

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

## **Purpose**

The American Legion Riders (ALR) 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 were formed;

To participate in parades and other ceremonies that is 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.

The American Legion Riders is not a motorcycle club, and does not practice motorcycle club rules or regulations. The American Legion Riders is family-oriented, just as is its parent organization: The American Legion Department of South Carolina.

## **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”, The American Legion Department of South Carolina (hereafter “ALRSC”).

**Section 1** – the location of this chapter shall be at The American Legion, Department of South Carolina headquarters, 103 Legion Plaza Rd., Columbia, South Carolina 29210.

**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 of South Carolina 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 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 ALRSC is a program of The American Legion Department of South Carolina and subject to the rules, regulations, policies, oversight and control thereof. Such oversight and control shall be exercised through a committee of the internal affairs commission of the Department of South Carolina to be known as the American Legion Riders committee, members whereof shall be appointed in accordance with Department of South Carolina policy.**

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

**Section 2** – The American Legion Riders of South Carolina 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 of South Carolina; no member shall be addressed by his military title in any meeting or officially sanctioned activity of the ALRSC or its individual post chapter.**

## **Article IV – Organization**

Any post of the American Legion Department of South Carolina may establish a local ALRSC chapter by application for same to the state director of the ALRSC, payment of all approved fees, and verification of members' eligibility.

**Section 1** – Applications for establishment must be completed by duly elected officers of the post and contain the names of all members.

**Section 2** – Approved post chapters will be subject to all applicable provisions of The American Legion Riders of South Carolina constitution.

**Section 3** – Post Chapters in violation of the ALRSC constitution will be suspended and all members will be denied voice and vote in Department meetings.

**Section 4** – There will be no official organizations of ALRSC in the Department of South Carolina other than the ALRSC and approved post chapters, except that post chapters 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 chapters are located.

**Section 5** – ALRSC must have a minimum of ten (10) members to start 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, and 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 ALRSC operators must have the following up to date and legal requirements:

1. Motorcycle insurance (current and up to date).
2. Motorcycle license (current and up to date).
3. Operators license for trikes (current and up to date)
4. Motorcycle permit not to exceed one year
5. All members will obey the motor vehicle laws in any state in which they are operating a motorcycle or riding as a passenger.
6. **Exception: the legal spouse of the legally registered owner of the motorcycle or trike is not required to have a motorcycle license.**

**Section 1C** – Individuals who meet criteria in sections 1, 1A, and 1B, that are members of an American Legion post, in good standing, that does not have an existing ALR chapter, may apply for membership to an ALR chapter that is close to their current post, provided the ALR chapter has received permission from their sponsoring American Legion post that this qualifying individual or individuals may become a member of their ALR chapter.

**Section 1D** – It is understood and acknowledged that members joining an ALR chapter under section 1C can remain a member of the chapter until such time an ALR chapter is formed at the members home post, at which time they must return to that post ALR chapter.

**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 ALRSC may, from time to time, design and designate procedures for the wearing of unique ALRSC 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 ALRSC 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 ALRSC 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.

#### **Article VII - State Officers**

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

**Section 1** – This committee shall consist of all chapter directors of the ALRSC, who will elect a state director, who in turn will be the chairman of the ALRSC Executive Committee. This committee will elect a state vice director who will be the assistant chairman of the ALRSC Executive Committee. Such election shall take place at the ALRSC executive meeting in conjunction with, but prior to the adjournment of the state convention. Members receiving the highest number of votes shall be elected to the respective office for which they are candidates. Officers will assume the duties of their elected office immediately at the conclusion of the Department convention.

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

**Section 1B** – Constitution and Bylaws of individual Chapters may authorize Special Members to hold the offices of Director and Assistant Director, at the discretion of Chapter membership.

**Section 1C** – Chapter Directors and Assistant Directors who are Special Members will have full voting rights at ALRSC.

**Section 1D** – The ALRSC State Director and the ALRSC Assistant State Director will be elected from the Chapter Directors of the ALRSC who are members in good standing with The American Legion Department of South Carolina.

**Section 1E** – The ALRSC State Director will only vote in case of a tie. Therefore, the Assistant Director from the State Director’s Chapter will represent the Chapter on the Executive Committee.

**Section 2** – Non-voting state officers, to include but not limited to the secretary, treasurer, sergeant-at-arms and chaplain will be appointed by the state director at the state convention

**Section 3** – All Chapter Directors and Assistant Chapter Directors must be members in good standing with the ALRSC, the American Legion Department of South Carolina, The Sons of the American Legion, or the American Legion Auxiliary of the Post where the ALRSC Chapter is located.

**Section 4** – All Chapter Directors and Assistant Chapter Directors will submit copies of their DD-214 or other supporting document as to their eligibility for these positions within thirty (30) days of taking office to the Department Executive Director.

**Section 5** – The duties of officers shall be those usually pertaining to such officers or committee and as further provided in the by-laws.

**Section 6** – The ALRSC state director may provide for such other appointive officers and standing committees as the business of the ALRSC may require.

### **Article VIII – Finance**

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

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

**Section 3** – The annual membership fee of \$5.00 per member, payable from October 1 to December 31. 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 on each ALR chapter shall be collected by each chapter and transmitted to the Department within thirty (30) days of receipt of such dues.

**Section 4** – Any increase in dues must be presented at the ALRSC meeting held in conjunction with the Department convention and must be approved by two-third (2/3) vote of the delegates present thereat.

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

### **Article IX - Charter Members**

Members who joined the ALRSC prior to September 20, 2008, for the permanent authorization to form the ALRSC in the Department of South Carolina, shall be known as ALRSC charter members.

### **Article X – Amendments**

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

**Section 1** – Any amendment to said national constitution or Department 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 the annual ALRSC convention/meeting by a majority vote of the members attending such annual meeting, providing the proposed amendment shall have been submitted in writing to the American Legion Riders of South Carolina Executive committee on the official form at the January meeting of said committee. Upon approval from the ALRSC 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 chapters at least thirty (30) days in advance of the date when such amendment is to be voted upon, notifying said chapters 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, 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.

**Approved  
The American Legion  
Department of South Carolina  
Department Executive Committee  
June 1, 2019**

# **By-Laws of The American Legion Riders The American Legion, Department of South Carolina**

## **Article 1 – Name**

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

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

## **Article II – Management**

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

**Section 2** - The Executive Committee shall consist of all current ALRSC chapter directors and those future chapter directors as they become chapters of the ALRSC, Department of South Carolina. The state director and state vice director shall be elected by the Executive Committee at the close of business, prior to adjournment of the ALRSC state convention.

**Section 2A** – The ALRSC state director’s chapter will be represented by the state director’s chapter vice director for all called ALRSC Executive Committee meetings.

**Section 2B** – In the event that a 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 ALRSC state director, the ALRSC state vice director shall assume the duties of the ALRSC director, and appoint with approval of the ALRSC Executive Committee, an ALRSC vice director.

**Section 5** - Each ALRSC chapter shall be entitled to send one (1) delegate to the state convention for the chapter director, plus three (3) delegates. Each duly registered delegate shall be entitled to one (1) vote.

**Section 5A** – A registered delegate is one who has paid their registration fee and has received their credentials. Delegates must be present at the state convention meeting in order to vote.

**Section 5B** – The ALRSC state secretary will verify the number of delegates authorized for each chapter.

## **Article III - ALRSC Executive Committee**

**Section 1** - The ALRSC Executive Committee may meet for organization and such other business as may come before it at the call of the state 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 state director. The state director shall call a meeting of the Executive Committee upon the joint written request of three or more members of said Executive Committee. Majority of members present constitute a quorum thereof.

**Section 2** - State director will be allowed two (2) nights of lodging to attend state meetings. The state director will be allowed up to \$250.00 for incidentals for ALRSC operation of ALRSC business. Those expenses must be accompanied with receipts. Anything over that amount must be approved by the majority of membership in attendance.

#### **Article IV - Duties of Officers**

**Section 1 State Director** – will serve as chairman of the Executive Committee board, 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 state director shall be responsible for appointing replacements for vacancies due to death, resignation or any other reason in elected and appointed offices. The state director shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the ALRSC for the year and recommendations for the ensuing year, which shall be read at the annual meeting.

**Section 2. Vice State 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 ALRSC membership chairman.

**Section 3. Secretary** – will keep a full and accurate record of all proceedings of ALRSC meetings and will provide copies of same to the membership for approval. This will be a non-voting office on the ALRSC Executive Committee board.

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

**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. This will be a non-voting office on the ALRSC Executive Committee board.

**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 ALRSC regalia; will perform such other duties as may be from time to time assigned by the state director. This will be a non-voting office on the ALRSC Executive Committee board.

#### **Article V – Appointments**

The state 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 ALRSC.

## Article VI – Regalia

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

**Section 1** – The sleeveless vest is the approved minimum article of clothing on which ALRSC 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 either side of the front of the vest providing that the stars on the patch are closest to the center of the chest and in the highest feasible position. No other patch or item shall be displayed above the American flag.

**Section 3** – The emblem of the American Legion rider South Carolina organization that the ALRSC member is entitled to wear by virtue of membership therein shall be displayed on the left front breast of the vest. This patch may be either the one-line shoulder or the three-line shoulder or the Legion rider mini patch. The size and type of ALR front patch shall be at the discretion of the post level ALR chapter.

**Section 3A** – The one-line front patch shall show post & number or veteran, auxiliary, sal.

The three-line front patch shall show;

Line 1 City

Line 2 post & number;

Line 3 state (South Carolina).

**Section 4** – The American Legion rider back patch on the ALRSC 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 on the back patch will be the chapter's city, SC

The second line will be the chapter's post & number

The third line will be the members 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** – Vulgarity, scatology, profanity, and provocative verbiage and imagery (being verbiage and imagery intended to threaten, harass, insult to frighten non-members) shall not be displayed on any item simultaneously bearing the ALRSC 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 7** – 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 September 20, 2008 by the American Legion Department of South Carolina Executive Committee.

**Section 8** – 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 9** – 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 ALRSC Executive Committee.

### **Article VII – Resolutions**

Any resolutions submitted by a post level chapter 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**

ALRSC meetings shall be held in conjunction with the Department conferences and conventions. Additionally, the ALRSC mid-winter conference and the ALRSC state convention shall be held at the facility designated by the American Legion Department of South Carolina for the annual mid-winter conference and annual state convention.

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

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

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

### **Article IX – Notices**

Every post-level chapter 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 chapters and their 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.

**Approved**  
**The American Legion**  
**Department of South Carolina**  
**Department Executive Committee**  
**June 1, 2019**