

# By-laws of California

## Chapter 33-10

### Combat Veterans Motorcycle Association

#### **PREAMBLE**

The California Chapter 33-10 of the Combat Veterans Motorcycle Association publishes and declares the following as the by-laws governing said Chapter, Combat Veterans Motorcycle Association herein referred to as CVMA. THIS ORGANIZATION IS NOT, NOR DOES IT CLAIM TO BE A MOTORCYCLE CLUB (MC). IT DOES NOT HAVE "COLORS" AND DOES NOT "PROSPECT". IT DOES NOT LAY CLAIM TO EXCLUSIVE TERRITORY.

#### **ARTICLE I**

##### **Name and Emblem**

##### **Section 1. Name.**

This Chapter shall be known as the Combat Veterans Motorcycle Association, California Chapter 33-10, herein referred to as "Chapter".

- A.** Principle meeting location of the California Chapter 33-10 Combat Veterans Motorcycle Association will be located at the following address: Post 10049 located at 4242 E Los Angeles Ave, Simi Valley, CA 93063.
- B.** Change of Address. The designation of the County or State of Combat Veterans Motorcycle Association principal office where this Chapter is located may change by amendment of these by-laws. The Chapter Executive Board (CEB) may change the principal office from one location to another within the named County by noting the changed address and effective date below, and such changes shall not be deemed minor, and require an amendment of these by-laws.
  - 1. New Address: 4212 E Los Angeles Ave #4644  
Simi Valley, CA 93063-3308  
Dated: 19SEP2020
  - 2. New Address: Dated:
- C.** Other Offices. The Combat Veterans Motorcycle Association may also have offices at such other places, within or without its State of incorporation, where it is qualified to do business, as its business and activities may require, and as the CEB may from time to time, designate.

##### **Section 2. Status**

Chapter 33-10 will maintain its IRS tax-exempt status. Donations to the Chapter are currently tax deductible under IRC Section 170 per IRS Letter 947 dated 17AUG2018. The Chapter is organized for IRS Section 501(c)(3) purposes and has been determined to be a public charity. Combat Veterans Motorcycle Association 33-10 is organized and primed to operate exclusively for charitable, religious, educational and/or scientific purposes as specified in Section 501(c)(3) of the

Internal Revenue Code. The Chapter Officers have the authority to change the CVMA 33-10 by-laws if any part is found to be in conflict with Federal or CA State tax laws.

**Section 3. CVMA Emblem/Logo.**

The emblem/logo used by the Combat Veterans Motorcycle Association is the sole property of the CVMA. The CVMA patch and logo cannot be reproduced without license from the National Board of Directors (NBOD). The emblem of the Combat Veterans Motorcycle Association is in the shape of a skull encompassed by the following colors. The incorporated colors are: Red, representing the blood that has been shed on the battlefield. The Military Gold, representing all branches of the military service of the United States. Black, representing the heavy hearts possessed for those who gave their lives and for those that are considered missing in action or prisoners of war. The Skull and ace of spade represents the death that war leaves in its wake.

**ARTICLE II**

**Objectives**

**Section 1. General.**

The Chapter is formed to provide a fraternal association for qualified war Veterans (combat) of past or present members of the Armed Forces of the United States for the betterment of communication and camaraderie between other Motorcycle Associations, Veterans Organizations, and/or Motorcycle Groups.

**Section 2. Promote.**

To promote interest in various forms of motorcycle activity associated with Veterans. To create and maintain camaraderie among Combat Veterans from all branches of the United States Armed Forces.

**Section 3. Befitting.**

To conduct Association functions and activities in a manner befitting the members of the CVMA as well as the association's Auxiliary and Support Members.

**Section 4. Awareness.**

To raise awareness for the plight of POWs, MIAs and their families and awareness of Combat Veteran's health issues.

**Section 5. Patriotic.**

To participate in activities of a patriotic or constitutional nature.

**Section 6. Support.**

To support Veteran Organizations.

**Section 7. Helping Veterans.**

To help homeless Veterans and Veterans in need in any way we are able.

### **ARTICLE III**

#### **Membership**

Definitions. The term "Good Standing" shall be defined as any person who has fulfilled the requirements for membership in the Combat Veterans Motorcycle Association, who is not currently under disciplinary review or probationary status for disciplinary reasons, who has paid the necessary dues and conformed to the requirements as set forth in these by-laws.

#### **Section 1. Full Member.**

Any person:

- A.** Of good character.
  
- B.** Who is a Veteran of a Foreign War, "Combat".
  
- C.** The ONLY Acceptable proof for membership to the Combat Veterans Motorcycle Association is a copy of one's DD 214 or ERB/ORB, which must be surrendered to the CEB for verification.
  
- D.** All new members will be assigned a sponsor. The sponsor is responsible for insuring the new members are familiar with chapter, and national by-laws, CVMA Protocol, vest SOP, riding SOP, and requirements for maintaining membership in good standing.
  
- E.** Must own and operate a motorcycle of 500cc or above. This motorcycle will be maintained in good running order so that it complies with all State and National laws, to include insurance and registration. Members must maintain a valid driver's license with motorcycle endorsement for their respective state.
  
- F.** Should a full member resign, they will be given a 5-day grace period to rescind their resignation with no repercussions. After the 5-day grace period, a member will have to re-apply for membership as a new member and will require CEB approval.
  
- G.** Active members in good standing with the CVMA, who become infirm, disabled or otherwise unable to ride their motorcycles will be able to keep their patch and be retired as members in good standing with the CVMA. Members must submit medical documentation and a minimum of one year as a member and CEB approval is required.
  
- H.** Not in good standing status: A member whose membership has been terminated by the CEB. Any member bringing dishonor upon the Combat Veterans Association in action, word(s), deeds and/or misconduct, or any member that has decided not to renew national dues. Any member not in good standing status with CVMA; shall forfeit all national privileges and all CVMA items. Any member not in good standing status with chapter shall forfeit their chapter patch and all chapter privileges. No reimbursement will be made for items and dues.
  
- I.** Life members, if for health reasons can no longer ride can at their discretion, remain members in good standing with full voting privileges and can keep their patch.

**J.** Life membership requirements: 3 years active in the CVMA. Member must be in good standing for all three years and minimum participation of one sanctioned CVMA event per year is required. One of which must be a National meeting. Cost for life membership is \$200.00 and is effective as of March 1, 2010. If a life member quits for any reason, the member is removed from the CVMA rolls; no refunds will be made.

**Section 2.** Auxiliary members.

**A.** Must be of good character.

**B.** All Auxiliary members must be a spouse, widow or widower of a member who is/was in good standing with the CVMA.

**C.** All Auxiliary members must support the efforts of ALL branches of the United States of Americas Armed Forces and the Combat Veterans Motorcycle Association.

**D.** Auxiliary members will read and abide by all Auxiliary Unit by-laws applicable to them.

**E.** Auxiliary will be attached to the 33-10 Chapter that they are sponsored from. They will be governed by Auxiliary Unit by-laws, provided they do not conflict with National by-laws and by-laws of 33-10.

**F.** Auxiliary members will have no vote in CVMA business.

**G.** Auxiliary members cannot hold a position on the CEB

**H.** \$10.00 annual National dues will be assessed by the CVMA Auxiliary Unit

**Section 3.** Support Members.

**A.** Must be of good character.

**B.** Support members must own and operate a motorcycle of 500cc or greater. This motorcycle will be maintained in good running order so that it complies with all state and national laws, to include insurance and registration. Members must maintain a valid driver's license with motorcycle endorsement for their respective state.

**C.** Support members must be a Veteran of the United States Armed Forces.

**D.** Support members will read and abide by all CVMA by-laws applicable to them. Sections excluded:

1. Section 6, subsection 2

2. Section 3

- E.** Support members are required to submit their application with proof of military service through a full member of the CVMA who has held a membership for not less than one year. Support members are required to have either ridden a minimum of 3,000 miles with their sponsor attended three CVMA events or be known by their sponsor for a minimum of 6 months. A full member submitting an application for a support member should verify they meet the above criteria. Support members will be at a 1 to 10 ratio, 1 support member to 10 full members based on state.
- F.** A full member submitting an application for a support member must vouch for the new support member and that they meet the above criteria.
- G.** Only 1 support member can be vouched for per year by a CVMA full member.
- H.** Support members cannot hold a position on the CEB.
- I.** \$10.00 annual National dues will be assessed and a CVMA Support ID will be issued.
- J.** Support members in good standing can wear a small 3.5 inch CVMA Support Patch on the front of their vest or jacket which will be supplied by their sponsor. Support members can also wear the 10 inch support back patch which will be supplied by their sponsor.

**Section 4.** Right to Verify.

By applying for membership with the Combat Veterans Motorcycle Association, you are giving the Combat Veterans Motorcycle Association and its NBOD the right to verify any membership application and DD 214 records.

**Section 5.** Attendance.

Each member is encouraged to attend a minimum of at least one (1) sanctioned event hosted by the Chapter per year.

**Section 6.**

Conduct.

All members MUST conduct themselves in a manner that is not an embarrassment to themselves, the Combat Veterans Motorcycle Association or the United States of America.

**Section 7.** Possess.

All members must possess a valid motorcycle driver's license endorsed by their state as well as current proof of insurance and registration for their motorcycle.

**Section 8. Misconduct.**

**A.** In the event of misconduct by any Chapter Member, under the by-laws of the Combat Veterans Motorcycle Association, the NBOD possesses the right to revoke that member's membership. Misconduct is defined as conducting actions, which bring discredit to CVMA, and/or failure to abide by CVMA by-laws and any organization that CVMA supports.

**B.** Bringing dishonor upon CVMA could be via action, word(s), or deeds. Always remember WE ARE NOT, NOR DO WE CLAIM TO BE A MOTORCYCLE CLUB! WE DO NOT HAVE COLORS! We do not prospect. We do, however, have membership fees.

**Section 9. Rights of Members.**

Each full and support member in good standing shall be eligible to one vote. Member must be present to cast the member's vote in association business/elections.

**Section 10. Resignation and Termination.**

Any member may resign by filling a written resignation with the secretary. Resignation shall not relieve a member of unpaid dues, or other charges previously accrued. There will be no reimbursement made for CVMA items acquired. It is obligatory for the Member resigning to relinquish all CVMA items, before the next chapter meeting. Any member terminated or quits without properly resigning forfeits all CVMA items. The CVMA CEB shall sequester all CVMA items not returned.

**Section 11. Non-Voting Membership.**

Non-voting membership is defined as auxiliary, not in good standing, non-active and non-chapter members. These categories of membership are not eligible to cast votes in any association activities, elections and proposed transaction or arrangement.

**ARTICLE IV**

**Membership Dues**

**Section 1.** Membership dues shall be at such rate, schedule or formula as may from time to time be prescribed by the governing body of the association and approved by the general membership. Dues for CVMA members deployed in a war zone will be waived. In addition to the National dues, voting members are encouraged to pay chapter dues of \$20 annually.

**Section 2.** The governing body of the association shall determine deadlines for payment of renewal membership dues.

**Section 3. Benevolent Fund**

A benevolent account will be created and tracked separately from the chapter general funds account. The benevolent account will be funded by 50% of chapter dues received, and any donations where the donor specifically states it is to go to the benevolent account. Benevolence disbursements will only be approved to provide for the basic necessities of life to needy Veterans. Types of disbursements may include food, clothing, shelter, medical care, financial support, and

other types of assistance. Assistance provided as benevolence is intended to be a onetime gift. Any benevolence requests that would benefit CEB members, employees, or emissaries or their family members (any blood relative) will not be approved. All benevolence requests must receive CEB approval by a simple majority of the board before any funds, services, or material assistance is disbursed. Benevolence is a non-taxable charitable contribution provided to alleviate their hardship. Donors may not direct chapter to allocate their contributions to be paid as benevolence to any specific individual

**Section 4. Patches.**

The CVMA Logo and Emblem are copyrighted and property of the National CVMA Board of Directors. Upon resignation or termination, all patches bearing the CVMA Logo or Emblem will be returned to the State Representative, Chapter Commander, Executive Officer, Secretary or Sergeant At Arms.

**Section 5. Non-Renewal of Dues.**

Any member that has decided not to renew national dues or have not renewed by June the 30th, shall forfeit all CVMA items. Member is obligatory to relinquish all CVMA items, before the next chapter meeting. The Chapter Officers shall sequester all CVMA items not returned. Once member is in good standing, all CVMA items will be returned.

**ARTICLE V**

**ELECTIONS**

**Section 1. Eligibility.**

All nominees for any office must be active and in good standing in the association with a minimum of one (1) full year CVMA membership. All nominees for the NBOD must be a member in good standing and have held a Chapter, State or Regional leadership position for a period of one (1) year. Retired members cannot hold a CVMA officer position.

**Section 2. Good Standing.**

All elected and/or appointed officers and Chapter Executive Board must remain active members in good standing for the duration of their term while in office.

**Section 3. Elections.**

Detachment elections shall be held during the month of June each year. All officers are to be nominated in May of the year they are due to be elected. The nominee to the Secretary shall accept all nominations verbally or in writing. The Commander will vote only in the event of a tie.

**Section 4. Term of Office.**

Newly elected officers will assume office within 30 days of the election and hold that office for 36 months or until their successors are duly qualified. Consecutive terms are permitted.

**Section 5. Termination.**

Should an elected office become vacant for any reason, a Chapter election will be held as soon as possible to fill the remaining term of the vacant position.

**Section 6. Concurrent Offices.**

Chapter officers may not hold more than one elected office concurrently. Any member may hold one elected office and one or more appointed office concurrently.

**Section 7. Re-election.**

CEB members will be considered for re-election in the following order, Chapter Commander / Secretary, XO / Treasurer, SGT at Arms / PRO. Should any Officer resign or be removed for any reason, the CEB has the authority to replace the officer and the new officer will be put up for approval by the CVMA members at the next Chapter meeting. Nominations for the newly filled position will also be taken at this meeting.

**Section 8. Resignation.**

Should an elected officer resign from office for any reason, the CEB will appoint a replacement to serve until the next CVMA meeting.

**Section 9. Candidates.**

Candidates for office MUST declare their intentions a minimum of 90 days prior to the designated election date unless the election is to fill a vacated position due to a previous election.

**ARTICLE VI**

**Duties of Officers**

**Section 1. Elected Officers:**

**A. Commander.** The Commander is the Chief Executive Officer of the Chapter and is the official spokesman for the chapter in the area of public relations. As such, all matters concerning relations between the chapter and any outside person or organization should be routed to the commander for appropriate action. The Commander will preside over all meetings of the Chapter; serve as Chairman of the Executive Board, act as executive officer member of all committees, issue the call for regular and special executive board meetings, schedule regular elections ensuring consistency with these by-laws, and carry out the directives of the Executive Board, State Representative, and the NBOD. Executive Officer, Secretary, Treasurer and Sergeant-At-Arms are accountable to the Commander under the CEB's advisement, the Commander is empowered to judge items not covered in the by-laws or in the Chapter's rules and regulations. Commander is allowed to appoint temporary officers pending an official vote by the members.

**B. Executive Officer.** The Executive Officer (XO) is the second in command of the Chapter and shall assume all responsibilities of the Commander in the Commander's absence. The XO shall coordinate all committees, and supervise plans for all chapter events. The XO serves as an



intermediary between the Commander and Chapter's members. The Executive Officer also manages the CEB's membership and scheduled activities.

**C. Secretary.** The Secretary is responsible for making and keeping of all chapter records, including: The membership roster, the by-laws, Rules of Order, Standing Rules, Command Chronology, all written reports, copies of all correspondence between the Chapter and any outside person or organization, and shall keep correct minutes of the proceedings of the Chapter Officers and general membership meetings. The Secretary is responsible for the publishing of agenda items and minutes. The Secretary under the direction of the Commander prepares all reports as required.

**D. Treasurer.** The Treasurer shall be the chief financial officer of the Chapter and maintains accurate records of receipts and expenditures of the Chapter. The Treasurer will collect all Chapter forms of income due to the chapter; maintain the accounting books, makes payments from the Chapter's funds when so ordered by the CEB or NBOD. The Treasurer shall manage the Chapter accounts, including but not limited to the checkbook and shall ensure that all checks are signed by two members of the CEB either the Treasurer and/or the Commander and/or the Executive Officer. The Treasurer shall make quarterly reports and present them at the Chapter's quarterly meetings, an annual report for the end-of-year meeting, or at any other time as requested by the Commander. The Treasurer shall ensure that the Financial Operating Policy, promulgated from time to time by the Commander, is strictly enforced.

**E. Sergeant at Arms.** The Sergeant at Arms (SaA) is responsible for ensuring that the by-laws and standing rules of the Chapter are not violated, and the orders of the Chapter Officers are carried out in an expeditious manner. He or she is responsible for policing and keeping order at all Chapter events. The Sergeant at Arms is responsible for the safety and security of the Chapter. The Sergeant at Arms will maintain order during meetings. In coordination with the Secretary, the Sergeant at Arms will verify each person's membership is in good standing before business-requiring votes of the membership takes place. The Sergeant at Arms will have oversight of appointed Road Captains ensuring that the chapter remains safe on group rides and runs.

**F. Chapter Executive Board.** The Executive Board constitutes the Executive Board of the Chapter, responsible for the execution, through its officers of the authorized policies, by majority votes, fills officer vacancies when required and submits to the associations meetings and recommendations affecting the policies of the association which have been previously approved.

**Section 2. Appointed Officers and Chairpersons.**

From time to time, the Commander may appoint Officers and Chairpersons, specifying the duties thereof, including but not necessarily limited to Public Relations Officer, Road Captains, Chaplain and Veteran Service Officers to other committees.

**A. Public Relations Officer.** The Public Relations Officer will maintain a file and have it ready to present at each meeting and all association functions. He or she will be in charge of all the Combat Veterans Motorcycle Associations publicity, in conjunction with, and approved by, the association's Commander. Duties will include: Historian, club file, pictures, newspaper articles,

TV and radio announcements and the Chapter's web site. Auxiliary Member may fill this position, if no Full Member wants it.

- B. Road Captain.** The Road Captain (RC) is an appointed position by the Commander. The Road Captain is responsible for the safely conduct of all Chapter runs. Under the Commander's directions for Chapter's runs or the RC shall research, plan, and organize the runs. During actual time on the road or at intermediate stops, the RC acts as the ranking officer deferring only to the Commander or Executive Officer for Chapter runs. The Road Captain is responsible directly to the Sergeant at Arms during all Chapter runs.
- C. Chaplain.** The Chaplain (CHPLN) is an appointed position by the Commander. CHPLN serves as the Chapter's nondenominational religious leader; provides spiritual support to the Chapter members; and as the primary counseling POC for those members in needs.
- D. Veteran Service Officer.** The Veteran Service Officer (VSO) is a Commander appointed position. The VSO is the primary Chapter's advocate for not only 33-10 member's Veteran benefits, but also the champion for benefits of all U.S. Veterans. Where required or when requested, the VSO assists members to file disability claims and provides guidance/recommendations to members as to how best to navigate the Department of Veteran Affairs intricate bureaucracy.

**Section 3. Attendance of Officers.**

All elected and appointed officers and chairpersons shall make every reasonable effort to attend every meeting, event and formal function of the Chapter. Such officers and chairpersons should notify the Commander or Executive Officer when they are unable to attend a meeting, event or function. Officers that accumulate three consecutive unexcused absences shall be deemed to have abandoned their office and election shall be conducted as soon as possible to fill such office until the term of the office expires.

**ARTICLE VII**

**Meetings**

**Section 1. CEB and Regular Meetings.**

The Chapter Officers shall meet monthly once every month and Chapter general members shall meet at minimum on a quarterly basis at a time and place scheduled by the Commander. The Commander may cancel a scheduled meeting in the event of inclement weather or other unusual event or circumstance. In such a case, reasonable effort will be made to notify all members of the cancellation. A quorum of conducting business shall be those present at any given meeting.

**Section 2. Annual Meetings.**

An annual meeting of the members shall take place every year, during the month of June. The Commander will designate the specific date, time and location of which. At the annual meeting the members shall elect officers according to these by-laws, receive reports on activities of the Chapter and association, and determine the direction of the Chapter for the coming year.

**Section 3. Special Meetings.**

The Commander may call special meetings. A petition signed by five (5) percent of the voting members may also call a special meeting.

**Section 4. Notice of Meeting.**

Notice and agenda of meetings shall be made by email, phone call, or text to each voting member, not less than two weeks prior to a meeting.

**Section 5. Rules.**

Roberts Rules of Order will be applied during meetings to affect parliamentary procedures, unless otherwise amended and provided for in the by-laws. Commander will appoint a member of the CEB to serve additional duty as parliamentarian.

**ARTICLE VIII**

**Delegations**

**Section 1. Delegates.**

Delegates will be appointed by the Commander, but are subject to the approval of the Chapter Executive Board, to represent the association at any convention, meeting, rally, or other assembly that may be deemed necessary, and all delegations are authorized to exercise only those powers specifically vested in them by the CEB. Chapters will have delegate votes based on Chapter membership. One delegate vote per 15 full members. Delegate votes will be used for National agenda items. Votes for National officers will not be changed and will still be taken by full members in actual attendance at the National.

**ARTICLE IX**

**Amendments**

**Section 1. Altered.**

These by-laws may be altered, or repealed by new by-laws adopted at any announced meeting by a two-thirds vote of the members present. The Chapter Officers may alter or amend these by-laws only to revise a conflicting article and/or section.

**Section 2. Amendments.**

Any proposed amendment to these by-laws may be acted upon at any membership meeting, provided that a copy of any said proposed amendment shall be provided to each Chapter member thirty (30) days prior to the meeting at which the proposed amendment may be acted upon. Any such proposed amendment shall be declared adopted upon a majority vote of the meeting. Approved and accepted amendments take effect immediately.

**Section 3.**

Changes.

Any changes to any article and or section of the Chapter by-laws will be discussed and voted on by a quorum.

**Section 4. Precedence.**

If any Chapter by-law conflicts with the National CVMA by-laws, the National CVMA by-laws will take precedence, with the exception of any National CVMA by-law that conflicts with Federal and/or State of California Law.

**Section 5. Conflicting.**

If any Chapter by-law conflicts with Federal and/or State of California provisions and/or statutes and/or National CVMA by-laws, the conflicting article(s) and/or section(s) shall be revised by the Chapter Officers and shall take effect immediately. Members will be advised of such changes immediately. Proposals for changes to the immediate changes made by the Chapter Officers will be subject to Article X Sections 2 and 3 of these by-laws.

**Section 6. National Patch.**

Any full member who is still a member of the Armed Forces of the USA who attends the previous year's Nationals, but cannot, because of Military deployment to a combat zone, attend the current year National meeting will be given credit for the National and will be authorized a rocker for the National patch that will read, for example, DEPLOYED 20XX.

**ARTICLE X**

**Subordination and Authority**

**Section 1. Authority.**

The supreme power of this Chapter shall be vested in the National CVMA.

**Section 2. Chapter Government.**

Subject to the provisions of the National CVMA by-laws, the government of this Chapter shall be vested in the membership, the Chapter Officers and the lawful orders of the Chapter Commander.

**ARTICLE XI**

**Construction and Terms**

**Section 1. Unenforceable or Invalid.**

If any of the provisions or provisions of these by-laws be held unenforceable or invalid for any reason, the remaining provisions and portions of these by-laws shall be unaffected by such holding.

**Section 2. References.**

All references in these by-laws to a section or section of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future federal tax code.

**CERTIFICATION**

Signed: \_\_\_\_\_  
Sea Panda  
Chapter 33-10 Commander

Signed: \_\_\_\_\_  
Smitty  
Chapter 33-10 Treasurer