ignore or deviate from State By-Laws, he/she will contact the offending Chapter's President and remind him/her of the requirement of the Chapter to comply. If the Chapter continues to ignore or deviate from State By-Laws, the State President and the Sgt-At-Arms will visit the Chapter to further investigate the Chapter's activities. The NMALR State President will give the Chapter President 60 days to become compliant. At the end of the 60 day period, the NMALR State President will send two (2) State officers to see if the Chapter has complied with State By-Laws. The two State officers will prepare and present a written report of their findings to the State president. If the Chapter is found to still be in non-compliance, the NMALR State Executive Committee, by a majority vote, can take any action it deems necessary, up to and including removing the Chapter from the NMALR Association. If there is a case of emergent and/or egregious nature (criminal, negligent, or other conduct detrimental to the appearance of The American Legion, The American Legion Auxiliary, Sons of The American Legion, or The American Legion Riders), the State President will take all appropriate actions necessary to correct the conditions identified regardless of timing.
- K. All Riders, passengers and guests will follow the rules of the road as set forth by appropriate State and federal motor vehicle laws.
- L. NMALR Chapters are sponsored by respective Posts. They are members of their Post, Unit, and Squadron organizations first. As members they will conduct themselves according to their parent organization By-Laws and work with and support their Posts.
- M. No Chapter of its own volition or by its sponsoring Post, has the authority to enter into any formal association or club/council membership with any outside organization that may act on or vote in any manner outside the control of The American Legion.
- N. Posts sponsoring a Chapter may elect to pull sponsorship of its Chapter. The Post must submit in writing to the NMALR State President, meeting minutes of the respective Post Executive Committee/Board that reflects motion, second, discussion and vote results. Chapters that have their sponsorship pulled are effectively disbanded.

O. NMALR Chapters that become:

- a. Suspended: Shall surrender all Chapter property to include records, documents, funds, patches, literature, marketing items such as shirts, cups, etc., to the State NMALR officers or sponsoring Post as agreed for safe-keeping. Shall work with the State NMALR officers and/or Posts, to rectify their respective situation. All members shall be considered, "not in good standing", and therefore will cease wearing American Legion Riders patches, uniform, or designation for the duration of the suspension.
- b. Expelled: Same as above, except that Members should surrender their respective copyrighted ALR patches if they have not transferred or plan to transfer to another Chapter if eligible. Members who surrender the licensed ALR patches may be reimbursed from the Chapter funds that were surrendered. Patches purchased by members may be retained, but not worn. All funds raised to support OWW-NM will revert to the State NMALR accounts; all 'general funds' will revert to the sponsoring Post.

IX. WEARING OF PATCHES

- A. NMALR State and Chapter patches will be worn on a black or brown leather or blue or black denim vest or jacket. No other colors or materials are authorized for the NMALR vest or jacket.
- B. The front of the vest or jacket will consist of the following:
  1. An American flag will be worn on the left side, high on the chest. American Flag patches with VETERAN, PEACE signs or any other thing defacing the flag shall not be worn on an American Legion Rider vest.
  2. A New Mexico State flag will be placed immediately below the American Flag.
  3. The four (4) inch American Legion Riders Association patch will be placed beneath The New Mexico State flag.
  4. No more than four (4) pins, patches, or combination thereof reflecting the member's branch of service or properly authorized campaign ribbon can be placed in the area between the four (4) inch American Legion Riders Association patch and the NM State flag. Pins must be of military, American Legion affiliated, religious, or personal significance.
  5. A POW/MIA patch will be worn on the right side, high on the chest.
  6. Beneath the POW/MIA patch the appropriate two (2) inch American Legion, Auxiliary, or Sons of American Legion emblem will be worn.
  7. Road names and officer titles will be worn between the POW/MIA patch and The American Legion, Auxiliary, or Sons of The American Legion emblem, with the officer title above the road name. **State officer badges** are gold in color while **Chapter officer's patches** are gold lettering on black background. All road name patches will have gold colored lettering. No other pins or badges are worn in this area.
  8. The lower half of the left or right front of the vest or jackets is free for individual patches and pins.
  9. Absolutely nothing will be worn above the American Legion or POW/MIA patch, i.e. on the top of the shoulders of the vest or jacket.
- C. A two (2) piece patch has been adopted by the NMALR Association for wear on the back of the vest or jacket. Nothing is to be worn above these patches.
- D. The back of the vest or jacket will consist of the following:
  1. The American Legion Riders Association patch centered on the back.
  2. The center of the vest or jacket all the way to the bottom, beneath the then (10) inch American Legion Riders Association patch will be void of all patches and pins.
  3. A top rocker with "Legion Riders" or Legion Riders with "Charter Member" beneath, as applicable based on member's membership status, will be centered above the Association patch.
  4. A 2x2-inch patch with "NM" above the appropriate Chapter number will be centered on and to the right side of the Association patch.

5. A 2x2-inch patch with the member's appropriate sponsoring Post number will be centered on and to the left of the Association patch.
  6. The area above the horizontal line between the Post and Chapter patches up to and including the top seam of the shoulder and collar will be void of any pins and patches except as described herein.
  7. The bottom left and right rear sides are designated for military service or military-related, unit, POW/MIA, or 'memorial' patches.
  8. The top rocker and both side patches will have a black background with yellow block style lettering.
- E. An Associate's vest/jacket will be the same as a Rider member's vest/jacket. The back top rocker will be worn and specify "Associate" under "Legion Riders".
- F. No support pins or patches for motorcycle clubs or their support organizations shall be worn on the American Legion Riders vest, jacket, chaps or any other apparel while wearing The American Legion or The American Legion Riders emblems.



- G. (Note: "Los Alamos" Chapter and Post designations above are examples only. Appropriate designations will be used by each respective Chapter. "New Mexico" in the center back patch is part of the copyright patch.)

## X. MOTORCYCLES

- A. Motorcycles must be at least 350cc in size.
- B. In the event a member no longer owns a motorcycle of at least 350cc, the member will have until the next membership renewal date to obtain another motorcycle of at least 350cc. If at any time the member has not obtained an applicable motorcycle by the renewal date, he/she must remove their member patch. Once he/she obtains another motorcycle, they can resume their member status and again wear the member patch as long as their dues are current. This subsection does not apply to members granted "Retired" status in accordance with Section VII, E
- C. The Chapter will assign a Road Captain for each ride. All riders will follow the directions set forth by the Road Captain for that ride.
- D. As a courtesy to all members do not sit on or touch another Riders motorcycle without the consent of the owner(s).



## XI. CHAPTER QUALIFICATIONS

- A. New Chapters must have a sponsoring Post in good standing with The American Legion, Department of New Mexico.
- B. Members must be in good standing (current dues paid and not in a suspended status with the Post) with The American Legion, Auxiliary, or Sons of the American Legion.
- C. New and revised Chapter By-Laws must be reviewed by the NMALR State Judge Advocate to ensure they do not violate NM Department and National rules.
- D. As a minimum, all Chapters must maintain the following officer positions:
  - 1) President
  - 2) Vice President
  - 3) Secretary/Treasurer
  - 4) Sgt-At-Arms

Existing Chapters should attempt to maintain the following additional officer positions of Road Captain, Chaplain, and Historian

- E. Posts desiring to sponsor a Chapter, must submit to the NMALR State Secretary:
  1. Starter package that includes meeting minutes that reflect a motion, second, and vote that passes to start the Chapter;
  2. Roster reflecting members willing to take on the roles of officers (see D, above) to start the Chapter; and,
  3. Chapter By-Laws.

The NMALR State Secretary will forward the pertinent information to the State Officers for review, verification, and approval. The Secretary will also notify the Executive Committee of a pending Chapter start-up vote. At the next State meeting, the NMALR will vote upon the acceptance of the Chapter which will require a two-thirds (2/3) vote of the Executive Committee to pass.

- F. Chapters that have been chartered are expected to demonstrate performance that meets the established purpose for which the Association was formed and maintain a status that is in good standing. Therefore, in addition to Section III.E, Chapters must provide to the State, updated By-Laws if changed, and provide for NMALR Programs as adopted such as Operation Wounded Warrior of New Mexico, and maintain Section III.E documents so that if asked for they are current and can be provided.

## XII. CHAPTER LOCATIONS

It is envisioned that prospective Riders from various local posts will band together and create an NMALR Association Chapter.

- A. The NMALR State executive committee must approve the organization for additional Chapters
- B. Any two or more American Legion Posts may combine all interested motorcyclists and organize a new Chapter.
- C. A member from any Post, regardless of Department, may be a member of any Chapter but may only be a member of one Chapter at one time.

## XIII. AMENDMENTS

These By-Laws may be amended at any State NMALR meeting by a vote of two-thirds 2/3 of the Chapter's delegates attending a State meeting; provided that the proposed amendment shall have been submitted in writing; read and explained at the preceding Chapter meetings, and that written notice shall have been given to all Chapters in good standing at least sixty (60) days in advance of the date when which such amendments are to be voted upon.

## XIV. EFFECTIVE DATE

I certify that these revision were adopted and voted on by the general membership to become effective July 16, 2016, with all amendments proposed in writing within time frame required.

*Kenneth Nadeau*

Kenneth Nadeau, President

*Barbara Bowman*

Barbara Bowman, Secretary

July 16, 2016

(date)

July 16, 2016

(date)

*Bob Walker*

Bob Walker -- Judge Advocate

19 September 2016

(date)