

1 **BYLAWS**

2 **\*\*\*\***

3 **ARTICLE I**

4 **Name of Association**

5 The name of the organization is the National Association of State Motorcycle Safety  
6 Administrators (SMSA).

7 **ARTICLE II**

8 **Purposes of the Association**

9 The SMSA is a 501(c)(3) nonprofit organization that provides leadership for state  
10 administered motorcycle safety programs by:

- 11 • Influencing national policy and standards
- 12 • Providing guidance on adoption and administration of policy and standards
- 13 • Encouraging comprehensive programs
- 14 • Fostering communication, collaboration and partnerships
- 15 • Encouraging data collection, sharing and research
- 16 • Promoting effective management practices
- 17 • Identifying proven best practices
- 18 • Providing guidance on adoption and administration of policy and standards

19 **ARTICLE III**

20 **Membership**

21 **Section 1. General**

22 The SMSA shall have three levels of membership: State; Supporting; and Individual.  
23 Acceptance of a membership shall not imply or bind the SMSA to support the  
24 philosophies or policies of any Member, nor to support or participate in projects or

25 undertakings of said Member, nor imply that the SMSA's name or logo may be used to  
26 promote a Member's business activity without expressed written approval from the  
27 SMSA Executive Committee.

## 28 **Section 2. Member Categories**

### 29 **a. State Member**

30 Each applicant for State Member shall be the state agency or agencies designated by a  
31 State to administer and manage its motorcycle safety program or components of that  
32 State's program. State Members shall also include the five branches of the United  
33 States military.

34 State Members shall designate an individual to serve as its SMSA representative for the  
35 purpose of receiving notices and otherwise acting on behalf of the State Member in the  
36 conduct of SMSA business.

### 37 **b. Supporting Member**

38 Each applicant for Supporting Member shall be an incorporated business, a national  
39 association, installation of the US military or an organization that actively and  
40 continuously supports the reduction of injuries and fatalities associated with motorcycle  
41 crashes and promotes responsible motorcycle operation.

42 Each Supporting Member shall designate an individual to serve as its SMSA contact for  
43 the purpose of receiving notices and otherwise acting on behalf of the Supporting  
44 Member.

### 45 **c. Individual Member**

46 Each applicant for Individual Member shall be an individual actively involved in  
47 supporting the reduction of injuries and fatalities associated with motorcycle crashes  
48 and promotes responsible motorcycle operation.

## 49 **Section 3. Application for Membership**

50 State agencies, organizations, associations, branches of the military or individuals  
51 seeking SMSA membership shall complete and submit to the SMSA Executive  
52 Committee an application for membership.

53 Membership is contingent upon the affirmative vote of a simple majority of all members  
54 of the Executive Committee. Upon approval, the SMSA shall invoice the approved  
55 applicant for that calendar year's dues. Official membership starts when the current  
56 calendar year dues are received by the SMSA.

#### 57 **Section 4. Annual Membership Dues**

58 All SMSA members shall pay annual dues. The amount of the annual membership  
59 dues shall be determined by the SMSA Executive Committee and may not be amended  
60 more than once in a two-year period. The SMSA Executive Committee shall provide  
61 notice to the Members of any impending revision to the annual dues and provide a  
62 minimum of 30 business days for comment.

63 At the conclusion of the comment period, the SMSA Executive Committee shall vote on  
64 the proposed revision to the annual dues. Members shall receive notice of the revised  
65 annual dues and the effective date of the membership dues.

66 Membership dues shall be based on a calendar year. Annual dues are non-refundable  
67 and are not pro-rated.

#### 68 **Section 5. Termination of Membership**

69 Any Member may elect to cancel their SMSA membership by submitting written notice  
70 to the Executive Committee. Upon receipt of the cancellation of membership, the State,  
71 Supporting or Individual Member shall no longer be an SMSA Member and will forfeit  
72 any privileges associated with membership until such a time they reapply for  
73 membership and are approved.

74 The SMSA Executive Committee may terminate a State, Supporting or Individual  
75 membership for violation of the SMSA Bylaws, Policies or for doing anything which the

76 SMSA Executive Committee and Membership view as being detrimental to the SMSA or  
77 the motorcycle safety industry.

78 The SMSA shall send written notice of grounds for membership termination. The  
79 Member shall have ten business days to respond to the SMSA Executive Committee  
80 and request a hearing. If no hearing is requested, the membership shall be terminated.

81 Upon resignation or termination of membership, such Member shall have no right or  
82 interest in any property or assets of the SMSA and shall not be entitled to any refund of  
83 dues. Terminated Members may reapply for SMSA membership after providing  
84 evidence and demonstrating that the grounds for termination have been rectified.

85 **a. Hearings**

86 Within thirty days of request of a hearing, a panel shall be appointed by the SMSA  
87 Executive Committee to review the facts or mitigating circumstances. Membership  
88 privileges shall be suspended until the panel has made its final decision.

89 **Section 6. Membership Classification**

90 The Executive Committee may establish or eliminate membership classifications in the  
91 best interest of the SMSA.

92 **ARTICLE IV**

93 **Voting**

94 **Section 1. General**

95 State, Supporting and Individual Members in good standing, and whose annual dues  
96 have been paid in full, shall have the privilege to vote on SMSA business matters.  
97 Specific voting privileges for each membership category are defined in Article IV,  
98 Sections 2-5.

99 **Section 2. State Member Voting Privilege**

100 The person assigned by the State Member to be its Designated Representative and act  
101 on its behalf in the conduct of SMSA business may cast one vote on the following  
102 business matters:

- 103 • Election and recall of SMSA officers
- 104 • Final approval of Bylaw revisions
- 105 • Approval of annual budget
- 106 • Other matters deemed necessary by the Executive Committee or the  
107 Membership

### 108 **Section 3. Supporting Member Voting Privilege**

109 The collective body of Supporting Members shall assign one individual to be its  
110 Designated Representative and act on behalf of all Supporting Members in the conduct  
111 of SMSA business. The Supporting Members' Designated Representative may cast  
112 one vote on the following business matters:

- 113 • Election and recall of SMSA officers
- 114 • Final approval of Bylaw revisions
- 115 • Approval of annual budget
- 116 • Other matters deemed necessary by the Executive Committee or the  
117 Membership

### 118 **Section 4. Individual Voting Privilege**

119 The collective body of Individual Members shall assign one person to be its Designated  
120 Representative and act on behalf of all Individual Members in the conduct of SMSA  
121 business. The Individual Members' Designated Representative may cast one vote on  
122 the following business matters:

- 123 • Election and recall of SMSA officers
- 124 • Final approval of Bylaw revisions
- 125 • Approval of annual budget
- 126 • Other matters deemed necessary by the Executive Committee or the  
127 Membership

128 **Section 5: Designating a Representative**

129 **a. State Member Designated Representative**

130 Each State Member shall designate one person to serve as its Designated  
131 Representative to act on its behalf in the conduct of SMSA business.

132 All State Member Designated Representatives shall be:

- 133 • Employed by or under contract with the State Member
- 134 • An active participant with specific responsibilities in the Member's motorcycle  
135 safety program or activities

136 Each State Member shall submit to the SMSA Executive Committee, with their annual  
137 dues payment, a completed Designated Representative Form containing the following  
138 information:

- 139 • Member organization or agency
- 140 • Representative's name
- 141 • Representative's title and position with or relationship to the Member's  
142 organization
- 143 • Representative's information, including but not limited to current address, phone  
144 number(s), and email address

145 The Designated Representative Form shall be signed by the Member's signatory  
146 authority.

147 It is the responsibility of the Member to maintain a current Designated Representative  
148 Form with the SMSA. Votes cast by persons other than those listed as current  
149 Designated Representatives shall not be counted.

150 Only the current Designated Representative of each State Member is eligible for  
151 nomination and election to the Executive Committee as Regional Representative.

152 State Members may change their Designated Representative by submitting a new  
153 Designated Representative form to the SMSA Executive Committee Secretary. New or  
154 revised Designated Representative forms must be submitted to the Executive

155 Committee Secretary at least one week prior to any meeting where SMSA business will  
156 be conducted.

157 **b. Supporting Members' Designated Representative**

158 The collective body of Supporting Members shall elect one person to serve as their  
159 Designated Representative to act on their behalf in the conduct of SMSA business.

160 The Supporting Members' Designated Representative shall be:

- 161 • Employed by or under contract with a current Supporting Member
- 162 • An active participant with specific responsibilities in the Member's motorcycle  
163 safety program or activities

164 Supporting Members may change their Designated Representative by a simple majority  
165 vote of all Supporting Members.

166 The current Designated Representative of the Supporting Members will serve as the  
167 Supporting Members' delegate to the Executive Committee, as outlined in Article VI.

168 **c. Individual Members' Designated Representative**

169 The collective body of Individual Members shall elect one person to serve as their  
170 Designated Representative to act on their behalf in the conduct of SMSA business.

171 The Individual Members' Designated Representative shall be:

- 172 • An active participant in motorcycle safety

173 Individual Members may change their Designated Representative by a simple majority  
174 vote of all Individual Members.

175 The current Designated Representative of the Individual Members will serve as the  
176 Individual Members' delegate to the Executive Committee, as outlined in Article VI.

177 **Section 6. Dual Representation**

178 No Member may represent more than one membership category as a Designated  
179 Representative within the same term.

180 **Section 7. Absentee Voting**

181 Absentee ballots will be made available to Designated Representatives unable to attend  
182 the Annual Members' Business Meeting prior to the meeting pursuant to the Policies of  
183 the SMSA. Specific instructions for absentee ballots shall be included at the time the  
184 ballots are distributed.

185 **ARTICLE V**

186 **Meeting of Members**

187 **Section 1. Quorum**

188 The presence of a majority of the voting Designated Representatives shall constitute a  
189 quorum for the transaction of business. If a quorum is not established, no business  
190 shall be conducted.

191 **a. Definition of Presence**

192 "Presence" shall be defined as physical or virtual, as deemed appropriate for the  
193 specific meeting nature and venue.

194 Meetings shall be presided over by the Chairperson. In his/her absence, successions  
195 shall be Vice-Chair, Secretary and Treasurer, respectively. The Secretary or a delegate  
196 acting in his/her behalf shall keep the minutes of such meeting.

197 **Section 2. Business Meeting**

198 The SMSA shall have a minimum of one Members' Business Meeting per year to  
199 conduct the business of the SMSA. The Executive Committee shall determine the date,  
200 time and location.

201 **Section 3. Notice of Meeting**

202 The Executive Committee shall notify its Members of the Annual Members' Business  
203 Meeting a minimum of ninety days prior to the date of the meeting. The meeting notice  
204 shall include:

- 205
  - Date



- 206 • Time
- 207 • Location
- 208 • Agenda

#### 209 **Section 4. Special Meetings**

210 Special meetings of the SMSA may be called by the Executive Committee by providing  
211 notice to the Members identifying:

- 212 • Reason for the special meeting
- 213 • Date
- 214 • Time
- 215 • Location
- 216 • Agenda

217 A quorum must be established prior to conducting a special meeting. To ensure a  
218 quorum will be present, the Designated Representatives shall confirm their attendance  
219 with the Executive Committee Secretary a minimum of 15 business days prior to the  
220 proposed meeting date.

#### 221 **Section 5. Petitioned Meeting**

222 Members may petition to hold a special meeting by obtaining the names and signatures  
223 of a simple majority of Designated Representatives. The petition shall be in writing and  
224 include:

- 225 • Reason for the special meeting
- 226 • Date
- 227 • Time
- 228 • Location
- 229 • Agenda
- 230 • Name of Member
- 231 • Name of Designated Representative
- 232 • Signature of the Designated Representative
- 233 • Date the petition was signed by Designated Representative

234 The petition shall be received by the SMSA Executive Committee a minimum of forty-  
235 five days prior to the proposed meeting date.

236 A quorum must be established prior to conducting a petitioned meeting. To ensure a  
237 quorum will be present, the Designated Representatives shall confirm their attendance  
238 with the Executive Committee Secretary a minimum of 15 business days prior to the  
239 proposed meeting date.

## 240 **Section 6. Action Without Meeting**

241 Action may be taken without a meeting through petition. For the action to pass, a  
242 simple majority of the Designated Representatives shall vote in favor of the action. The  
243 originators of the petition shall identify to the Executive Committee how the petition shall  
244 be circulated and how the signatures shall be verified prior to distributing the petition.

245 The petition shall include:

- 246 • Reason for the action
- 247 • Action being sought
- 248 • A deadline for signing the petition
- 249 • Full disclosure to the signing parties to what they are agreeing by signing
- 250 • Printed or typed name of person signing
- 251 • Original signature of the Designated Representative (scans or FAX copies of  
252 original signatures may be acceptable; electronic signatures will not be accepted)
- 253 • Date the signature was affixed to the petition

254 All petitions shall be submitted to the Executive Committee Chairperson within ten  
255 business days of the identified petition end date. After verification of all petition  
256 information, the Executive Committee will implement the action(s) passed through the  
257 petition process.

# 258 **ARTICLE VI**

## 259 **The Executive Committee**

### 260 **Section 1. Number and Composition**

261 The SMSA Executive Committee shall have nine voting members. All individuals  
262 nominated for and elected to the Executive Committee shall be Designated  
263 Representatives of Members in good standing. The SMSA Executive Committee will be  
264 comprised of:

- 265 • One Chairperson
- 266 • Three Regional State Member Representatives, one from each of the three  
267 regions (East, Central and West). In the event that no State Member Designated  
268 Representatives from a specified region are willing to run for election, the  
269 Executive Committee may facilitate an election for an additional At-Large  
270 Representative.
- 271 • Three At-large State Member Representatives, from State Members of any  
272 region
- 273 • One Supporting Member Designated Representative from the collective body of  
274 Supporting Members
- 275 • One Individual Designated Representative from the collective body of Individual  
276 Members

## 277 **Section 2. Chairperson**

278 The Chairperson shall be elected by the voting representatives in even-numbered  
279 calendar years. Only Designated Representatives from State Members in good  
280 standing are eligible for election to the office of Chairperson of the SMSA Executive  
281 Committee.

282 State Member Designated Representatives interested in running for Chairperson shall  
283 give written notice of intent to run to all SMSA Members by June 1 of election years  
284 (even numbered years). This notice of intent to run shall include:

- 285 • Candidate's name
- 286 • State Member's name
- 287 • Candidate's qualifications

288 The Chairperson is limited to two consecutive terms. The incumbent Chairperson will  
289 give notice of intent to run for re-election to the SMSA Members by June 1 of each even  
290 numbered year.

291 When a vacant position on the Executive Committee is created by the election of the  
292 Chairperson, that vacancy shall be filled during an election by the Designated  
293 Representatives, as appropriate for that vacant position.

294 The Chairperson of the Executive Committee shall preside over all the affairs of the  
295 SMSA and its officers and shall perform all the duties identified by herein the SMSA  
296 Bylaws and such further duties as may, from time to time, be required.

297 Chairperson duties include:

- 298 • Calling and presiding over Executive Committee and Annual Member's Business  
299 meetings
- 300 • Formulating and promoting SMSA motorcycle safety and operation policies
- 301 • Overseeing and administering the SMSA five-year strategic plan and annual  
302 work plan
- 303 • Representing or delegating a representative for the SMSA at motorcycle safety  
304 events, conferences and meetings with federal and state agencies
- 305 • Testifying or delegating an SMSA representative for the purpose of testifying, as  
306 required, on motorcycle safety issues, national policy and standards
- 307 • Ensuring the fiscal stability of the SMSA by working with the SMSA Treasurer  
308 and Executive Committee to develop realistic annual budgets
- 309 • Having signature authority for the SMSA

310 The Chairperson shall not have the authority to enter into contractual agreements that  
311 financially obligate the SMSA without the formal approval of the Executive Committee.

312 **a. Ex Officio**

313 The most current past Chairperson may continue to serve on the Executive Committee  
314 as an ex officio member. The ex officio member position is optional and voluntary for  
315 the past Chairperson. Ex officio members may participate in discussions but may not

316 make formal motions or vote on Executive Committee business. The SMSA is not  
317 obligated to provide financial assistance for the ex officio to attend business meetings  
318 and/or conferences.

### 319 **Section 3. Regional State Representatives**

320 The Executive Committee shall have three Regional State Representatives, one from  
321 each of the three regions (East, Central and West). Only Designated Representatives  
322 from State Members in good standing are eligible for election to serve as Regional  
323 Representatives.

324 Regional State Representatives shall be elected in even-numbered years. Terms are  
325 for two years Regional State Representatives are limited to three consecutive terms.

326 If a Regional Representative vacates his or her seat, the Executive Committee will  
327 facilitate an election within that region to elect a new Regional Representative within  
328 sixty days of the vacancy. The new Regional Representative will serve the remaining  
329 term of the vacated seat.

330 If none of the State Member Designated Representatives from a specified region are  
331 willing to run for election, the Executive Committee may facilitate an election among all  
332 regions to elect an additional At-Large Representative.

### 333 **Section 4. At-large State Representatives**

334 The Executive Committee shall have three At-large State Representatives from any of  
335 the three regions (East, Central and West). Only Designated Representatives from  
336 State Members in good standing are eligible for election to serve as At-large  
337 Representatives.

338 At-large State Representatives shall be elected in odd-numbered years. Terms are for  
339 two years. At-large State Representatives are limited to three consecutive terms.

340 If an At-large Representative vacates his or her seat, the Executive Committee will  
341 facilitate an election among all regions to elect a new At-large Representative within

342 sixty days of the vacancy. The new At-Large Representative will serve the remaining  
343 term of the vacated seat.

### 344 **Section 5. Supporting Member Representative**

345 Supporting Members shall elect one person as their Designated Representative who will  
346 vote on behalf of all Supporting Members and serve on the SMSA Executive  
347 Committee. The Supporting Member Representative shall be elected in odd-numbered  
348 years and shall serve a two-year term. The Supporting Member Representative is  
349 limited to three consecutive terms.

350 If the Supporting Member Representative vacates his or her seat, the Executive  
351 Committee will facilitate an election among Supporting Members to elect a new  
352 Supporting Member Representative within sixty days of the vacancy. The new  
353 Supporting Member Representative will serve the remaining term of the vacated seat.

### 354 **Section 6. Individual Member Representative**

355 Individual Members shall elect one person as their Designated Representative who will  
356 vote on behalf of all Individual Members and serve on the SMSA Executive Committee.  
357 The Individual Member Representative shall be elected in even-numbered years and  
358 shall serve a two-year term. The Individual Member Representative is limited to three  
359 consecutive terms.

360 If the Individual Member Representative vacates his or her seat, the Executive  
361 Committee will facilitate an election among Individual Members to elect a new Individual  
362 Member Representative within sixty days of the vacancy. The new Individual Member  
363 Representative will serve the remaining term of the vacated seat.

### 364 **Section 7. Executive Committee Meetings**

365 The Executive Committee shall hold meetings to conduct SMSA business. Meetings of  
366 the Executive Committee may be called by the Chairperson or by a simple majority of  
367 the members of the Executive Committee and may be conducted face-to-face, via  
368 teleconference, and/or other appropriate meeting formats.

369 Notice stating the time and place of any Executive Committee meeting, except the  
370 Annual Members' Business Meeting, shall be given at least thirty days prior to the date  
371 of the meeting. A majority of the Committee shall constitute a quorum. Each Executive  
372 Committee member shall have one vote, with the exception of the ex officio member  
373 who does not have voting privileges.

## 374 **Section 8. Powers of the Executive Committee**

375 The Executive Committee shall manage the affairs of the SMSA consistent with the law,  
376 the Articles of Incorporation, and the Bylaws. Powers include, but are not limited to:

- 377 • Establish the fiscal year
- 378 • Initiating and administering all matters involving policies, programs, transactions  
379 and contractual obligations
- 380 • Guiding and counseling the officers of the SMSA in the fulfillment of their  
381 responsibilities
- 382 • Evaluating the needs of the SMSA and implement programs to meet them
- 383 • Determining persons authorized to sign checks, drafts, or other orders for the  
384 payment of money in the name of the SMSA
- 385 • Reviewing and approving periodic statements of fiscal operations
- 386 • Electing the Vice-Chairperson, Secretary, and Treasurer
- 387 • Determining duties and compensation of offices of Chairperson, Vice-  
388 Chairperson, Secretary, and Treasurer
- 389 • Establishing, changing the membership of, and discontinuing committees
- 390 • Facilitating elections for filling Executive Committee Representative vacancies

391 The Executive Committee may enter into agreements with organizations or individuals  
392 to assist the Committee in managing the affairs of the SMSA and to complete projects in  
393 the approved work plans. The Executive Committee may not relinquish to any  
394 organization or individual its authority and responsibility to control and manage the  
395 affairs of the SMSA. The Executive Committee members are duty-bound to oversee and  
396 supervise their area of responsibilities as discharged by any organization or individual  
397 with which SMSA has entered into an agreement.

398 **ARTICLE VII**

399 **Executive Committee Officers and Duties**

400 **Section 1. General**

401 The officers of the SMSA shall be a Chairperson, a Vice-Chairperson, a Secretary and a  
402 Treasurer of the Executive Committee. The Chairperson is elected in accordance with  
403 the provisions of ARTICLE VI, Section 2. The Executive Committee shall elect one of  
404 its members to be the Vice-Chairperson, one to be Secretary, and one to be Treasurer  
405 by the affirmative vote of a simple majority.

406 A Representative's officer title and duties may be removed at any time by the affirmative  
407 vote of two-thirds of the members of the Executive Committee. That individual may  
408 continue to serve on the Executive Committee unless action is taken pursuant to Article  
409 III, Section 5.

410 **Section 2. Vice-Chairperson**

411 Upon absence, disability, or resignation of the Chairperson, the Vice-Chairperson shall  
412 immediately assume the office and all responsibilities of the Chairperson.

413 The SMSA Vice-Chairperson shall be responsible for overseeing and managing all  
414 active SMSA business contracts and perform such other duties as may be assigned by  
415 the Chairperson or the Executive Committee and all duties usually incident to the office  
416 of Vice Chairperson.

417 Only Designated Representatives from State Members in good standing are eligible for  
418 election to the office of Vice-Chairperson of the SMSA Executive Committee.

419 **Section 3. Secretary**

420 The SMSA Executive Committee Secretary shall:

- 421 • Publish all required notices and keep the minutes of SMSA meetings
- 422 • Keep attendance at all such meetings
- 423 • Maintain the official records of the SMSA



- 424 • Be responsible for keeping an accurate, up-to-date list of all members of the  
425 SMSA
- 426 • Keep safe and maintain the Corporate Seal and the Bylaws of the SMSA
- 427 • Perform such other duties as may be assigned by the Chairperson or the  
428 Executive Committee and all duties usually incident to the office of Secretary
- 429 • Maintain a list of annual deliverables and tasks that shall be completed by the  
430 SMSA Executive Committee and provide periodic status reports

431 Upon absence, disability, or resignation of the Chairperson, where the Vice-Chairperson  
432 is not able to assume the duties of the Chairperson, the Secretary shall immediately  
433 assume the office and all responsibilities of the Chairperson.

434 Upon approval of the Executive Committee, selected duties of the Secretary may be  
435 fulfilled by specifically appointed organizations or individuals. The Secretary shall  
436 maintain direct supervision of all delegated tasks.

437 Only Designated Representatives from State Members in good standing are eligible for  
438 election to the office of Secretary of the SMSA Executive Committee.

#### 439 **Section 4. Treasurer**

440 The SMSA Executive Committee Treasurer shall:

- 441 • Keep and maintain the financial records of the SMSA
- 442 • Collect all dues
- 443 • Receive and have charge of all moneys, bills, notes and similar property  
444 belonging to the SMSA
- 445 • Keep such financial accounts as may be required by the Executive Committee
- 446 • Present reports of the finances of the SMSA at annual meetings and at any other  
447 time the Executive Committee may direct
- 448 • Co-sign checks when necessary
- 449 • Arrange annual audits, reviews, tax preparations and required filings
- 450 • Ensure sound business practices are established and followed to ensure the  
451 future financial solvency of the SMSA

- 452       • Perform such other duties as may be assigned by the Chairperson or the  
453           Executive Committee and all duties usually incident to the office of Treasurer

454 Upon absence, disability, or resignation of the Chairperson, where the Vice-Chairperson  
455 or Secretary is not able to assume the duties of the Chairperson, the Treasurer shall  
456 immediately assume the office and all responsibilities of the Chairperson.

457 Upon approval of the Executive Committee, selected duties of the Treasurer may be  
458 fulfilled by specifically appointed organizations or individuals. The Treasurer shall  
459 maintain direct supervision of all delegated tasks.

460 Only Designated Representatives from State Members in good standing are eligible for  
461 election to the office of Treasurer of the SMSA Executive Committee.

462 **Section 5. Bonds**

463 The members of the SMSA Executive Committee shall be bonded for the faithful  
464 performance of duties. The cost shall be paid by the SMSA.

465 **ARTICLE VIII**

466 **Notice**

467 Wherever in these Bylaws notice is required to be given, such notice shall be deemed to  
468 have been delivered and received if addressed to the Member or Member's Designated  
469 Voting Representative, as the case may be, at the address as it appears on the records  
470 of the SMSA.

471 **ARTICLE IX**

472 **Dissolution**

473 Upon the dissolution of the SMSA, any assets not otherwise provided for by law shall be  
474 liquidated and used to cover any outstanding debts or be distributed to any one or more  
475 nonprofit organizations as selected by the SMSA Executive Committee.

476 **ARTICLE X**

477  
478  
479  
480  
481  
  
482  
483  
  
484  
485  
486  
  
487  
488  
489  
490  
491  
492  
  
493  
494  
495  
  
496  
497  
  
498  
499  
500  
501

## **Amendments**

At any meeting, these Bylaws may be altered, amended, added to or repealed, and new Bylaws adopted by the affirmative majority votes of all the voting Designated Representatives, provided that not less than thirty days' notice is given of the intention to so alter, amend, add to or repeal, or to adopt new Bylaws at such meeting.

## **ARTICLE XI**

### **Fiscal Management**

#### **Section 1. Fiscal Year**

The SMSA's fiscal year shall begin January 1 of each year and end December 31 of each year.

#### **Section 2. Annual Budget**

The Executive Committee shall prepare an annual budget for review and approval by the Membership. This budget will contain project descriptions, including estimated costs, and the estimated operational costs of the SMSA. This annual budget shall be distributed to the Membership by November 1 of each year and approved by a majority of the Membership by December 1 of each year.

#### **Section 3. Annual Income and Expenditures**

On an annual basis, the Executive Committee shall distribute to the Membership a detailed description of all SMSA income and expenditures.

At no time shall the SMSA develop an annual budget that would endanger the financial solvency of the organization.

#### **Section 4. Budget Report**

The Secretary and Treasurer of the SMSA shall produce an Annual Report by December 1 of each calendar year. The Annual Report shall include details of SMSA accomplishments as well as a complete financial report for the previous year's activities.

502 The Annual Report shall be distributed to all Members no later than December 31 of  
503 each calendar year.

504 These are the most current Bylaws of the NATIONAL ASSOCIATION OF STATE  
505 MOTORCYCLE SAFETY ADMINISTRATORS effective July 2, 2012.