

**POLICIES AND PROCEDURES  
OF  
ABATE OF IDAHO, LLC**

**DEDICATED TO FREEDOM OF THE ROAD**



**ABATE of Idaho**

Amended July, 2019

## **Section 1 Definitions**

This Policies and Procedures document is effective upon majority approval of ABATE of Idaho membership and supersedes all previous editions. Membership in ABATE of Idaho, LLC (hereinafter ABATE) is subject to the terms and conditions of this document.

“Officer(s)” refers to any or all ABATE Board of Director Officer Positions as defined in the ABATE Bylaws.

## **Section 2 Objectives**

The objectives of this Organization shall be as follows:

- To join the general public together to stop unreasonable and unfair legislation and practices that diminish the rights of the motorcyclists of Idaho
- To end the discrimination experienced by motorcyclists
- To organize and conduct seminars, conferences, research, discussion groups, and publications on the subject of motorcyclists’ rights

## **Section 3 Membership**

### **3.1 Acceptance**

Any person, club, or business may become a member of ABATE, subject to refusal of acceptance for good cause shown by a majority vote of the Board. ABATE does not discriminate against any person based on sex, race, motorcycle choice, or religious preference.

#### **3.1.1 Effective Date**

An applicant shall be considered to be a member in good standing upon the date of their enrollment by the Membership Secretary or the Secretary's agent.

### **3.2 Classes of Members**

Members of ABATE shall be defined by the following:

#### **3.2.1 Regular**

Any person 18 years or older who is a member and who is not otherwise classified below is deemed to be a regular member.

#### **3.2.2 Charter**

A Charter Member of ABATE is an original Charter Member of ABATE of Southern Idaho, LLC (ASI, the precursor organization of ABATE of Idaho). Charter members of ASI were chartered by the Officers or any person who became a regular member of ASI by the second meeting, having filled out an application and paid applicable dues.

#### **3.2.3 Honorary**

The Officers by vote may grant honorary membership to any non-ABATE member deemed worthy by their special assistance to ABATE. Any such person shall be exempt from paying state dues and shall have no vote in the affairs of ABATE. Any such person shall not be exempt from paying dues should they apply for regular membership.

### **3.2.4 Junior**

Any person under 18 years of age will be eligible at a reduced rate; but not eligible to vote.

### **3.2.5 Associate**

An associate member is any recognized club with bylaws and policies and procedures that wishes to join with ABATE of Idaho to further motorcyclists' rights.

#### **3.2.5.1 Voting Rights**

The Associate member has the right of one vote, cast by the member's representative in accordance with voting procedures specified in this document.

#### **3.2.5.2 No Other Rights**

Associate membership is vested with no other membership rights accorded to Regular or Charter members.

#### **3.2.5.3 Involvement**

Members of the Associate's club are encouraged to attend any ABATE member meetings, and to take part in local ABATE events.

#### **3.2.5.4 Enrollment as Individual**

Members of the Associate's club may enroll as individual Regular members of ABATE with no restrictions.

### **3.2.6 Business**

A business member is any established business that wishes to join with ABATE of Idaho to further motorcyclists' rights.

#### **3.2.6.1 Voting Rights**

The Business member has the right of one vote, cast by the member's representative in accordance with voting procedures specified in this document.

#### **3.2.6.2 No Other Rights**

Business membership is vested with no other membership rights accorded to Regular or Charter members.

#### **3.2.6.3 Involvement**

Business member owners and employees are encouraged to attend any ABATE member meetings, and to take part in local ABATE events.

#### **3.2.6.4 Enrollment as Individual**

Business member owners or employees may enroll as individual Regular members of ABATE with no restrictions.

### **3.3 Rights of Members**

Regular members shall have the right to vote and hold office in ABATE. All members have the right to speak during the meetings, and to take part in all activities of ABATE, in accordance with the Bylaws of ABATE and governed by parliamentary procedures as defined in Robert's Rules of Order.

### **3.4 Responsibilities of Members**

Members are required to comply with the bylaws, policies and procedures contained in this document, and with any resolutions approved by the Officers which become a rule or regulation of ABATE.

### **3.5 Membership Dues**

The Officers by resolution shall establish or modify the annual membership dues. Membership dues are due and payable to ABATE on or before the anniversary date of the member's enrollment with ABATE, with a grace period of 30 days. During the grace period, all rights, privileges, and benefits of the member are suspended until such time as dues are paid.

### **3.6 Transfer of Membership**

Membership in ABATE is not transferable or assignable to another individual, club, or business.

### **3.7 Returned checks**

Any person, club, or organization which presents a check to ABATE that is returned due to account closure or non-sufficient funds will be charged a returned check fee. The Officers by resolution shall establish or modify the returned check fee.

### **3.8 Membership Cards**

The Officers shall design or cause to be designed the ABATE membership card, subject to majority approval. Each card shall state the period for which it is valid and shall have printed on its face, in clear type, that ABATE is not for profit. The form, size, additional content, terms and conditions for issuing replacement cards shall be established by resolution of the Officers.

### **3.9. Termination of Membership**

Termination of ABATE membership on the following events:

**3.9.1** Nonpayment of dues, at the end of the grace period defined above.

**3.9.2** Upon written request by such member for their own termination, delivered to a member of the Board or the Membership Secretary, either personally or by deposit in the U.S. Mail.

**3.9.3** Upon action of the Officers provided under the disciplinary, suspension, and expulsion process contained in these procedures.

## **Section 4**

### **Disciplinary, Suspension and Expulsion**

#### **4.1 Initiation of Procedure**

To initiate any procedure under this section, any two (2) or more members may bring charges before the Officers alleging one or more of the following:

- a. Misuse of any Organization property
- b. Assault upon any person at any ABATE sanctioned event
- c. Any conduct unbecoming of a member

#### **4.2 Filing Charges/Show Cause**

The members who are bringing the charges (plaintiffs) shall show cause before the Officers as to why the member (respondent) should undergo the disciplinary, suspension, and expulsion procedure. At the conclusion of said show cause hearing, wherein facts are presented, the Officers shall, by simple majority, vote as to whether the individual shall be subject to these procedures.

##### **4.2.1 Officers as Respondents**

If the respondent is an Officer, then they shall not have any vote or say in the disciplinary proceedings other than the normal rights of the respondent.

##### **4.2.2 Election of Hearing Committee**

The Officers shall elect five (5) members and five (5) alternate members from the general membership to serve on the Hearing Committee. Those five members shall separately meet and appoint a Chairman for the Hearing Committee. The charged party in any Hearing Committee procedure shall have three (3) preemptory challenges on Committee members, and the Officers shall have any number of challenges for cause. Challenges must be made in writing to the Officers within thirty (30) days from the filing of the charges and show cause hearing. The secretary is to be present to take notes at all hearings

#### **4.2.3 Hearing Committee Investigation**

Should the Officers vote to have said member undergo these procedures, the Hearing Committee shall then investigate the charges, interview all available witnesses, and gather other evidence, in order to present such evidence in a report to the Hearing Meeting.

#### **4.2.4 Hearing Committee Report**

At the Hearing Meeting, the member undergoing these procedures is allowed to be represented by counsel or may represent himself/herself on a pro-se basis. The Hearing Committee report, which shall be in written form, shall be delivered to the member undergoing said procedures and to the Officers twenty (20) days prior to the Hearing Meeting. Failure of the member respondent undergoing these procedures to be represented at the above-mentioned meeting shall not invalidate these proceedings.

#### **4.2.5 Standard of Proof**

Upon review of the Hearing Committee report by the Officers, and hearing any evidence presented by the subject member, if Officers find said member guilty as charged, this shall, for purposes of these procedures, require a majority rule.

#### **4.2.6 Penalties**

Should said member be found guilty, the following penalties shall be available to the Officers and shall be approved by a majority vote of the Officers:

##### **4.2.6.1 Censure**

Censure shall consist of a written statement from the Officers, signed by the Coordinator, and sent by registered mail to the member's home address, with a copy filed in the permanent archives of ABATE and made an integral part of the minutes.

##### **4.2.6.2 Suspension of Membership**

Suspension shall be for a predetermined time and such would be contingent upon good behavior. At the end of said suspension, all rights and privileges shall be restored. During the period of such suspension, dues must be paid. The record of such suspension shall

be placed in a permanent record of ABATE and made an integral part of the minutes. If the suspended member holds an office or an appointed position at the time of said suspension, the office or position shall be forfeited and will not be reinstated at the termination of the suspension.

#### **4.2.6.3 Termination of Membership**

The termination of membership shall be sent by registered mail to the member's residential address, and a record of such shall be made within ABATE records and made an integral part of the minutes. Said termination shall be irrevocable, that being, said member shall not be eligible for application for new membership. This penalty only shall require a majority vote of the Officers.

#### **4.2.7 Reconsideration Procedures**

A member undergoing the above procedures may move the Hearing Committee to reconsider his/her report by showing of new or previously undisclosed evidence within thirty (30) days of receipt of the initial Hearing Committee report. The Hearing Committee, upon reviewing this reconsideration, shall make a report to the Officers who shall, upon simple majority, decide whether a further Hearing Committee investigation is necessary.

### **4.3 Board/Chair Removal Process**

If appointed duties by any chair or board member are deemed as not being performed, the following steps shall be taken:

#### **4.3.1 Discussion**

One-on-one discussion with Coordinator or Coordinator's appointee and Sergeant at Arms to address concern. If Coordinator is in question, the Sergeant at Arms and the Deputy Coordinator will address the issues.

#### **4.3.2 Replacement**

If Duties are not performed for 2 consecutive meetings and or months, board can raise concern to membership and ask for appointment of new replacement. Procedures according to by laws shall be followed.

## **Section 5 Meetings**

### **5.1 Regular Schedule**

Business meetings shall be held monthly at a regularly scheduled date, time and place.

### **5.2 Meeting Procedure**

The procedure at all meetings, business, planning and/or committee, shall be governed by accepted parliamentary rules of order as described in Robert's Rules of Order, and members shall observe proper decorum during the sessions of ABATE and its various committees.

## **Section 6 Election of Officers**

### **6.1 Procedures**

Nominations and Elections shall in general follow the guidelines laid out in Robert's Rules of Order, Revised, Article 11, Section 66.

### **6.2 Nominations for Office**

Nominations for election to open Officer positions shall be held during the regular business meeting the month prior to the scheduled election.

#### **6.2.1 Nomination Opening, Procedure, and Closing**

Nominations for the Office shall be opened by the Coordinator or Deputy Coordinator using the following procedure:

- I. State the Office that is the subject of the election
- II. Read aloud the description, duties, and responsibilities of the Office from ABATE Bylaws
- III. Describe the nomination process
  - a. Nominations do not have to be seconded, but seconds are not out of order
  - b. A member can nominate himself or herself
  - c. A member can decline a nomination
  - d. Motions for closing nominations will be ruled out of order

- IV. The Chair will close nominations when no more nominations are forthcoming

### **6.2.2 Reopening Nominations**

A member may move to reopen nominations at any time during the meeting in which nominations are being accepted. The motion must be seconded and voted on.

### **6.2.3 Nomination Notification**

The Secretary shall, after the adjournment of the meeting in which nominations are held, notify members via email or regular mail of the slate of nominees for each Office.

## **6.3 Conducting Elections**

Elections for Office will be held during the next regular business meeting following the meeting in which nominations for the Office were held.

## **6.4 Voting Process**

Voting will be conducted by secret ballot during the election meeting. Ballots shall be printed with the name of each nominee and distributed to members present at the election meeting.

## **6.5 Voting Methods**

Votes may be cast by members in-person at the election meeting or by proxy via email or regular mail.

### **6.5.1 Proxy**

Members may place a vote by proxy by regular mail or electronic means. The vote will be sent to the Coordinator or Deputy Coordinator on their non-election year. Proxy ballots are available upon request. Proxy voting is closed 24 hours prior to the election meeting.

### **6.5.2 In Person**

Members who have not voted by proxy, wishing to vote in person shall do so by ballot at the election meeting. Ballots will be provided by the Membership Secretary or their designee, based upon the current active members' roster.

## **6.6 Electoral Process**

Ballots will be counted by the Coordinator or Deputy Coordinator not up for election and one non-Board member volunteer.

## **Section 7 Down Rider Fund**

### **7.1 Down Rider Fund**

ABATE of Idaho shall establish and maintain a fund for the benefit of members who have been involved in motorcycle-related mishaps or accidents.

### **7.2 Funding**

The Down Rider Fund shall be funded by member donations, and by other means.

### **7.3 Disbursement of Down Rider Fund**

Payments from the Down Rider Fund may be made to any ABATE of Idaho member or a member of another recognized ABATE chapter after approval by majority vote of the general membership.

#### **7.3.1 ABATE of Idaho Member**

A donation in the amount of up to \$250 may be provided to any current member of ABATE of Idaho.

#### **7.3.2 ABATE Chapter Member**

A donation in the amount of up to \$150 may be provided to any current member of any chapter of ABATE who is not a member of ABATE of Idaho.

### **7.4 Card or Other Items**

A “get-well”, sympathy, or other appropriate card or items may be sent on behalf of ABATE to any person acquainted with ABATE, by a majority vote of the general membership.

## **Section 8 Bank Accounts**

### **8.1 Bank Account**

ABATE shall establish and maintain a checking account in the name of ABATE of Idaho, LLC. A record of each bank account and branch shall be maintained by the Coordinator.

### **8.2 Signatories**

Coordinator and Treasurer shall be on the signature authorization of all bank accounts.

### **8.3 Disbursements**

Any payments made by the Treasurer shall be in the form of a check or money order. All disbursements shall be by check accompanied by voucher with a proper receipt attached showing date, origin of receipt and reason for expense, and approved by the Coordinator. No member shall profit in any way or receive payments outside of reimbursement for expenses. Down Rider Fund is excluded from this clause.

### **8.4 Accounting**

The board of Directors shall have prepared data memorandum and annual accounting of ABATE of Idaho and made available on request.

### **8.5 Accountant Review and Report**

Financial books are to be reviewed by an accountant on an annual basis and report back to the Board of Directors.

### **8.6 Approval Required**

No member or officer of Abate of Idaho may expend, purchase or encumber assets or funds from the ABATE organization without prior authorization and majority approval. Items that are exempt from this: Officers may order stamps and other necessary items under 50 dollars with the Coordinator's approval. Membership patches are exempt from this and will be ordered by the Membership Secretary in quantity of 20 at a time when stock is low.

## **Section 9 Donations by ABATE**

### **9.1 Definition**

A donation is defined as a gift, in the form of money or property, given to a person or organization; or the expenditure of money on behalf of a person or organization.

### **9.2 Donation Requests**

Any request for a donation to be made by ABATE of Idaho shall meet the following requirements:

- A. Be submitted to ABATE in writing. The proposal shall include the amount of the donation, the recipient, and the rationale for the donation including how it would support ABATE's mission, purpose, and/or goals
- B. The proposal shall be presented at the next regular business meeting and it shall require a simple majority vote of the members present.

## **Section 10 Charitable Events**

ABATE will only host charitable events or benefits that fall within the guidelines of Article II Purpose contained in the bylaws. However, members are welcome to attend and donate to any charitable event they deem worthy.

## **Section 11 Dissolution of ABATE**

Upon the time of dissolution of ABATE, assets shall be distributed by the Board of Directors, after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses of the corporation, for one or more exempt purposes within the meaning of section 501(c)(4) of the Internal Revenue Code, or the corresponding section of any future federal tax code.