

THE BYLAWS  
AND  
ORGANIZATION

OF

A.B.A.T.E. OF  
MISSISSIPPI

*REVISED January 2013*

## **Section 1 -Purpose and Goals of ABATE**

- A. The term ABATE shall stand for American Bikers Active Towards Education.
- B. ABATE shall be actively involved in monitoring and changing anti-motorcycle and motorcyclist legislation.
- C. ABATE shall be actively involved in promoting safe riding habits, public education, and rider safety education.
- D. ABATE shall be actively involved in improving the image of motorcycling, through such methods as charitable events, public displays of motorcycle safety and riding skills, and similar methods.
- E. ABATE, its chapters and members shall not engage in willful disobedience of the law, except in sanctioned, organized events or protests. These events or protests will be conducted in good taste appropriate for the occasion.
- F. ABATE and its chapters are not a motorcycle club and will not be referred to as such by its' members.
- G. ABATE will encourage its members to be registered voters and be politically active.

## **Section 2 -Membership**

- A. Membership is open to any individual willing to work toward the purpose and goals of ABATE of Mississippi.
- B. There will be no prospecting, initiation or petitioning to join ABATE or its' chapters.
- C. Annual dues will be \$18 for individual members, \$25 for couples and \$30 for family membership (Parents and up to 4 children under 18 years of age, each will receive membership cards and year pins and patch when signed up). If a former member rejoins they may receive year pins continuing from point of leaving, if they can prove last year of membership.  
Life memberships are \$150.00 for individuals and \$250.00 for couples.
- D. Membership fees are not refundable.
- E. Failure to follow proper civil conduct at meetings or events, or abide by the bylaws of ABATE, shall be grounds for dismissal from any office held and / or as a member. These matters may be handled under the grievance section of the bylaws.

### **Section 3 -Governing Body**

#### A. The officers of ABATE of Mississippi shall be:

1. State Officers
  - a. State Director
  - b. State Education and Safety Officer
  - c. State Public Relations Officer
  - d. State Legislative Affairs Officer
  - e. State Products Officer
  - f. Secretary / Treasurer
  - g. Assistant director
  
2. Chapter Officers
  - a. Chapter Director
  - b. Assistant Chapter Director
  - c. Secretary
  - d. Treasurer
  - e. Security Chief
  - f. Road Captain
  
3. State Staff
  - a. State Security Chief
  - b. State Road Captain
  - c. Newsletter Editor
  - d. State Chaplain
  - e. State Webmaster

#### B. Duties of Officers

1. State Officers
  - a. State Director
    - 1) Overall responsibility for the direction and actions of ABATE
    - 2) Direct other officers in their duties.
    - 3) Uphold the bylaws of the organization.
    - 4) Chairperson of the Executive Board.
    - 5) Resolve minor conflicts in the organization not requiring the Grievance Board.
    - 6) Enforce the decisions of the Grievance Board.
    - 7) Appoint the State Staff
    - 8) Be available within reason for ABATE events around the state.
    - 9) Lead and organize the Pledge of Allegiance in State level functions.
    - 10) Organize State events
  
  - b. State Education and Safety Officer
    - 1) Provide motorcycle safety information to the Chapters.

- 2) Coordinate rider safety education in the organization.
  - 3) Coordinate the Emergency Breakdown Number.
  - 3) Be available within reason for events around the State especially those focused on rider skills and safety
  - 4) Coordinate rider education with other organizations and State of Mississippi
- c. State Public Relations Officer
- 1) Coordinate publicity for events and the organization.
  - 2) Coordinate chapter and state event schedules.
  - 3) Recruitment of new members.
  - 5) Provide assistance and guidelines to the chapters in organizing events.
- d. State Products Officer
- 1) Be available (within reason) for State / Chapter events, especially those with public view (chapter openings, charity events, etc.)
  - 2) Coordinate sale and inventory of ABATE products (\$2000 inventory budget reviewed annually by the Executive Board).
  - 3) Provide accounting and inventory reports to the Secretary/Treasurer.
- e. State Legislative Affairs Officer
- 1) Work with state / local government officials to further the goals of the organization.
  - 2) Update members and officers on current legislation.
  - 3) Coordinate work by the organization for legislation change.
  - 4) Assist / provide guidance to chapters on legislative matters.
  - 5) Act as liaison with law enforcement officials, should the need arise during events.
  - 6) Be available (within reason) for chapter/state events, especially those of a political nature (protests, memorial rides, etc.).
- f. State Secretary / Treasurer
- 1) Record minutes of all meetings of the Executive Board.
  - 2) Record minutes of all business meetings of State Officers.

- 3) Maintain copies of correspondence, especially that between ABATE and other organizations or individuals.
- 4) Maintain the membership list and provide copies to all state officers and chapters at each e-board meeting.
- 5) Maintain the bylaws up to date and provide copies to all state officers and chapters within 15 days of approved changes.
- 6) Provide guidance / directions to chapters on proper record keeping.
- 7) Maintain the state treasury and all the records associated with it.
- 8) File annual tax returns for the organization
- 9) Provide advice guidance to the chapters on financial matters.
- 10) Provide quarterly treasury reports to all state officers and chapters.
- 11) Present bi monthly treasury reports to the State Director.
- 12) Present bi monthly treasury balance to the newsletter for publication

g. Assistant Director

- 1) To fulfill directors duties in their absence

2. Chapter Officers

a. Chapter Director

- 1) Overall responsibility for the direction and action of the Chapter.
- 2) Direct chapter officers in their duties. 3)
- 3) Resolve disputes within the chapter that do not require the Grievance Board.
- 4) Lead the chapter in the Pledge of Allegiance at the chapter meeting and functions.
- 5) Hold business meetings at least monthly.
- 6) Appoint other officers depending on the show of hands from all members present at meeting. Appointments will stand until next regular scheduled election.
- 7) Coordinate events in the area.
- 8) Assist the Executive Board with business in the chapter area if possible.
- 9) Represent their Chapter members at e-board meetings.

b. Assistant Chapter Director

- 1) Assume the responsibility of the Chapter Director

in the event of a temporary absence of the Chapter Director.

- 2) Assist the Chapter Director in the duties of the office.
- c. Secretary
  - 1) Record the minutes of all meetings.
  - 3) Maintain copies of correspondence between the chapter and other individuals or groups.
  - 3) Maintain the chapter membership list.
- d. Treasurer
  - 1) Maintain the chapter treasury.
  - 2) Present treasury balance to the chapter monthly.
  - 3) Provide treasury report for e-board meetings.
- e. Security Chief
  - 1) Maintain security at all chapter functions.
  - 2) Call monthly meetings to order.
  - 3) Assist the Chapter Director with public relations duties.
- f. Road Captain
  - 1) Encourage safe riding habits in the chapter.
  - 2) Responsible for the Chapter on the road.
  - 3) Coordinate routes being traveled when on the road.
3. State Staff
  - a. State Security Chief
    - 1) Oversee security and organization at State events.
    - 2) Assist the chapters with security and guidance as necessary.
  - b. State Road Captain
    - 1) Encourage safe riding habits.
    - 2) Assist the chapters in routing and scheduling travel.
  - c. Newsletter Editor
    - 1) Timely release of the newsletter.
    - 2) Direction of newsletter committee (if needed).
    - 3) Proofreading, typesetting and layout of newsletter.
  - d. State Chaplain
    - 1) Provide spiritual guidance for ABATE members as requested.
  - e. State Webmaster Maintain ABATE webpage.

#### **Section 4 -Selection of Officers**

##### **A. Eligibility of Officers**

- 1) Must be registered to vote in the State of Mississippi.
  - 2) All members of the Executive Board and Chapter Secretary must have a phone and a proper mailing address.
  - 3) The Road Captain shall own a motorcycle.
- All exceptions to the above must be approved by vote of the Executive Board.*

B. State Officers will normally be elected annually in November.

D. The Area Director of a new Chapter may be appointed by the State Coordinator for a term of up to 90 days until an election, can be held, if there is not an election at the chapter opening.

D. Candidates for State Officers should submit letter of intent, with proof of qualifications, to the State Director, no later than September 1st, for annual elections.

E. Ballots for the State Officers will normally be in the November newsletter, with results tallied by the Staff Officers on or about December 1st. Winners will be notified by December 15th. Results of the election will be published in the January newsletter.

F. Chapter Director can normally be elected at the October meeting, with the new Chapter Director taking office at the January meeting.

G. Any state or chapter officer that misses two or more scheduled meetings in a row, can be referred to the Grievance Board with recommendations for removal from office.

H. Any state or chapter officer that resigns must wait one calendar year before he/she can hold that office again.

I. If the State Director resigns, the assistant director will take office until elections.

### **Section 5--Meetings**

A. Executive Board

- 1) Shall meet at least bi monthly preferably same

location and time.

2) The State Director may call additional meetings.

B. Chapter

1) Will meet at least monthly.

2) The Chapter Director may call additional meetings for the chapter members or chapter officers as needed.

C. Meeting Guidelines.

a. Executive Board

1) The Executive Board will be made up of the State Officers and the Chapter Directors.

2) The Executive Board will have the only vote at business meetings.

3) The meetings shall be open to all members.

4) All votes shall be by written ballots or show of hands.

5) The State Director is responsible for the Pledge of Allegiance.

6) A maximum of one hour will be allotted to each chapter to discuss business.

7) Each Chapter Director and State Officer should be present, however, a meeting may be held and business conducted -if 50% of the chapter and state officers are present.

b. Chapter

1) Meetings will be held at monthly, preferably at the same time and location.

2) Meetings will be open to members and non-members. only members will vote.

3) All votes will be by written ballot or show of hands.

4) All attendants must conduct themselves in an orderly manner, or they will be removed from the meeting area.

5) Meetings should be kept as short as possible and still cover all business.

**Section 6-Area Chapters**

A. Opening a Chapter

1) There must be 15 members in an area to open a chapter, present at the first meeting. If current



member would like to change chapters they should give an application to the state officer at the opening of the chapter.

- 2) There must be at least two officers in the chapter to fill the duties of Chapter Director and Secretary/Treasurer at a minimum.
- 3) Two State Officers must be present to open a chapter.
- 4) Upon opening, a chapter will receive:
  - a. Two copies of the current bylaws.
  - b. Two copies of the latest newsletter.
  - c. One copy of all correspondence from the Executive Board to chapters regarding business for the calendar year.
  - d. Current list of ABATE products available.
  - e. Guidelines from the Executive Board on operation of the chapter.

#### B. Operation of a Chapter

- 1) The Chapter Director shall remain available to the members as much as possible.
- 2) The chapter will operate in accordance with the bylaws at all times.
- 3) A chapter must maintain 10 active members. If a chapter falls below 10 members for 90 days, it may be closed by the State Director.
- 4) Chapter Officers will submit items to the newsletter when needed.
- 5) Chapters must purchase all State and National products from the State.
- 6) Chapter Officers must be able to attend at least 6 meetings per year.

#### C. Closing a Chapter

- 1) A chapter may be closed by a vote of its members, decision by the Grievance Board, or lack of enough members.
- 2) The State Director is responsible for closing a chapter, collecting the treasury, and all ABATE property.
- 3) The treasury of a closed chapter will become part of the State Treasury and the property of a closed chapter will become property of the State.

## **Section 7 -Events**

- A. An event is a large, open to the public, gathering, publicized statewide through the newsletter.
- B. Scheduling Events
  - 1) Larger events promoted through the organization should be approved through the State, usually at the first e-board meeting of the year.
  - 2) Two events may be scheduled on the same date, but must be at least 100 miles apart.
  - 3) Dates for events will be decided on a first come, first serve basis with the notification of the State Public Relations Officer.
  - 4) Each chapter should schedule at least three events annually.
- C. Organizing events
  - 1) Event organization is the responsibility of the Chapter Director for the chapter events, State Director for the state events.
  - 4) All flyers or handbills for the events will contain, at a minimum: location, date, time, map to location, contact person for details, description of event (including any beneficiary) and the chapter sponsoring the event (or State as applicable).
  - 5) Chapters may jointly organize events.
  - 6) Events such as benefit runs, rodeos, field meets, pledge rides, etc. should be organized consistently with guidelines provided by the State Public Relations Officer.
- D. Funding of Events
  - 1) Chapters will fund their events. All proceeds from an event will become property of the chapter and / or beneficiary (if any).
  - 2) If a chapter cannot fund an event, a loan, (interest free) of up to \$2000 may be made from the state or another chapter, if funds are available. The loan must be repaid within 60 days of the event and the loan must be authorized by a majority of the Executive Board (loans from State Treasury).
  - 3) State events will be funded by the State Treasury.

## **Section 8 - Funds / Treasury**

- A. Definition
  - 1) Funds and treasury -all money and property of ABATE of Mississippi and its' chapters.

- 2) All funds belong to ABATE of Mississippi and its' members.
  - a. In the event of the collapse of ABATE of Mississippi, all funds will be donated to a charity selected by the remaining Executive Board members.

#### B. Generation of Funds

- 1) State Treasury
  - a. Annual membership fees.
  - b. Proceeds from State sponsored events.
  - c. Sale of ABATE products through the State Products Officer.
  - d. Sale of advertising in the State Newsletter.
  - e. Donations.
- 2) Chapter Treasury
  - a. Proceeds from chapter events.
  - b. Sale of products through the chapter.
  - c. Donations.
  - d. Sale of advertising in the Chapter Newsletter.

#### C. Use of Funds

- 1) Operation of a Treasury
  - a. Each Chapter and the State shall have a checking account within 60 days of opening. The checking account shall be in the name of ABATE of Mississippi, XXX Chapter (as applicable)
  - b. The checking account will normally be managed by the Treasurer or Secretary/Treasurer (state).
- 2) Disbursement of Funds
  - a. State
    1. Funds may be disbursed under standing orders of the Executive Board (Executive Board members and Replacement Reps attendance required).
- 2) Reimbursements for expenses.
  - a. Officers are not paid a salary.

b. Expenses may be reimbursed as follows, automatically.

1. \$0.55 a mile for vehicles and \$0.45 for motorcycles when attending an Executive Board meeting or performing State business. (Executive Board Members and Replacement Reps only).

*"if gas prices fall below \$3.00 a gallon mileage reimbursement will go back to the following:*

*(\$0.40 a mile for vehicles and \$0.30 for motorcycles when attending an Executive Board meeting or performing State business.) (Executive Board members and Replacement Reps attendance required).*

2. Mailing expenses (ABATE business only) up to \$50 per month (State Officers).
  3. Phone Calls (ABATE business only) up to \$100 per month (State Officers).
- c) All other expenses require approval of Executive Board by majority. Approval should be received in advance for major expenses (\$100) (State Officers).
- d) Abuse of expenses may lead to refusal of all reimbursements for a period of 90 days to the officer involved (Executive Board majority).
- e) Gross abuse of the treasury will be referred to the Grievance Board for resolution. Legal actions may be recommended.

b. Chapter

1. Funds may be disbursed under standing orders or the Officers of the Chapter (organize events, etc.).
2. Reimbursement for Expenses
  - a) Officers are not paid a salary.
  - b) Guidelines for reimbursement shall be approved by a majority of the chapter. Chapters should use similar guidelines to those of the State Treasury.

c. General

1. All disbursements of funds will be done by check when practical. No cash will be transferred from any treasury without proper documentation.

## **Section 9 -Rules Regarding Outside Organizations**

- A. All officers are encouraged to contact organizations such as AMA, MSF, etc. to work with them to our mutual benefit.
- B. ABATE of Mississippi and chapters will not involve itself in the internal politics of any other organization for any reason.
- C. ABATE may cooperate with any other organization to establish common goals. This will be done by decision of the Executive Board.

## **Section 10 -Newsletters and Publications**

### A. State Newsletter

- 1) ABATE of-Mississippi Newsletter will be the official name of the publication.
- 2) The newsletter will be issued 6 times a year (January, March, May, July, September, and November). Issues will be mailed on the first business day of the issue month.
- 3) All contributions must be sent to the newsletter editor and received by the 10th of each month prior to issue.
- 4) All chapters will contribute to the newsletter with information on education safety, legislation and events at a minimum.
- 5) The State newsletter will be funded from the State Treasury, and will be mailed to all active members.

### B. Chapter Newsletter

- 1) Chapters may publish a local newsletter at their own expense.
- 2) Chapter newsletters -minimum distribution will be all chapter members and all State officers.
- 3) Chapter newsletters will be titled ABATE of Mississippi, XXX Chapter Newsletter, or XXX Chapter Newsletter.

### C. Advertising

- 1) The Executive Board will determine advertising rates for the State newsletter.
- 2) Chapters will determine advertising rates for local newsletters.
- 3) All newsletters will offer free line ads for members. Line ads must be submitted 30 days before issue of newsletter.
- 3) All ads for the State newsletter will be approved by the state Public Relations Officer.

## **Section 11 -Grievances**

- A. Disputes between members, outside Organizations, etc. occasionally will arise. These matters should be handled by the officers of the chapters involved or by the Executive Board / State Director as much as possible.
- B. Members that are not satisfied with a problem resolution made by an officer that is not specifically addressed in the bylaws, may request a hearing before the Grievance Board.
- C. Make up of the Grievance Board
  - 1) Each chapter shall elect one member, not an officer, to the Grievance Board, as required
  - 2) The elected members of the Grievance Board will elect one of their members to act as Chairperson
- D. Requesting a Hearing
  - 1) Members
    - a. Any member may request a hearing before the Grievance Board.
    - b. Request is made, in writing before the Executive Board, giving the details of the problem and the persons involved. At which time the e-board will contact the chapter to elect one member and those will elect the chairperson.
    - c. The Chairperson will contact all parties involved (if possible), schedule a meeting within 30 days, and notify all parties of the date by mail at the last known address.
    - d. Grievance Board members from the chapters of the involved parties will not vote in the decision of that meeting. If the Chairperson is in a chapter with one of the involved parties, he/she will appoint another member to fill in for that meeting.
  - 2) Non-members
    - a. While there is no obligation for ABATE to acknowledge complaints from non-members, the

e-board may feel it in the best interest of the organization to have a hearing on outside complaints. Should they vote to do so, it will be handled in the same manner as member complaints.

#### E. Hearings

- 1) Meetings will be held in the area where the complainant is a member.
- 3) At least one half of the Grievance Board must be present to hold a hearing.
- 4) At least two State Officers, preferably the State Director and State Legislative Affairs Officer, should be present, along with the Chapter Directors of the persons involved.
- 5) A board member designated by the Chairperson will record minutes of the hearing. The Chairperson will call the meeting to order.
  
- 6) The complainant will present the complaint along with any verification (including witnesses) that is present.
- 7) The other person(s) involved will present their side, along with any verification (including witnesses) that is present.
- 8) Upon hearing from all parties involved, the Chairperson will adjourn to a private area with the Board and reach a decision without interruption. The decision must be by a 2/3 majority.
- 9) Upon reaching a decision, the Chairperson will call all parties together and announce their decision.
- 10) Decisions of the Grievance Board are final.

#### F. Actions that may be taken by the Grievance Board

- 1) Removal of an officer from office.
- 2) Removal of membership from a member.
- 3) Request for restitution to damaged parties.
- 4) Recommendation to the Executive Board of legal action or bylaw change.
- 5) Transfer of funds from one treasury to another.
- 6) Banning a member from chapter events.
- 7) Close a chapter.
- 8) All of the above may be permanent, or temporary for a stated period of time.
- 9) The Grievance Board may decide that no action is warranted.
- 10) Actions may be decided against any party

- involved including the complainant.
- 11) Other actions, less severe than 1-7 above, may also be taken.

#### G. Miscellaneous Guidelines

- 1) Any voting member of the Grievance Board may ask questions of the persons involved.
- 2) Grievance Board meetings are open to all members. Persons not involved in the dispute are an audience only and will conduct themselves accordingly.
- 3) Grievance Board meetings may be open to non-members at the discretion of the Chairperson.
- 4) Minutes of meetings, listing all persons involved, particulars of the dispute and any decision reached will be signed by all members of the board, the State Officers present, persons involved and their Chapter Director (if present) and be forwarded to the State Secretary for inclusion in the records of the organization.
- 5) Persons requested to be present at a Grievance Board meeting should attend. If persons involved are not in attendance, the Board should still hold a meeting -and attempt to reach a decision if possible. The Board, by simple majority, may decide to reschedule the meeting to ensure all parties are heard from. There will only be one rescheduling of a meeting before a decision is made.
- 6) The Grievance Board must base their decision on the bylaws of ABATE of Mississippi and the fact at hand when the decision is made.

### **Section 12 -Miscellaneous Rules**

#### A. Memberships

- 1) All memberships will be issued by the State Secretary/Treasurer, or Chapter Secretary.
- 2) Membership applications may be received by any chapter or State Officer and forwarded to the Secretary / Treasurer. A receipt membership card or both must be issued to the new member for payment of dues.
- 3) Membership applications may be mailed directly to the State Secretary. A personal check or money order shall be enclosed for payment, no cash.
- 4) New members will be sent, within 30 days of receipt by the State Secretary/Treasurer of their application their membership card and can pick up their ABATE pin at an event or meeting.



## B. Voting Privileges

- 1) Each Chapter Director will hold the state elections at their chapter meetings. All ballots from the State newsletter will be hand delivered to the e-board meeting by the Chapter Directors.
- 2) Chapter members may vote for Chapter Director.

## **Section 13 -Policy of Conduct and Discipline**

### A. General Policy

- 1) Each of us, in becoming members of ABATE, has also accepted responsibilities for adhering to social conduct contributing to a friendly, cooperative and effective organization. This involves not only the respect for the rights and feelings of others, but the assurance that our personal conduct while at or involved in ABATE functions-avoids any action which might be harmful to ourselves and or others.

### B. Progressive Discipline Policy

- 1) Because ABATE is an organization that believes in team effort and wants to promote an open atmosphere, we have developed a progressive discipline system which assures fair treatment to all members. The following steps are typical of the procedure.
  - a. Verbal Warning -The first instance of misconduct will result in a verbal warning conducted in private with at least two officers present.
  - b. Written Warning - Should the member be unable or unwilling to remedy their behavior, a warning letter stating the nature of the offense will be issued to the member and a copy retained by the officers of the chapter.
  - c. Written Warning / Suspension -If the verbal and first written warnings fail to stop offensive conduct the offending member will be suspended from all ABATE functions pending a vote of the chapter membership present at the next regularly scheduled meeting.
  - d. BLATANT MISCONDUCT MAY NECESSITATE PROGRESSIVE DISCIPLINE STARTING AT ANY POINT IN THE PROCESS.