

THE AMERICAN LEGION

DEPARTMENT OF NEW MEXICO

CERTIFICATE OF COMPLIANCE

This is to certify that I have examined the Constitution of The American Legion Riders Motorcycle Association of New Mexico and to the best of my knowledge it is in compliance with the Constitution and By-Laws of THE AMERICAN LEGION and of THE AMERICAN LEGION DEPARTMENT OF NEW MEXICO.

Attest this 24th day of October, 2009.



Bob Walker

Judge Advocate

NMALR

Department of New Mexico

# **New Mexico American Legion Riders Motorcycle Association State Constitution**

## **Preamble**

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 maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great 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.

## **Purpose**

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

## **Article I**

### **Name**

The name of this program shall be *THE NEW MEXICO AMERICAN LEGION RIDERS MOTORCYCLE ASSOCIATION, DEPARTMENT of NEW MEXICO.*

## **Article II**

### **Nature**

*Section 1.* The New Mexico American Legion Riders (NMALR) is a program for members of The American Legion, The American Legion Auxiliary, and The Sons of The American Legion, collectively "The Legion Family," who share an interest in motorcycling.

*Section 2.* The NMALR upholds the declared principles of The American Legion as well as conforms to and abides by the regulations and decisions of the department, posts or other duly constituted governing body.

*Section 3.* The NMALR 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 NMALR 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 NMALR will 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 NMALR comply at all times with the motor vehicle safety, licensing, and insurance laws or regulations of the state in which operating.

### **Article III Organization**

The NMALR is organized at the Department level. Each chapter exists at the discretion of the sponsoring post. The chapter officers and their executive committee are responsible and accountable to the sponsoring post, State NMALR Officers, and State NMALR executive committee.

### **Article IV Membership Eligibility**

*Section 1.* Eligibility for basic membership in the NMALR shall be as prescribed by the national constitutions of The American Legion, American Legion Auxiliary, and Sons of The American Legion.

*Section 2.* All members of The NMALR must further demonstrate current individual membership in The American Legion, the American Legion Auxiliary, or the Sons of The American Legion.

*Section 3.* Members will not at any time hold membership in more than one chapter of The NMALR.

*Section 4.* In addition to sections 1-3 above, members must be the legally registered sole owner, or be in joint ownership with none other than your legally married spouse, 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 of The NMALR.

*Section 5.* All operators must be properly licensed and insured per respective state laws.

*Section 6.* 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**

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

*Section 2.* No other back patch or back patch design is authorized for wear.

*Section 3.* Department standards for patch sales should be on file with Emblem Sales.

*Section 4.* If Department identifying information is to be embroidered on the patch, Emblem Sales must have on record authorization from the Department Adjutant that such specific identifying information may be used on the patch.

*Section 5.* Use of rockers or patches physically attached to The American Legion Riders back patch are not recommended due to trademark laws.

**Article VI**  
**Determine Elected Officers**

*Section 1.* The recommended officers of the State NMALR organization are President, Vice President, Judge Advocate, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, and Chaplain, elected biennially on odd numbered years during the Department of New Mexico Convention.

*Section 2.* Between State NMALR meetings, the administrative power of the State shall be vested in the State NMALR Executive Committee, whose voting members shall consist of all elective state officers, and chapter presidents for the duration of their elected term, and the immediate Past State NMALR President.

*Section 3.* The State NMALR Executive Committee, without meeting together, may transact business by mail or e-mail on a matter of urgency not involving the establishment of any new policy and on which action cannot be delayed until the next regular meeting. The NMALR State President must approve the use of either of these methods each time they are used and the NMALR State Secretary will compile and file a case file on each of these business transactions.

**Article VII**  
**Chapter Organization**

*Section 1.* Any Post wishing to sponsor a NMALR chapter will send their request, in writing and signed by the Post Commander, to the NMALR Secretary. The request will stipulate their chapter will abide by the State constitution and bylaws of the NMALR. This request will be approved by the State NMALR President or voted on by the State NMALR Executive Committee.

*Section 2.* The new chapter president will build and submit bylaws for the chapter to the NMALR Secretary. These bylaws will be reviewed by the State NMALR Judge Advocate for compliance with State, Department, and National requirements.

*Section 3.* Recommended chapter officers are the same as state officers with the exception of the Judge Advocate position. All chapters must maintain a minimum of the following four officer positions: president, vice president, secretary/treasurer, and Sgt-at-Arms/Road Captain.

**Article VIII**  
**Finance**

*Section 1.* The revenue of the State NMALR shall be derived from such membership fees or dues and from such other sources as may be approved by the NMALR Executive Committee.

*Section 2.* The amount of such membership or assessment fees shall be fixed and determined by the NMALR Executive Committee. Each Chapter shall determine the Chapter dues amount for its members.

*Section 3.* Annual Chapter membership dues shall be payable on or before December 31st of each year.

*Section 4.* A member whose dues for the current year have not been paid by January 1st shall be classified as delinquent and not in good standing. If the member's dues are not paid on or before February 1st, the member shall be suspended from all privileges. If the

member is still under suspension on June 30th of such year, his/her membership in the NMALR shall be forfeited. A suspended member may be reinstated by vote of the Chapter and payment of current dues for the year in which the reinstatement occurs. Such action will also serve to reinstate membership that has been forfeited to active membership in good standing.

*Section 5.* The State NMALR Treasurer will provide an annual financial report to the Department of New Mexico.

### **Article IX Discipline**

*Section 1.* The NMALR President and the NMALR Executive Committee will follow the procedure for the suspension, revocation, or cancellation of a chapter's charter as set forth in the National Constitution and By-Laws of The American Legion.

*Section 2.* NMALR Chapter Presidents are charged with maintaining control of and disciplining their members when warranted.

*Section 3.* Charges brought against individual members will be handled by the members' chapter unless the corrective action is not lasting. The NMALR Executive Committee may then hear the charges, establish facts, and decide on disciplinary action up to and including expulsion. The decision of the NMALR Executive Committee is final and conclusive.

### **Article X Ratification**

*Section 1.* All acts performed and charters heretofore granted by all past State NMALR officers are hereby ratified and confirmed.

### **Article XI Amendments**

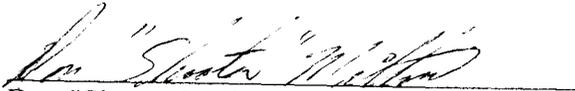
*Section 1.* This Constitution is adopted, subject to the provisions of the National Constitution and Department Constitution of which this organization is a subordinate program. Any amendment to the National or Department Constitution that is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of the constitution and bylaws of this organization to the extent of such conflict.

*Section 2.* This Constitution may be amended at any regular State meeting by a vote of two-thirds of the membership attending such regular meeting provided, that the proposed amendment shall have been submitted in writing and read at the immediate preceding State meeting. Further, that traditional mail or electronic mail notice shall have been sent to all Executive Committee members' addresses of record at least 5 days in advance of the date which such amendment is to be voted upon, notifying said members that at such meeting there will be a proposal to amend the Constitution.

### Effective Date

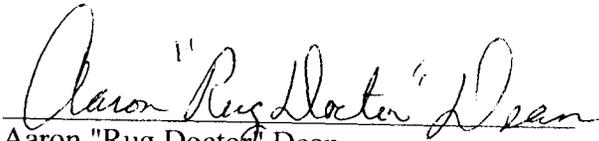
This Constitution was reviewed by the NMALR Constitution and By-Laws Committee and found to be the original Constitution as amended.

I, Don "Shooter" Milton, Chairman of the Constitution and By-Laws Committee do hereby certify this Constitution was presented to the general membership of the NMALR, assembled on October 24, 2009, at Deming, New Mexico in regular order of business and adopted to become effective at 3:00 p.m. on October 24, 2009.



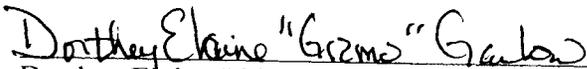
Don "Shooter" Milton  
Chairman, Constitution and By-Laws Committee

I, Aaron "Rug Doctor" Dean, State President of the NMALR, do hereby certify that this is a correct and effective copy of the Constitution of the NMALR.



Aaron "Rug Doctor" Dean  
State President

Attested to:



Dorthey Elaine "Gizmo" Garlow  
State NMALR Secretary/Treasurer