



**AMVETS RIDERS
DEPARTMENT
CONSTITUTION &
BY-LAWS**

2014-2015

Revised and adopted at the 2014 AMVETS Riders Department of New York Convention in Hornell, New York. This document replaces/supersedes any and all previous AMVETS Riders Department of New York Constitution and By-Laws.

Dated July 19th, 2014

AMVETS RIDERS DEPARTMENT CONSTITUTION

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AMVETS RIDERS DEPARTMENT CONSTITUTION

ARTICLE I: NAME

The name of this Organization shall be THE AMVETS RIDERS.

ARTICLE II: MISSION STATEMENT

We the AMVETS RIDERS are a dedicated and patriotic group of motorcycle riders who hold true to an unwavering respect for our Nation, our Flag, and our Military past, present and future. We are committed to the freedom of this Nation, to provide community service and fellowship, and to preserve and support the aims and goals of the AMVETS National Organization.

ARTICLE III: AIMS

This Organization is formed for furthering the Aims and Purposes of AMVETS.

3.1 Be positive and assertive in forming Chapter Riders.

3.2 Be active in support of all our Veterans and Communities through fundraising and volunteer work.

ARTICLE IV: DEPARTMENT ORGANIZATION

4.1 The Riders Departments will be organized into:

A.) A sole Chapter directed by the Riders Department for all Riders of that Department, shall be chartered as a State Charter. They shall also be issued a Department Charter to identify the Chapter. Officers will be titled as Department Officers and there shall be NO State or Chapter Officers.

B.) Individual Chapters formed by members of a post, but not limited to members of the Post, under the jurisdiction of the Department where the Post resides. If no Riders Department exists the Chapters will be under the Direct Control of the Riders National Organization.

4.2 Each AMVETS Riders Department shall be under the jurisdiction of the National AMVETS Riders. Each AMVETS Riders Department shall be in the same geographical location to its respective AMVETS Department, and identified as such.

4.3 Department will submit their Constitution and By-Laws to the National AMVETS Riders for approval.

4.4 The Department AMVETS Riders Organization will consist of a Department set of Officers elected by the Riders Chapter(s) delegates of that respective Department, and those Officers appointed by the Department President.

4.5 No Department shall represent themselves as AMVETS Riders until they have complied with the Constitution and By-Laws of the National AMVETS Riders, and officially approved for an AMVETS Riders Charter.

4.6 Departments shall within thirty (30) days of notice to surrender their Charters resulting from disciplinary or voluntary action, close all bank accounts and deliver to the National AMVETS Riders all records, property, and assets, in accordance with Local and State Laws.

4.7 Department Charter shall only be issued to Departments which obtain a minimum of three (3) Chapters and a minimum of fifty (50) Riders. Departments must maintain these requirements to retain their Charters. The National Executive Board shall issue variances if it is deemed to benefit the growth of membership in said State.

ARTICLE V: CHAPTER ORGANIZATION

5.1 Each AMVETS Riders Chapter shall be under the jurisdiction of their Department AMVETS Riders. Each AMVETS Riders Chapter shall be in the same geographical location to its respective AMVETS Post, and identified by the same Post number.

5.2 Where no AMVETS Department exists, an AMVETS Riders Chapter may be formed by a Post under the jurisdiction of the National Headquarters.

5.3 Chapters will submit copies of their Constitution and By-Laws to the AMVETS Riders Department Headquarters as outlined on the current AMVETS Riders Chapter Revalidation Form.

5.4 The Chapter AMVETS Riders Organization will consist of a Chapter set of Officers elected by Chapter members of that Chapter, and those Officers appointed by the Chapter President.

5.5 The Chapter shall within thirty (30) days of notice surrender their Charters resulting from disciplinary or voluntary action, close all bank accounts and deliver to the AMVETS Riders Department Headquarters all records, property, and assets, in accordance with Local and State Laws.

ARTICLE VI: MEMBERSHIP

6.1 Membership in the Department AMVETS Riders shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary, and Sons of AMVETS.

6.2 Rider members must be the legally registered owner of a motorcycle or be the spouse of an AMVET who is the legally registered owner of a motorcycle.

6.3 Members must provide proof before their membership application can be approved, that they are legally permitted to operate a motorcycle in their respective State, a valid State motorcycle registration, and proof that they are insured according to the State laws of their respective State. This information shall be shown to the Chapter President and one other Chapter Officer. The security of this personal data shall be maintained.

6.4 At no time will National, any Department or Chapter record or copy any items listed in Article VI Section 6.3.

6.5 There will be no HONORARY memberships in National, Departments or Chapters of the AMVETS Riders.

6.6 Spousal members will be exempt from the requirements of Article VI Section 6.3 provided their spouse has met said requirements.

ARTICLE VII: DEPARTMENT AND CHAPTER OFFICERS

7.1 Department and Chapters will have a minimum of the following elected Officers: President, 1st Vice President, 2nd Vice President, Treasurer, and Sgt, at Arms.

7.2 Department and Chapters will have a minimum of the following appointed or elected Officers: Secretary, Chaplain, and Judge Advocate.

7.3 President of Department and Chapters may appoint additional Officers to fill specific needs of the Department or Chapters.

ARTICLE VIII: DEPARTMENT EXECUTIVE BOARD/COMMITTEE

8.1 The elected Officers of Department AMVETS Riders and the immediate Past-President shall constitute the Department AMVETS Riders Executive Board.

A.) This Executive Board will be in charge of Administrative affairs and property of the Department AMVETS Riders.

B.) This Board will formulate the Policies of AMVETS Riders and present them for membership approval.

C.) Only Department Elected Officers shall have a vote on the National Executive Board.

8.2 The Department Executive Committee will be comprised of:

A.) Department Riders Officers.

B.) Department Past Riders Presidents.

C.) All Chapter Presidents.

- 1.) Designated Representative must be identified in writing by the Department President a minimum of 30 days of any SEC Meeting.
- 2.) Notification of the Designated Representative must be received in writing at the Department AMVETS Riders Headquarters (thirty) 30 days prior to SEC.

ARTICLE IX: DEPARTMENT MEETINGS

- 9.1 Meetings will be scheduled by Department AMVETS Riders Executive Committee.
- 9.2 The Riders Department Delegates will be the Presidents of each Chapter or his elected Representative.
- 9.3 Meetings will be scheduled and conducted according to the Department By-Laws and in accordance with Roberts Rules of Order.

ARTICLE X: CHAPTER MEETINGS

- 10.1 Meetings will be scheduled by Chapters.
- 10.2 Meetings will be conducted according to the Chapter By-Laws and in accordance of Roberts Rules of Order.

ARTICLE XI: RIDERS' SUPPORTERS

- 11.1 The AMVETS Riders will recognize individuals who display a desire to help support veterans through the AMVETS Riders Organization. Hereafter these individuals shall be known as AMVETS Riders Support Members. These Riders Support Members must belong to an existing Chartered Chapter of AMVETS Riders.
- 11.2 Support Members must be a Member of AMVETS, Ladies Auxiliary or Sons of AMVETS.
- 11.3 Support Members uniforms and insignia shall be consistent with Article XIII of the AMVETS Riders Department By-Laws with the ADDITION of Riders Support Member Patch worn beneath the 2" or 3" AMVETS, Auxiliary or Sons patch on the top right side of the official vest.
- 11.4 Riders Support Member's dues shall be consistent with that of AMVETS Riders Members.
- 11.5 Riders Support Members SHALL NOT hold any elected/appointed office or be seated as a delegate at any level of the Riders Organization.
- 11.6 Riders Support Members may not be Charter Members as they can only join a Chartered Chapter.

11.7 Riders Support Members shall be under the control of the AMVETS Riders Department Organization. However, Chapters shall retain Authority over their individual Riders Support Members.

ARTICLE XII: AMENDMENTS

12.1 This Constitution may be amended at any AMVETS Riders Department Convention by a majority vote of delegates present at any AMVETS Riders Department Convention. Proposed amendment for action of the Department Convention must be submitted by a Chapter, a Chapter Executive Committee, by mail, postmarked at least 30 days prior to the opening date of the next Department Convention.

12.2 This Constitution may be amended by any Riders Department Convention, without notice, by a two-thirds vote. No amendment will be adopted unless the amendment is referred to the Constitution and By-Laws Committee, considered by it, and reported on at the Riders Department Convention.

12.3 Amendments to this Constitution shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

AMVETS RIDERS DEPARTMENT BY-LAWS

ARTICLE I: NAME AND PURPOSES

1.1 NAME: The name of the organization is **The AMVETS Riders**

1.2 PURPOSE – We the AMVETS RIDERS are a dedicated and patriotic group of motorcycle riders who hold true to an unwavering respect for our Nation, our Flag, and our Military past, present and future. We are committed to the freedom of this Nation, to provide community service and fellowship, and to preserve and support the aims and goals of the AMVETS National Organization.

ARTICLE II: INCORPORATION AND INSURANCE

2.1 The Department Organization shall be incorporated as: AMVETS Riders Incorporated

2.2 Riders Chapters shall comply with the requirements of Article IX of the AMVETS Constitution and By-Laws for insurance.

2.3 The Riders Department Headquarters will be located where the Department President directs, upon approval of the Department Executive Committee.

ARTICLE III: CHAPTER FORMATION

3.1 Chapters will be formed in accordance with the Department AMVETS Riders Constitution and these By-Laws. Chapters that have a clubroom must be incorporated. Chapters shall not hold the Department Organization liable for failure of the Chapter to comply with Federal and State laws or any other liabilities.

3.2 To Charter the requesting unit will provide the following:

- 1). Riders Chapter Application. (Current Form Only)
- 2). Riders Revalidation Form. (Current Form Only)
- 3). Dues and Remittance Form (Current Form Only)
- 4). Federal EIN (Cannot use Posts unless incorporated with Post)
- 5). Liability Insurance, if required by AMVETS CBL Article IX.
- 6). Incorporation Certificate, if required by AMVETS CBL Article IX.
- 7). At least 5 members, all of whom must be Riders not Supporters.

- 8.) In addition to the above all New Chapters shall adopt either the approved AMVETS Riders Generic Chapter By-Laws or approved Chapter By-Laws of the Riders Department where the Chapter is located.

3.3 Fully completed Chapter Applications shall be submitted to the AMVETS Riders Department Headquarters for approval.

3.4 Chapters must revalidate no later than the 1st of June each year, and with no less than 5 members, to maintain their Charter.

- A.) Chapters not revalidated by Department Convention will be suspended.
- B.) Those Chapters suspended under this section will be subject to Charter revocation by a vote at the Department Riders Convention each year.

3.5 Rider Chapters Closure Procedure

- A.) The Chapter President must notify all members in writing 30 days prior to a closure vote of the time and place. The letter must be registered for proof of receipt.
- B.) Current Officers are responsible to insure all expenditures of funds for current outstanding bills are paid. All expenditure billings are subject to inspection. All funds will be frozen from date of post mark posting the closure vote notice.
- C.) If after the meeting the membership voted to close the Chapter the Officers are responsible to do the following:
 - 1.) Close all bank accounts and deliver to the AMVETS Riders Department Headquarters a cashier's check for the balance of all accounts. All funds from the Chapter will be set aside by the Department AMVETS Riders for one year. If the Chapter Charter is reissued within the year all funds will be returned to the Chapter. If the Chapter Charter is not reissued after one year all funds will be retained by the AMVETS Riders Department.
 - 2.) Assemble all records, minutes, property, and any other assets and send them to the Department AMVETS Riders Headquarters.

ARTICLE IV: MEMBERS

4.1 There shall be one class of members: Riders

4.2 Qualifications of membership must be a member in good standing of AMVETS, AMVETS Ladies Auxiliary, or Sons of AMVETS.

A.) Members must provide proof before their membership application can be approved, that they are legally permitted to operate a motorcycle in their respective State, a valid State motorcycle registration, and proof that they are insured according to State laws of their respective State. This information shall be shown to the Chapter President and one other Chapter Officer.

4.3 Only Rider members of the organization shall hold an elected office at Department or Chapter level.

4.4 Riders Department dues is based on a per Rider basis and paid to the Riders Department and shall be reviewed yearly at the Riders Department Convention. Amount of dues will be set by a majority vote at the Riders Department Convention. All monies shall be deposited in the Riders Department general fund account.

4.5 Chapters shall remit dues and a completed Chapter Dues and Remittance Form (DRF) to the Riders Department no later than December 31st each year. Departments shall collect their Chapter's dues and DRF's and send them to the Riders National Secretary no later than February 1st each year. Chapters failing to remit dues by January 15th shall be automatically suspended. Suspended Chapters may be reinstated, no later than June 1st, by submitting a completed DRF, dues, \$25.00 late fee and a \$50.00 reinstatement fee. Chapters failing to reinstate by June 1st shall be subject to a vote of revocation by the Riders Delegates at the Riders Annual Department Convention.

4.6 The membership year for the AMVETS Riders Department of New York will be calendar year (January 1st – December 31st). Dues for the coming year will be accepted starting October 1st. It is the Chapter's responsibility to collect and forward its members' dues to keep all members in good standing with their parent organization.

4.7 ONLY Members in good standing with a current valid membership may hold an elected Office, continue in office and be seated as a delegate, be entitled to vote, represent themselves as an AMVETS Rider or wear the Riders' uniform and insignia.

4.8 Members who become disabled while a valid member and can no longer ride a motorcycle SHALL be considered a member of this Organization.

4.9 AMVETS, Sons of AMVETS and AMVETS Ladies Auxiliary members may join an AMVETS Riders Chapter located in another Post only with the permission of the AMVETS Post Officers where the Riders Chapter is located.

4.10 A current Chapter member in good standing may request to transfer to another Chapter. The Chapter Transfer Form is available online or from the Riders Department of New York Secretary. The losing Chapter may not delay or deny a members' transfer request unless there is a cause, such as a member owes money or has possession of Chapter property that must be returned.

Note: If a transfer is denied for cause, the reason for denial must be submitted in writing to the Department Headquarters along with the unsigned transfer form, within 10 days. The Department will notify all parties involved regarding this action. The completed and signed transfer form should be mailed to the Department Headquarters where it is signed, dated, copied and forwarded to the appropriate Chapter officials and National. Upon receipt of completed transfer form, the gaining Chapter shall consider approval of transfer.

ARTICLE V: DEPARTMENT CONVENTION

5.1 A Department Convention shall be held annually at a time and place selected by the AMVETS Riders delegates. The date and place of the Department Convention will be decided during each year's Convention.

5.2 Elections will be held at the Department Convention and the voting will be done by hand or by voice.

5.3 Nominations of Officers will be made from the floor at the Department Convention.

5.4 The Department Convention shall be comprised of the following:

A.) Each Chapter shall be entitled to two (2) delegates and two (2) alternates for its first fifty (50) members or fraction thereof. Thereafter, a Chapter shall be entitled to one (1) delegate and one (1) alternate for each additional fifty (50) members. The Riders Department Headquarters will determine the total number of delegates per Chapter based on the Chapter Dues Remittance Forms (DRF) as of June 10th each year.

EXAMPLE 5 –50 Members = 2 delegates and 2 alternates
 51-100 Members = 3 delegates and 3 alternates
 101-150 Members= 4 delegates and 4 alternates
 151-200 Members= 5 delegates and 5 alternates, etc.

B.) Each Chapter President will be a delegate.

C.) Each member of the Department Executive Committee and each Riders Past Department President will be entitled to one vote at the Department Convention, provided the member's Chapter is in good standing. The Department President shall vote only in the case of a tie

D.) Delegates to the Department Convention may pre-register with the Riders Department Headquarters provided they are members in good standing.

5.5 Each delegate shall be entitled to one vote. Alternates shall have all the rights and privileges of their delegates except they shall vote only in their delegate's absence. No delegate or alternate, however, shall be seated at the Department Convention unless all the individual's accounts with Department Headquarters are fully paid up.

5.6 Any person who transfers from one Chapter to another must be a member of the Chapter to which the person has been transferred for at least six months before becoming eligible to represent said Chapter as a delegate or alternate at a Department Convention.

ARTICLE VI: MEETINGS

6.1 The meeting place for each meeting will be announced at the previous meeting. The meeting place will be decided on by members in attendance, unless a schedule has previously been generated by the Executive Committee with approval of membership.

6.2 There shall be three (3) types of meetings: the general meeting, Annual Convention, and special meetings.

6.3 There shall be no alcoholic beverages or smoking allowed at any Department meeting. Any member who is obviously intoxicated prior to a meeting will not be permitted to attend said meeting and will be subject to disciplinary action.

6.4 Members will be notified of special meetings at least thirty (30) days in advance of the meeting date. It is the responsibility of each member to be sure that current contact information is on file with Riders Department.

6.5 At all regular and special meetings, at least four (4) Elected Officers, and three (3) members will constitute a quorum.

6.6 At the Executive Committee meetings, five (5) voting members of the committee shall constitute a quorum.

6.7 The Department Secretary will provide official copies of all Department Meeting Minutes to each Riders Chapter President and Secretary within 30 days of the close of the Department Meeting.

6.8 A Riders Department SEC shall be established where Policy and Law can be addressed to the Riders members.

6.9 Having established a Department SEC, the Riders Department shall establish a delegate system in line with the current Riders Department By-Laws where each Riders Chapter may represent themselves to conduct business of the Organization.

6.10 This Riders Department SEC shall be held in conjunction with the AMVETS Department SEC in the month of March each year.

6.11 Funding and scheduling shall be allocated so that the Riders Department President will be able to attend the AMVETS Riders SEC, AMVETS Riders Department Convention, AMVETS Riders National Mid-year Rally and AMVETS Riders National Convention to report to the AMVETS Department Commander and the AMVETS Riders National Convention.

ARTICLE VII: DEPARTMENT OFFICERS

7.1 A President, 1st Vice President, 2nd Vice President, Treasurer, Judge Advocate, and Sergeant at Arms shall be elected annually from the Members.

A.) A Secretary and a Chaplin will be appointed by the President and approved by the Department Executive Committee.

B.) No member shall be eligible for any Department office unless proof of eligibility for membership has been presented to the Department Executive Committee of that Convention.

7.2 Department Headquarters and Chapters shall be notified of the election of new officers within thirty (30) days after elections have been completed.

7.3 The newly elected officers shall be sworn in and take office before the closing of the Riders Department Convention.

7.4 In the event that the office of President is vacated, the 1st Vice President shall succeed to the office of President for the un-expired term.

7.5 In the event that the office of 1st Vice President is vacated, the 2nd Vice President shall succeed to the office of 1st Vice President for the un-expired term.

7.6 In the event that any other elected office is vacated, the Executive Committee shall appoint a member to complete the un-expired term.

7.7 Any elected officer who misses two (2) meetings without prior notice, and without good cause, to be determined by the Executive Committee, shall be removed from office without any further action, notification or hearing. Any officer not accomplishing their duties and responsibilities will be removed from office determined by the Executive Committee without any further action, notification or hearing. The vacated position shall be filled in accordance with the guidelines prescribed herein.

7.8 AMVETS Riders Department President and the Riders Department Vice Presidents may hold office for two (2) one year terms and shall succeed if no nominees have been given. All other National Officers shall have no term limits.

ARTICLE VIII: DUTIES OF OFFICERS

8.1 **PRESIDENT** will oversee all areas of the organization. Shall appoint officers and committees as designated in the Department Constitution and By-Laws. Shall chair all meetings. Shall insure that all committees, programs, and events are operated in accordance with the Department Constitution and By-Laws. The President shall be a nonvoting member ex-officio of all committees.

8.2 1st VICE-PRESIDENT will keep accurate membership records. Shall ensure that all monies collected through memberships or renewals are forwarded immediately to the Treasurer. The 1st Vice President shall facilitate incentives and drives, to insure continued growth throughout the Riders. The 1st Vice President shall make a report at each general membership meeting of the current up to date standings and to forward this report to the Secretary for inclusion in the meeting minutes, as well as Department reports. Perform other duties as assigned by the Executive Committee or the President.

8.3 2nd VICE-PRESIDENT will monitor the Riders programs and coordinate with the National AMVETS Programs Director to ensure the National AMVETS Riders Organization is fully utilized in the conduct of National Programs as directed by the National AMVETS Headquarters. Perform other duties as assigned by the Executive Committee or the President.

8.4 SECRETARY shall keep accurate records and minutes of all Department meetings. The Secretary shall act as the official point of contact between the Departments and Chapters. To handle all correspondence received and sent by Chapters. To pass communications promptly to the respective recipient as needed. The Secretary shall maintain files for the Organization. Perform other duties as assigned by the Executive Committee or the President.

8.5 TREASURER shall keep accurate records of all financial transactions and organization monies. The Treasurer shall insure that all monies are deposited as directed by the Department Executive Committee. All receipts, transaction slips and checks will be kept on file and turned over to the appointed audit committee when requested. Copies of all transactions will be maintained by the Treasurer. To perform other duties as may be assigned by the Executive Committee or the President.

8.6 CHAPLAIN shall offer comfort and solace to our members in their time of need. The Chaplain shall offer opening and closing prayers at all Department meetings. The Chaplain shall notify the Secretary of the need to send a card of sympathy or get well wishes to those members or their families as needed. To perform other duties as may be assigned by the Executive Committee or the President.

8.7 SGT-AT-ARMS shall maintain order at all meetings. Shall post and retire the Colors when called upon to do so. To lead the membership in the Pledge of Allegiance at each meeting as prescribed. The Sgt at Arms shall ascertain that only members in proper uniform are admitted as Delegates or Representatives to meetings. The Sgt at Arms shall be responsible for the security of Riders Department Officers, buildings and grounds at all Rider's Department functions and meetings. To perform other duties as may be assigned by the Executive Committee or the President.

8.8 JUDGE ADVOCATE shall advise the President and other Department Officers on legal matters pertaining to the activities of the Department AMVETS Riders. He will review and approve all By-Laws submitted by Chapters for approval. The Judge Advocate shall advise on parliamentary and Constitution and By-Laws matters. He shall be an ex-officio member of all committees. To perform other duties as may be assigned by the Executive Committee or the President.

ARTICLE IX: DEPARTMENT EXECUTIVE COMMITTEE

9.1 The Executive Committee will consist of members in accordance with the Department Constitution.

9.2 The Executive Committee will have the Duties and Responsibilities as defined in the Department Constitution and By-Laws.

ARTICLE X: COMMITTEES

10.1 The Audit Committee shall be appointed by the Department President. The President shall appoint such members from the membership as deemed necessary to carry out their assignments.

A.) The Audit Committee shall consist of the appointed chairman and two (2) voting members.

B.) The Audit Committee shall do a complete audit of all Department Riders' accounts and financial records when needed 30 days prior to the annual meeting.

10.2 The Past Department Presidents Committee shall consist of all Past Department Riders Presidents. This committee is an advisory group to the Department Executive Committee.

10.3 Other committees shall be developed and organized as needed by the President or the Executive Committee.

ARTICLE XI: FINANCES

11.1 All Department fund raising activities must be approved in advance by the Executive Committee.

11.2 An annual budget shall be prepared by the Treasurer and submitted to the Executive Committee for its approval. Accurate books and records of account activities maintained by the Treasurer shall be subject to inspection and review by the Executive Committee at all reasonable times. Books and records will be made available upon reasonable request of said committee.

11.3 The Treasurer shall render a report of receipts and disbursements at each Department meeting. The Treasurer is also responsible for filing all IRS forms as required by law. The fiscal year shall be January 1st through December 31st.

11.4 The Executive Committee shall have discretionary spending up to \$300 (three hundred dollars) without prior approval from membership. Disbursement of funds shall be in a manner that is in keeping with all local, state, and federal laws regarding nonprofit organizations.

ARTICLE XII: BOOKS AND RECORDS

12.1 Correct books of accounts of the activities and transactions of the Corporation shall be kept at the office of the Corporation. These shall include a minute book of Department meetings, and a copy of the Certificate of Incorporation, a copy of the By-Laws, a copy of the Constitution, all minutes of meetings of the Executive Committee.

ARTICLE XIII: UNIFORMS AND INSIGNIAS

13.1 Riders shall be permitted to wear and display AMVETS Riders' patches and Riders insignias only while a member in good standing. Riders who do not wish to wear a patched vest may wear a plain Black vest.

13.2 Riders are required to purchase 8" or 12" Riders Logo patches in the approved multicolor Red, White, Blue, and Gold color with Gold trim. The patch is to be worn on the back of the vest and will be centered. The vests shall be "black" in color. There shall be no "GRANDFATHERED" vests of any type or style.

- A.) All center patches and rockers must be purchased from the National AMVETS Riders Quartermaster.
- B.) All members shall maintain "uniformity". Placement of rockers around the Riders logo patch on back of black vest shall be placed with the top rocker and bottom rocker touching the Riders logo patch without a gap to show a monolithic patch with rockers.
- C.) The top rocker shall be for Post or Chapter number. The bottom rocker shall be for City and Department of the Chapter.

13.3 These front patches are required for Riders' and will be worn as follows:

- A.) TOP LEFT SIDE
 - 1). American Flag. Will be the highest patch on the front left of the vest.
 - 2). New York State patch positioned directly below the American Flag.
- B.) TOP RIGHT SIDE
 - 1.) POW/MIA patch. Will be the highest patch on the front right of vest but must be lower than the American Flag patch.
 - 2). 2" or 3" Hat patch for AMVETS, Auxiliary or Sons of AMVETS positioned directly below the POW/MIA patch.
- C.) All required front patches must be purchased from the National AMVETS Riders Quartermaster.

13.4) DEFINITION OF BACK AND FRONT OF VEST

The front and back of a vest will be determined by buttoning or snapping the vest front and placing it on a flat surface. The back will be considered to be everything seen when the front closure is facing down and centered, likewise the front will be everything seen when the vest is placed flat on its back and centered.

13.5 ADDITIONAL PATCHES MAY BE WORN AS FOLLOWS:

A.) At no time will any type of profanity, be it graphic or written, be displayed on any article of clothing bearing the AMVETS name. No patches with the number 1% or 13 or the letters MC, nor any patch denoting or insinuating a motorcycle club will be worn on any article of clothing.

B.) No organizational patches for any other organization shall be worn. With the following exception only:

1). A Patriot Guard patch may be placed on the front of the AMVETS Riders vest.

2). An ABATE patch may be placed on the front of the AMVETS Riders vest

13.6 The AMVETS Riders logo/patch shall not be altered or defaced in any manner.

13.7 Other patch's and pins and/or insignias that promote a positive image for AMVETS, AMVETS Riders, Veterans, or patriotism may be displayed only on the front of a Riders' patched black vest.

13.8 The Black Beret with 2" Riders hat patch is the approved headwear/cover for all Riders. This will be purchased from the National AMVETS Riders designated Quartermaster.

A.) National Riders President will wear a Light Blue Beret.

B.) All other National Riders Officers will wear a Red Beret.

C.) Department Officers will wear a Tan Beret.

D.) Past Officers of the National, Department, or Chapter shall have an approved Badge on their Berets located one inch to the left of the Beret patch as outlined in Article 13.11.

13.9 The purchase of vests, jackets, additional clothing, patches, insignias, pins, or other Riders' items will be at the expense of the members.

13.10 Dress code for AMVETS Riders Department of New York meetings:

A.) Riders unadulterated Beret and in the proper color.

- B.) Black Boots or Black Shoes.
- C.) Riders Patched Vest or a plain unadulterated Black Vest.
- D.) Red AMVETS Riders dress long sleeve or short sleeve shirt. Black or Blue colored jeans, slacks, or skirt in good condition.

13.11 PAST OFFICERS INSIGNIA

- A.) The Crossed Sabers of the Calvary, (Gold in color worn to the left of the Riders Logo Patch on the appropriate color Beret) will identify PAST Riders Officers. The crossed sabers will be used by all Past National Officers, Past Department Officers and Past Chapter Officers when wearing a Color Beret from past office. Past Officers shall not wear past officer insignia while holding an office in the Riders at the same level when a qualifying past office was held.

13.12 MEMORIAL BACK PATCH

- A.) A Riders Memorial Back Patch may be presented to the spouse or next of kin of a fallen AMVETS Rider either for wear (if the Spouse or next of Kin is a Riders member) or presented framed for non-riding individuals. The Memorial Patch will be 8” in diameter with Red background, Silver trim, with a 3” shaded kneeling Soldier/Sailor/Airman/Marine for Military Vets or a simple symbol for non-vets shall be placed in the center of the patch, with the words “Gone but not Forgotten” in the upper quadrant of the patch, and the words “AMVETS Riders” in the lower quadrant of the patch. The deceased Riders name shall be placed directly below the words in the upper quadrant of the patch. The year of birth and the year of death will be placed directly below the deceased Riders name.

ARTICLE XIV: FLAGS AND BANNERS

14.1 The AMVETS Riders Department Flag will be 2-sided and configured in the following Manner:

- A.) A solid scarlet red background 3’ x 5’, 4’ x 6’, or 5’ x 7’ feet in size.
- B.) An AMVETS Riders Logo in proportion to the flag size and centered lengthwise and centered top to bottom with double fold banner in proportion to the flag size on the bottom. Each space shall be equal in size top, middle, and bottom.
- C.) A double fold banner gold in color with the word DEPARTMENT in block letters, black in color.

14.2 Motorcycle flags shall be 2-sided and bear only the AMVETS Riders Logo.

14.3 Nothing shall be sewn or hung on the flag or its staff.

14.4 The Department Riders Flag shall be flown at all official Riders Department meetings or events.

14.5 The Sergeant at Arms will have sole responsibility to insure the safe guarding and display of the Riders Department Flag.

14.6 Chapters will replace the word Department on their official flag with either their Chapter number, City name, Department name, or the 2-digit State abbreviation. A combination of these may be used.

14.7 Chapters may design their own banner. Said banner shall be one-sided. All banner designs must be approved by the Department Executive Committee before being adopted by a Chapter.

ARTICLE XV: RUNS AND EVENTS

15.1 All runs and events conducted by the Riders Chapter will be planned and coordinated by a committee appointed by the Chapter President.

15.2 All Riders Chapters will hold a minimum of two (2) runs or events per year.

15.3 All runs and events conducted by Chapters will be conducted according to the By-Laws of their Department or Chapter.

15.4 All runs and events will comply with all Federal, State, and Local Laws and Regulations.

ARTICLE XVI: DISCIPLINE

16.1 DISCIPLINE

A.) Disciplinary rules relative to Chapters are prescribed in Appendix A.

B.) A Riders Department Executive Committee may suspend or expel any Rider member for misappropriation of AMVETS Riders Department funds.

16.2 The Riders Department Executive Committee, after notice and hearing before a subcommittee may cancel, suspend, or revoke the Charter of any Riders Chapter for good and sufficient cause. Procedure for any such action shall be prescribed by the Department Judge Advocate. In the event of the cancellation, suspension, or revocation of any Charter of any Riders Chapter, the suspended body shall have the right of appeal to the next Riders Department Convention.

16.3 With the approval of the Riders Department Executive Committee, the Department President after notice may invoke and formulate a trusteeship to take over the operation of a Riders Department Chapter for good and sufficient reasons and for the well-being of the AMVETS Riders Organization.

16.4 Members may be suspended or expelled for any of the following reasons:

- A.) Failure to comply with obligations imposed on the members in this Constitution and By-Laws.
- B.) Any conduct unbecoming an AMVETS Rider that reflects unfavorably on AMVETS or the AMVETS Riders.

16.5 Any member who receives disciplinary action by their Parent Organization shall be subject to the same action under the AMVETS Riders. When a Parent Organization expels and or removes membership rights the same membership rights are removed and expelled from Riders membership automatically. Once the member has exhausted their Parent Organizations appeal process, if the member is reinstated to membership in their Parent Organization, also at that time Riders Membership will be restored.

ARTICLE XVII: AMENDMENTS

17.1 These By-Laws may be amended at any AMVETS Riders Department Convention by a Majority vote of the delegates present.

- A.) Proposed amendments for action of the Department Convention must be submitted by a Riders Chapter, a Riders Chapter Executive Committee, the Riders Department Executive Committee, or a standing Department Committee to the President by mail, postmarked at least 30 days prior to the opening of the next Department Convention.
- B.) All amendments will be distributed to all Department and Chapter Officers 30 days prior to the opening date of the AMVETS Department Riders Convention each year.

17.2 The By-Laws however may be amended, by any Riders Department Convention without notice, by a two-thirds vote.

17.3 No amendment will be adopted unless the amendment is referred to the Constitution and By-Laws Committee, considered by it and reported on at the Riders Department Convention.

17.4 Amendments to these By-Laws shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

ARTICLE XVIII: ADMINISTRATIVE SUPPORT

18.1 The Riders Executive Committee formulates a description of duties for any and all required support personnel.

18.2 The description of duties includes the following:

- A.) Purpose of position.

- B.) Controls over work.
- C.) Qualification criteria.
- D.) Primary duties and responsibilities.
- E.) An outline of all compensation and reimbursements.

18.3 The Riders Executive Committee shall review and update as required once a year.

Appendix A: Revocation, Cancellation or Suspension of Chapter Charters

UNIFORM CODE OF PROCEDURE FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF CHARTERS

Section 1. In addition to the provisions of Article XVI, of the AMVETS RIDERS Department By-Laws, Chapter charters may be suspended or revoked for any one or more of the following reasons:

- A – Failure to comply with any of the provisions of Article XVI;
- B – Failure to comply with Article XI and XII, of the AMVETS Riders Department By-Laws;
- C – Any violation of law that reflects unfavorably on the name AMVETS Riders, in which case the Riders Department President may seize the Chapter charter prior to the hearing provided herein.
- D – Any misconduct unbecoming an AMVETS Rider Chapter;
- E – Violation of any other provisions of the AMVETS Department Constitution and By-Laws or AMVETS Riders Department Constitution and By-Laws.

Section 2. Any Chapter charter may be cancelled if it was obtained by fraud or deception.

Section 3. Any member in good standing may prefer charges against an offending Chapter. These charges shall be made under oath, alleging the time and place of the offence and signed by the accuser.

Section 4.

- A – All charges and specifications shall be filed with the Riders Department Executive Committee or Riders Department Judge Advocate who shall without delay send a notice by mail to all elected members of the Riders Chapter Executive Committee of the filing of said charges and the date and place of the meeting to be held, not less than five (5) days nor more than twenty (20) days after the date said notice was

mailed. At such meeting, the charges shall be read and their acceptance or rejection acted on.

- B – The Department President will mail/e-mail copies of the charges to the elected Riders Department Executive Committee. Each Committee member will vote by mail or email their acceptance or rejection within fifteen (15) days of receiving the charges. By majority vote if accepted, the accused Chapter shall be placed on trial.

Section 5. When the charges have been presented and read, if the Department Executive Committee accepts the charges the Department President shall set a time and place for a hearing. A notice thereof shall be sent by registered mail to the President of the offending Chapter together with a copy of the charges and specifications. The date of the hearing shall not be less than thirty (30) days from the date of the acceptance of the charges by the Riders Department Executive Committee.

Section 6. If, after notice has been duly served, the offending Chapter is not represented at the time and place of the hearing, the Riders Department Executive Committee may conduct the hearing to a final conclusion.

Section 7. The Department Judge Advocate shall prosecute the charges. The offending Chapter shall be entitled to council. The attendance of a court reporter shall be permitted (all costs of a court reporter will be the responsibility of the contracting party).

Section 8. The Riders Department President shall decide all questions as the relevancy of the evidence and the regularity of the proceedings.

Section 9. At the conclusion of the hearing, the President shall immediately put the question of “guilty” or “not guilty” on each charge and specification.

Section 10. It shall require a vote by ballot of two-thirds of the Riders Department Executive Committee members present to sustain any charge or specification.

Section 11. If any Charge or specification is sustained, the Chapter shall be declared guilty and the President shall put the question of the degree of punishment, beginning with charter revocation. If that is not sustained, then indefinite suspension, and if that is not sustained, definite suspension, and if that is not sustained, reprimand shall follow without further vote.

Section 12. With the exception of reprimand, which must follow a finding of guilty unless a more severe penalty is imposed, a vote of two-thirds of the members of the Riders Department Executive Committee present at the hearing shall be necessary to decide the degree of punishment.

Section 13. Any Chapter whose charter is revoked or suspended may appeal to the Riders National Executive Committee by notifying the Riders National Judge Advocate by registered mail of its desire to appeal within thirty (30) days of the hearing closure. The action of the Riders

National Executive Committee shall be binding, pending appeal to the next Riders National Convention.

Section 14. Procedures for the handling of any such appeal shall be prescribed by the Riders National Judge Advocate.

Appendix B: Suspension or Expulsion of Members

UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER

Section 1. In addition to the provisions of Article VI of the AMVETS Riders Department Constitution and Article IV of the AMVETS Riders Department By-Laws, members may be suspended or expelled for any one or more of the following reasons:

- A – Failure to comply with any obligation imposed on members under the Constitution and By-Laws;
- B – Any violation of law that reflects unfavorably on the name AMVETS Riders;
- C – Any other conduct unbecoming an AMVETS Riders;
- D – Ineligibility for membership at time of acceptance into membership; or
- E – Procurement of membership by fraud or deception.

Section 2. Any member of AMVETS Riders may prefer charges against any other member, alleging any of the foregoing causes for suspension or expulsion. Such charges shall be made under oath, setting forth the time and place of the offense or other basis for charges, as near as may be practicable, and signed by the accuser.

Section 3. All charges and specifications shall be filed with the Chapter President of the Chapter to which the member complained about belongs. On receipt of said charges and specifications, said respective President shall, within ten (10) days, send a copy thereof by certified mail to the member complained about, together with a notice fixing a date, place and time of a hearing to be held not less than thirty (30) days after said date of mailing.

Section 4. Said charges and specifications shall be heard by the Chapter Executive Committee of the Chapter. At which said hearing the member complained about shall have the right to be represented by council and to cross-examine the accuser or accusers and witnesses presented against the member. No member against whom charges have been preferred, or who has preferred charges against another member, shall sit in judgment on any panel hearing or deciding the matter.

Section 5. The Chapter or Riders Department Judge Advocate, as the case may be, shall prosecute the charges and the attendance of a court reporter shall be permitted.

Section 6. The presiding officer of said committee shall decide all questions as to the relevancy of evidence and the regularity of the proceedings.

Section 7. On the conclusion of the hearing, a vote shall be taken first as to whether there is a basis for the charge or charges and, if by the vote hereinafter mentioned, it is determined that there is none, the charges may be dismissed. If the charges are not dismissed, then a vote shall be taken on the guilt or innocence of each of the charges and each of the specifications. A two-thirds vote of the members of the Executive Committee hearing the charges and specifications shall be required to sustain any charge or specification. Voting herein provided for shall be secret or open as said Executive Committee may, by majority vote thereof, determine.

Section 8. If any charge or specification is sustained, then the member shall be deemed to be guilty thereof and the officer presiding at the hearing shall then put the question of the degree of punishment as to whether there shall be a suspension from the benefits of membership and, if so, for how long; or an expulsion from membership.

Section 9. Any Riders member whose membership is suspended or forfeited may appeal to the next highest level applicable from that which heard the charges and specifications, i.e., from Riders Chapter Executive Committee to Riders Department Executive Committee, from the Riders Department Executive Committee to Riders National Executive Committee. Notice of appeal must be filed in writing with the appellate body no later than fifteen (15) days after the date of a hearing.

Section 10. In the event that charges are filed against any Rider Department elected or appointed officer, such charges shall be heard by the Riders Department Executive Committee or a subcommittee appointed by it in accordance with the general outline set forth above, with the right of appeal in the event of a suspension or expulsion to the next Riders Department Convention.

Section 11. The decision of the appellate body at either level shall be binding and final.

Section 12. The procedure for the handling of an appeal to be heard by the Riders National Executive Committee or the Riders National Convention shall be prescribed by the Riders National Judge Advocate. The procedure for the hearing of an appeal by the Riders Department Executive Committee shall be prescribed by the Riders Department Judge Advocate and the procedure for the handling of an appeal to be heard by the Chapter executive Committee shall be prescribed by the Chapter Judge Advocate. No such procedure at any level, however, shall be inconsistent or in conflict with the Riders National, Riders Department, or Chapter Constitution and By-Laws or this code.

Appendix C: Procedures Department Grievance Committee

UNIFORM CODE OF PROCEDURE FOR THE DEPARTMENT RIDERS GRIEVANCE COMMITTEE

The appellant shall forward an appeal within fifteen (15) days after the imposition of the penalty to the Department Riders Judge Advocate with a copy mailed to Riders Department Secretary. An appeal not received in accordance within the established time will not be forwarded to the Grievance Committee. Appeals not properly prepared in accordance with the references noted above will not be considered.

The Department Riders Judge Advocate will notify the Riders Chapter, the appellant and the duly appointed Riders Department Grievance Committee of receipt of the appeal and schedule a Grievance Committee meeting to hear said appeal prior to the next regularly scheduled Riders Department Executive Committee meeting.

The appellant and the Chapter will be notified in writing of the date, time and location of the meeting.

The Riders Grievance Committee is a subcommittee of the Department Riders Executive Committee and will report its findings to the Riders Department Executive Committee. The Riders Department Executive Committee must either ratify or reject the findings of the Grievance Committee at its next regularly scheduled meeting. The decision of an appellate body shall be binding and final. The appellate may be represented by council at all stages of the appeal process and may cross-examine all witnesses presented against him.

The Riders Department Judge Advocate or the Riders Department appointed representative will prosecute the charges and the attendance of a court reporter shall be allowed at no charge to the appellant.

The presiding officer of the Grievance Committee shall decide all questions as to the relevancy of evidence and the regularity of the proceedings at that level. The Department Riders Judge Advocate shall decide all questions as to the relevancy of evidence and the regularity of the proceedings of the Department Grievance Committee.

The accuser and the appellant may call witnesses and present evidence. The Riders Department Judge Advocate will be notified in writing of the number of witnesses and their order to be called. Evidence or documents shall be properly numbered and submitted to the Department Riders Judge Advocate. Notarized depositions may be submitted.

Witness statements will not exceed ten (10) minutes with ten (10) minutes allowed for cross-examination. The accuser, the appellant or their appointed representatives may make opening and closing remarks not to exceed ten (10) minutes each. The prosecuting Judge Advocate shall present opening remarks first and closing remarks last.

Each party to the appeal shall have the right to recall witnesses and re-direct questions to witnesses. Recalled witnesses and re-direct questions will not exceed five (5) minutes with five (5) minutes allowed for cross-examination.

At the conclusion of closing remarks the chairman shall close the hearing. A vote shall be taken to determine if the charges and punishment on appeal shall be upheld. A two-thirds vote of the committee shall be required to sustain the charges and punishment on appeal.

The Department Riders Judge Advocate shall notify the appellant in writing of the results of the appeal.

Appendix D: Discipline of Chapters and Riders Members

DISCIPLINE OF CHAPTERS AND RIDERS MEMBERS

Section 1. Each Chapter of AMVETS Riders shall be the judge of its own membership, subject to the provisions of the Constitution and By-Laws of the Riders Department organization.

A – When the conduct of any member of Riders is such that it in any way will reflect discredit on, or invite criticism of, or (any member) who belongs to or joins any group, organization or party that is not compatible with the aims and principles of Riders, the President shall immediately bring the matter to the attention of the Chapter of which the individual is a member. If the Chapter fails to act and protect the name of Riders, the Department President or Department Executive Committee may suspend the charter of the Chapter involved, pending a hearing and final action by the Riders Executive Committee. Pending a hearing by the Executive Committee that shall be conducted within thirty (30) days of the notice thereof to an offending Chapter, officer, or member relative to any infringement or breach of the rules established in the AMVETS Riders Department Constitution and By-Laws.

B – In the event the Riders Chapter Executive Committee fails to act in accordance with paragraph (A) of this article, the Department Riders Executive Committee may suspend the charter of the Chapter involved, pending a hearing and final action by the Department Riders Executive Committee.

Section 2. Members may be suspended or expelled by a Chapter, a Riders Department Executive Committee, or the National riders Executive Committee on a proper showing of cause. Written charges, which shall be furnished the member involved at least thirty (30) days prior to the date set for the hearing, shall be based on disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of AMVETS Riders.

A – The Department Riders Executive Committee shall provide a uniform code of procedure to be followed in effecting the suspension or expulsion of members, and said code of procedure shall establish a method of appeal (Appendix A Section 13)

B – The Department Riders Executive Committee shall provide a uniform code of procedure for the Department Riders Grievance Committee to be known as Appendix C.

Section 3. Any Rider member who has been suspended or expelled in accordance with Section 2 hereof has the right of appeal. In the event the suspension or expulsion is imposed by the Chapter, the appeal shall be to the Riders Department Executive Committee. In the event the suspension or expulsion is by the Riders Department Executive Committee, the appeal shall be to the Riders National Executive Committee. In the event the suspension or expulsion is by the Riders National Executive Committee, the appeal shall be to the Riders National Convention. The decision of the appellate body shall be final.

Section 4. Any member resigning, being suspended or whose membership is revoked shall have the member's name directed to the Riders Department and the Riders National Headquarters outlining the suspended or membership revocation.

This Constitution and By-Laws has received a majority vote of Department Delegates at the AMVETS Riders Department Convention August 16, 2014 in Hornell, NY.

Kevin A Matteson

Kevin Matteson, President
AMVETS Riders
Department of New York

Frank Dieter

Frank Dieter, Judge Advocate
AMVETS Riders
Department of New York

Lisa A Matteson

Lisa Matteson, Secretary
AMVETS Riders
Department of New York

Revised and adopted at the 2014 AMVETS Riders Department of New York Convention in Hornell, New York. This document replaces/supersedes any and all previous AMVETS Riders Department of New York Constitution and By-Laws.

Dated July 19th, 2014

SIGNATURES ON FILE