

# **Constitution of**

## **The American Legion Riders Chapter Post 26**

### **The American Legion, Department of South Carolina**

#### **Purpose**

The American Legion Riders Chapter Post 26 (ALRC26) will be members of The American Legion Department of South Carolina who are also motorcycle enthusiasts. They can be found participating in parades, partaking in motorcycling events, and supporting the communities in which they live, work, and play. Members of The American Legion Riders come from the ranks of The American Legion Department of South Carolina, American Legion Auxiliary, and the Sons of The American Legion. The American Legion Riders are now and will always be a program of each individual post throughout South Carolina and will be called chapters. The American Legion Riders is not a motorcycle club and does not practice motorcycle club rules or regulations. The American Legion Riders were formed;

To participate in parades and other ceremonies that are in keeping with the aims and purposes of The American Legion Department of South Carolina,

To promote motorcycle safety programs and to provide a social atmosphere for American Legion members who share the same interest,

To use our association to promote and support programs of The American Legion.

#### **Preamble**

For God and Country, we associate ourselves together for the following purposes:

To demonstrate the principles of responsible motorcycling as set forth in The American Legion Riders' response:

“We, your American Legion Riders, ride for God and country, The American Legion family, and allied veterans everywhere, protect those that protect us, amen.”

To serve as examples of responsible American patriotism.

To uphold and defend the Constitution of the United States of America.

To serve our comrades as set forth in the preamble to the constitution of The American Legion.

## **Article I – Name**

The name of this organization shall be the “American Legion Riders Chapter 26”, The American Legion Department of South Carolina (hereafter “ALRC26”).

**Section 1** – The location of this chapter shall be at The American Legion Post 26, Department of South Carolina, 636 Old Airport Rd., Aiken, South Carolina 29801.

**Section 2** – An off-site administrative center may, from time to time, be established for the convenience of the organization and its elected officers, subject to approval by The American Legion Department of South Carolina and the committee established for oversight of the organization.

## **Article II – Objectives**

The aims and purposes of The American Legion Riders Chapter Post 26 shall be:

To promote and support the programs and community activities of The American Legion, Department of South Carolina, and its posts by participation in parades and other ceremonies in keeping with the aims and purposes of the American Legion,

To promote motorcycle safety programs,

To provide a social atmosphere for American Legion, Auxiliary, and Sons of the American Legion members who share an interest in motorcycling and related activities,

To adhere to and promote the principles set forth in the preamble to The American Legion constitution.

## **Article III – Nature**

The ALRC26 is a program of The American Legion Post 26, Department of South Carolina and subject to the rules, regulations, policies, oversight, and control thereof. Such oversight and control shall be exercised through the officers of Post 26 in accordance with Department of South Carolina policy.

**Section 1** – The American Legion Riders Chapter Post 26 is a civilian organization and membership therein does not affect or increase liability for military or police service.

**Section 2** – The American Legion Riders Chapter Post 26 shall be absolutely politically non-partisan and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

**Section 3** – Rank does not exist in The American Legion Riders Chapter Post 26; no member shall be addressed by his military title in any meeting or officially sanctioned activity of the ALRC26 or the American Legion Riders, Department of South Carolina.

#### **Article IV – Organization**

ALRC26 will be subject to all applicable provisions of The American Legion Riders of South Carolina Constitution.

**Section 1** – ALRC26 may from time to time cooperate, coordinate, or come together to conduct joint activities under the auspices of their American Legion Department of South Carolina district in which the post chapter is located.

**Section 2** – ALRC26 must have a minimum of ten (10) members to maintain a chapter.

#### **Article V – Membership**

There shall be two (2) classes of membership: regular and special.

**Section 1** – Regular membership shall be open to any verified current member of the American Legion Department of South Carolina, American Legion Auxiliary, or The Sons of the American Legion.

**Section 1A** – Member must be the registered owner of a street legal motorcycle with an engine displacement of not less than 350 cubic centimeters or trike (3 wheels) or be the legally registered owner's spouse within the state of registration.

**Section 1B** – All ALRC26 operators must maintain the following legal requirements:

1. Motorcycle insurance.
2. Motorcycle license (Motorcycle permit not to exceed one year).
3. Obey the motor vehicle laws in any state in which they are operating a motorcycle or riding as a passenger.

**Section 2** – Special memberships shall be open to current regular members only, who have relinquished ownership or Ridership of a qualifying motorcycle, as the result of disability, injury or due to death.

**Section 2A** – Current members must have held a minimum one (1) year regular membership before application for special membership.

**Section 3** – Any member of a chapter may be expelled for cause by two-thirds (2/3) vote of the chapter members present in a regularly scheduled meeting after charges are preferred in writing, served by personal service or by certified mail, return receipt requested, no later than twenty (20) days prior to the regular or special meeting of the chapter and a fair hearing had upon same.

**Section 4** – A member who has been expelled or suspended from a chapter for any cause may be reinstated to membership by a two-thirds (2/3) vote of the membership present in a chapter meeting, and the payment of current dues for the year in which the reinstatement occurs.

### **Article VI – Regalia**

The ALRC26 may, from time to time, design and designate procedures for the wearing of unique ALRC26 regalia including patches and caps by the several classes of members, provided that uniform rules for the wear and display of regalia be included in the by-laws of this constitution, and further provided that the ALRC26 design and procedures must conform to rules and policies promulgated by the national and Department levels of the American Legion and The American Legion Riders of South Carolina.

**Section 1** – The formal headgear worn at all ALRC26 official meetings/gatherings/functions will be the black ALR ball cap or the black ALR beret with the American Legion rider embroidered emblem on the front or any authorized headgear within the American Legion family.

### **Article VII – Chapter Officers**

The management of the ALRC26 is entrusted to a board of directors to be known as the “Executive Committee”. A majority of committee members must be present at a committee meeting to constitute a quorum.

**Section 1** – This committee shall consist of all elected officers of the ALRC26 as further provided in the by-laws. Officers will assume the duties of their elected office at the next regularly scheduled chapter meeting after election.

**Section 1A** – The chapter director and vice director must be members of the American Legion Department of South Carolina and a regular member of ALRC26 to be eligible to hold these positions.

**Section 1B** – The ALRC26 Chapter Director and the ALRC26 Vice Chapter Director will be elected from the regular membership of ALRC26 who are in good standing with The American Legion Department of South Carolina.

**Section 1C** – The ALRC26 Chapter Director will only vote in case of a tie.

**Section 2** – The duties of other elected officers, to include but not limited to the secretary, treasurer, sergeant-at-arms and chaplain shall be those usually pertaining to such officers or committee and as further provided in the by-laws.

**Section 3** – The ALRC26 Chapter Director may provide for such other appointive officers and standing committees as the business of the ALRC26 may require.

### **Article VIII – Finance**

**Section 1** – The revenue of the ALRC26 shall be derived from annual membership dues and from such other sources as may be approved by the ALRC26.

**Section 2** – There shall be no initiation fees assessed.

**Section 3** – The annual membership fee of \$10.00 per member, payable from October 1 to December 31. These dues include \$5.00 for the Department annual membership dues and \$5.00 for the Chapter annual membership dues. If dues are not paid by January 1 of each year, the member becomes delinquent. If dues have not been paid by February 1, the member is suspended. Reinstatement will be considered by vote of the members and payment of dues.

**Section 3A** – The Department annual membership dues of \$5.00 shall be collected by ALRC26 and transmitted to the Department within thirty (30) days of receipt of such dues.

**Section 4** – Any increase in dues must be presented at a regularly scheduled ALRC26 meeting held and must be approved by two-third (2/3) vote of the members present thereat.

**Section 5** – The ALRC26 chapter finances shall be under the supervision of and subject to annual audit by the American Legion Department of South Carolina and American Legion Post 26. The ALRC26 executive committee shall provide an annual report of same to the American Legion Post 26 Executive Committee.

### **Article IX – Charter Members**

Members who joined the ALRC26 prior to June 28, 2021, for the permanent authorization to form the ALRC26 in the Department of South Carolina, shall be known as ALRC26 charter members. Charter members shall be authorized to wear the Charter Member patch.

## **Article X – Amendments**

This constitution is adopted subject to the provisions of the national constitution of the American Legion, the Department constitution of the American Legion Department of South Carolina, and the constitution of The American Legion Riders Department of South Carolina.

**Section 1** – Any amendment to said national constitution, Department constitution, or Legion Riders constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.

**Section 2** – This constitution may be amended at a regular ALRC26 meeting by a majority vote of the members attending such regular meeting, providing the proposed amendment shall have been submitted in writing to the ALRC26 Executive committee at any regularly scheduled meeting of said committee. Upon approval from the ALRC26 Executive Committee such change will be immediately submitted to the American Legion Department of South Carolina constitution/by-laws committee for review and then to the American Legion Department of South Carolina Department Executive Committee for their approval. Once approved further written notice shall be given to all members at least thirty (30) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the constitution is to be voted upon.

## **Article XI – Parliamentary Procedure**

If the conduct of a hearing, meeting, convention, proceeding or other activity is not otherwise governed by the Department, Riders, or national constitution(s) or by-law(s), then Robert's rules of order (current edition), shall govern the conduct of the above-described activities.

# **By-Laws of**

## **The American Legion Riders Chapter Post 26**

### **The American Legion, Department of South Carolina**

#### **Article I – Name**

**Section 1** – The Riders organization existing under these by-laws is to be known as American Legion Riders Chapter 26, Department of South Carolina, hereafter “ALRC26”.

**Section 2** – The objects of the ALRC26 are as set forth in the constitution.

#### **Article II – Management**

**Section 1** – The government and management of the ALRC26 is entrusted to a board of directors to be known as the “Executive Committee”.

**Section 2** - The Executive Committee shall consist of all current ALRC26 chapter officers. The chapter director and vice director shall be elected by the membership annually prior to the state convention.

**Section 2A** – The ALRC26 director will represent ALRC26 at the state convention and on the ALRSC Executive Committee.

**Section 2B** – In the event that the chapter director cannot attend a called ALRSC Executive Committee board meeting, the chapter vice director will represent the chapter at said called meeting with full privileges and vote.

**Section 3** – In the case of death, resignation, or disqualification of the ALRC26 director, the ALRC26 vice director shall assume the duties of the ALRC26 director, and appoint with approval of the ALRC26 Executive Committee, an ALRC26 vice director.

**Section 4** – ALRC26 shall be entitled to send one (1) delegate to the ALRSC state convention for the chapter director, plus three (3) delegates. Each duly registered delegate shall be entitled to one (1) vote.

#### **Article III – ALRC26 Executive Committee**

**Section 1** - The ALRC26 Executive Committee may meet for organization and such other business as may come before it at the call of the chapter director after the installation of the new officers. Thereafter the Executive Committee shall meet at the call of the director or at regularly scheduled meetings as determined by the director. The director shall call a meeting of the Executive Committee upon the joint written request of two or more members of said Executive Committee. Majority of members present constitute a quorum thereof.

## **Article IV – Duties of Officers**

**Section 1 – Director** – will serve as chairman of the Executive Committee, chief administrative officer of the organization and will preside over all meetings. The director shall have general supervision over the affairs of the organization and shall perform all other duties as directed by the membership. The director shall be responsible for appointing replacements for vacancies due to death, resignation, or any other reason in elected and appointed offices. The director shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the ALRC26 for the year and recommendations for the ensuing year, which shall be read at the annual meeting. The director will represent ALRC26 at the state convention and on the ALRSC Executive Committee.

**Section 2 – Vice Director** – will assume the duties of the director should the director not be available, will assist the director in performance of all duties as called on to do so by the director, and will be the ALRC26 membership chairman.

**Section 3 – Secretary** – will keep a full and accurate record of all proceedings of ALRC26 meetings and will provide copies of same to the membership for approval.

**Section 4 – Treasurer** – shall have charge of all finances and see that they are safely remitted to American Legion Post 26, Department of South Carolina for credit to the ALRC26 account. Will report once a month to the director the condition of the finances of the ALRC26 with such recommendations as may deem expedient or necessary for raising funds with which to carry on activities of the ALRC26, will present a regular report at each regularly scheduled meeting for approval by the membership, will submit all requests for disbursement of ALRC26 funds to the American Legion Post 26, Department of South Carolina for payment upon approval of the general membership or the ALRC26 Executive Committee.

**Section 5 – Chaplain** – shall be charged with the spiritual welfare of the members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., and will adhere to such ceremonial rituals as are recommended by the ALRSC from time to time.

**Section 6 – Sergeant-At-Arms** – will preserve order at meetings, assist with the set-up of meetings and other activities, verify membership eligibility of those attending the meetings and voting in election; shall be the keeper of the flag and other ALRC26 regalia; will perform such other duties as may be from time to time assigned by the director.

## **Article V – Appointments**

The director immediately upon taking office each year shall appoint any and all non-voting officers and committees necessary for the cooperation and functioning of the ALRC26.

## **Article VI – Regalia**

Members of the ALRC26 shall conform to all rules governing the wearing and display of ALRC26 regalia and American Legion name and emblem. Violations of any rule shall subject the violator to suspension and expulsion as provided for in the ALRC26 constitution and by-laws.



**Section 1** – The sleeveless vest is the approved minimum article of clothing on which ALRC26 regalia may be displayed, provided that rules applying to displays on the vest apply equally to sleeved garments including but not limited to jackets, t-shirts, sweater, sweatshirts, etc.

**Section 2** – The American flag patch shall be displayed on the left side of the front of the vest with the stars on the patch closest to the center of the chest and in the highest feasible position. The only American flag patches that are authorized shall be the standard red, white, and blue; subdued olive drab; subdued desert; or coyote. No other patch or item shall be displayed above the American flag.

**Section 3** – The emblem of the American Legion Riders shall be displayed on the left front breast of the vest. This patch shall be the Legion Riders Custom Name Patch with the American Legion Riders emblem and the Rider's road name. Road names must be in compliance with Section 6 of this Article.

**Section 4** – The American Legion rider back patch on the ALRC26 vest will be displayed in the center of the back, and there will be no rockers of any kind. The back patch for the ALRSC will have the following information displayed:

Top line: Aiken, SC

Second line: Post 26

Third line: The member's affiliation—Veteran, Auxiliary, SAL

**Section 5** – POW/MIA or POW/MIA/KIA patch will be worn on the right side of the vest in the highest possible position providing it does not go above the American flag patch.

**Section 6** – Charter members shall be authorized to display the Charter Member patch on the left front breast of the vest below the name patch.

**Section 7** – Vulgarity, scatology, profanity, and provocative verbiage and imagery (being verbiage and imagery intended to threaten, harass, insult or frighten non-members) shall not be displayed on any item simultaneously bearing the ALRC26 emblem or an emblem of the American Legion, providing that questions concerning same shall be presented to and decided by the American Legion Department of South Carolina's American Legion Riders committee.

**Section 8** – Nothing in this article is to be construed as requiring an alteration, revision, replacement, re-design, or prohibition of methods or placement of regalia displayed by members in good standing prior to the adoption of this constitution and by-laws, dated August 21, 2021 by the American Legion Post 26, Department of South Carolina Executive Committee.

**Section 9** – Regalia added to existing articles of clothing protected under section 7 above shall conform to the provision of all other sections of article VI.

**Section 10** – All regalia displayed in violation of article VI, section 1-7, shall be deemed a violation of this constitution and by-laws and subject the offending member to all suspension or expulsion at the discretion of the ALRC26 Executive Committee.

## **Article VII – Resolutions**

Any resolutions submitted by ALRC26 shall be approved by a majority of those voting, and a record of the resolution shall be maintained by the chapter secretary. Approved resolutions shall be forwarded to the ALRSC Executive Committee for review and approval and forwarded to the Department of South Carolina for final decision.

## **Article VIII – Meetings**

ALRC26 meetings shall be held monthly on the third Saturday of each month. Meetings will be held at a location determined by the Executive Committee and the membership will be advised of meeting location no less than 14 days prior to the meeting.

**Section 1** – The director or a majority of the Executive Committee shall have power to call a special meeting of the ALRC26 at any time, provided that advance notice of at least ten (10) days is provided to all members.

**Section 2** – Upon the written request of one-third (1/3) of the membership, the Executive Committee shall call a special meeting.

**Section 3** – For the conduct of regular and special meetings of the ALRC26, a quorum shall exist when a majority of the membership is present.

## **Article IX – Notices**

ALRC26 shall furnish the state director, and the Department of South Carolina, with a current address conforming to us postal regulations, and the name and contact information for the chapter director.

**Section 1** – The list of officers shall not be released in any form for any purposes other than to authorized officers and employees of the chapter and Department of the American Legion and may be used by said organizations only for purposes approved by the governing bodies of same.

## **Article X – Parliamentary Procedure**

If the conduct of a hearing, meetings, conventions, proceeding or other activity is not otherwise governed by the Department or national constitution(s) or by-law(s), then Robert's rules of order (current edition) shall govern the conduct of the above described activities within all post chapters and within the American Legion Riders of South Carolina Department of South Carolina.