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3 **POLICIES AND PROCEDURES**
4

5 SMSA policies and procedures are guiding principles considered to be
6 expedient, prudent, and advantageous for the Association. These policies
7 and procedures may be changed by a simple majority vote of the members
8 of the Executive Committee. In cases requiring immediate action,
9 exceptions to the policies and procedures may be made by the Chairperson
10 and later ratified by the Executive Committee.

11
12 **VENDOR POLICY**
13

14 Following is the policy for vendor space at all SMSA annual conferences and
15 other events:

16 Available vendor space and fees are determined annually based on selected
17 site.

18
19 All State and Supporting members receive one vendor space free of charge.
20 Requests for additional vendor spaces must be pre-approved by the SMSA
21 Conference Committee and the appropriate vendor fee for that year must be
22 paid for the additional space(s).
23

24
25 Vendor Space does not include Summit registration. Each exhibit participant
26 must register separately for the Summit.
27

28 Costs incurred for phone, electricity and any miscellaneous charges are the
29 responsibility of the vendor.
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MEMBERSHIP

General

The SMSA shall have three levels of membership: State; Supporting; and Individual.

Acceptance of a membership shall not imply or bind the SMSA to support the philosophies or policies of any Member, nor to support or participate in projects or undertakings of said Member. The SMSA's name and/or logo may not be used to promote a Member's business activity without expressed written approval from the SMSA Executive Committee.

Member Categories

a. State Member

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

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

b. Supporting Member

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

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

72 **c. Individual Member**

73 Each applicant for Individual Member shall be an individual actively involved
74 in supporting the reduction of injuries and fatalities associated with
75 motorcycle crashes by promoting responsible motorcycle operation.

76 ***Application and Election***

77
78 State agencies, organizations, associations, branches of the military or
79 individuals seeking SMSA membership shall complete and submit to the
80 SMSA Executive Committee an application for membership.

81
82 Membership is contingent upon the affirmative vote of a simple majority of
83 all members of the Executive Committee. Upon approval, the SMSA shall
84 invoice the approved applicant for that calendar year's dues. Official
85 membership starts when the current calendar year dues are received by the
86 SMSA and ends on December 31st unless membership is renewed.

87 ***Annual Membership Dues***

88
89 All SMSA members shall pay annual dues. The amount of the annual
90 membership dues shall be determined by the SMSA Executive Committee
91 and may not be amended more than once in a two-year period. The SMSA
92 Executive Committee shall provide notice to the Members of any impending
93 revision to the annual dues and provide a minimum of 30 business days for
94 comment.

95 At the conclusion of the comment period, the SMSA Executive Committee
96 shall vote on the proposed revision to the annual dues. Members shall
97 receive notice of the revised annual dues and the effective date of the
98 membership dues.

99
100 Current annual dues are:

101 State Membership	\$1,200.00
102 Supporting Membership	\$1,200.00
103 Individual Membership	\$ 25.00

104
105
106

107 Annual dues are non-refundable and are not pro-rated.

108

109 ***Termination of Membership***

110

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

117

118 The SMSA Executive Committee may terminate a State, Supporting or
119 Individual membership for violation of the SMSA Bylaws, Policies or for any
120 action deemed contrary to the Mission or best interests of the SMSA or the
121 motorcycle safety industry.

122

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

127

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

133 **a. Hearings**

134

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

139

140

141 ***Membership Classification***

142

143 The Executive Committee may establish or eliminate membership
144 classifications as needed, consistent with the best interest of the SMSA.

145

146

The Executive Committee

Number and Composition

148

149 The SMSA Executive Committee shall have nine voting members. All
 150 individuals nominated for and elected to the Executive Committee shall be
 151 Designated Representatives of Members in good standing. The SMSA
 152 Executive Committee will be comprised of:

153

154 • One Chairperson

155 • Three Regional State Member Representatives, one from each of the three
 156 regions (East, Central and West). In the event that no State Member
 157 Designated Representatives from a specified region are willing to run for
 158 election, the Executive Committee may facilitate an election for an additional
 159 At-Large Representative.

160 • Three At-large State Member Representatives, from State Members of any
 161 region

162 • One Supporting Member Designated Representative from the collective
 163 body of Supporting Members

164 • One Individual Designated Representative from the collective body of
 165 Individual Members

166

Chairperson

168

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

173

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

178

179 • Candidate's name

180 • State Member's name

181 • Candidate's qualifications including professional resume

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

185

186 When a vacant position on the Executive Committee is created by the
187 election of the Chairperson, that vacancy shall be filled during an election by
188 the Designated Representatives, as appropriate for that vacant position.
189

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

194 Chairperson duties include:

195

196 • Calling and presiding over Executive Committee and Annual Member's
197 Business meetings

198 • Formulating and promoting SMSA motorcycle safety and operation policies

199 • Overseeing and administering the SMSA five-year strategic plan and
200 annual work plan

201 • Representing or delegating a representative for the SMSA at motorcycle
202 safety events, conferences and meetings with federal and state agencies

203 • Testifying or delegating an SMSA representative for the purpose of
204 testifying, as required, on motorcycle safety issues, national policy and
205 standards

206 • Ensuring the fiscal stability of the SMSA by working with the SMSA
207 Treasurer and Executive Committee to develop realistic annual budgets

208 • Having signature authority for the SMSA
209

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

213 **a. Ex Officio**

214 The most current past Chairperson may continue to serve on the Executive
215 Committee as an ex officio member. The ex officio member position is
216 optional and voluntary for the past Chairperson. Ex officio members may
217 participate in discussions but may not make formal motions or vote on
218 Executive Committee business. The SMSA is not obligated to provide
219 financial assistance for the ex officio to attend business meetings and/or
220 conferences.

221 ***Regional State Representatives***

222

223 The Executive Committee shall have three Regional State Representatives,
224 one from each of the three regions (East, Central and West).

225 Regional State Representatives shall be elected in even-numbered years for

226 two year terms. Regional State Representatives are limited to three
227 consecutive terms.

228

229 If a Regional Representative vacates his or her seat, the Executive
230 Committee shall facilitate an election within that region to elect a new
231 Regional Representative within sixty days of the vacancy. The new Regional
232 Representative will serve the remaining term of the vacated seat.

233

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

237

238 ***At-Large State Representatives***

239

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

244

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

248

249 If an At-large Representative vacates his or her seat, the Executive
250 Committee shall facilitate an election among all regions to elect a new At-
251 large Representative within sixty days of the vacancy. The new At-Large
252 Representative will serve the remaining term of the vacated seat.

253

254 ***Supporting Member Representative***

255

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

261

262 If the Supporting Member Representative vacates his or her seat, the
263 Executive Committee will facilitate the election of a new supporting Member
264 Representative within sixty days of the vacancy. The new Supporting
265 Member Representative will serve the remaining term of the vacated seat.

266 ***Individual Member Representative***

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

272
273 If the Individual Member Representative vacates his or her seat, the
274 Executive Committee shall facilitate the election of a new Individual Member
275 Representative within sixty days of the vacancy. The new Individual Member
276 Representative will serve the remaining term of the vacated seat.

277 **Executive Committee Meetings**

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

283
284 Notice stating the time and place of any Executive Committee meeting,
285 except the Annual Members' Business Meeting, shall be given at least thirty
286 days prior to the date of the meeting. A majority of the Committee shall
287 constitute a quorum. Each Executive Committee member shall have one
288 vote, with the exception of the ex officio member who does not have voting
289 privileges.

290 **Powers of the Executive Committee**

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

- 294
295 • Establishing the fiscal year
296 • Initiating and administering all matters involving policies, programs,
297 transactions and contractual obligations
298 • Guiding and counseling the officers of the SMSA in the fulfillment of their
299 responsibilities
300 • Evaluating the needs of the SMSA and implementing programs to meet
301 them
302 • Determining persons authorized to sign checks, drafts, or other orders for
303 the payment of money in the name of the SMSA
304 • Reviewing and approving periodic statements of fiscal operations

- 305 • Electing the Vice-Chairperson, Secretary, and Treasurer
- 306 • Determining duties and compensation of offices of Chairperson, Vice-
- 307 Chairperson, Secretary, and Treasurer
- 308 • Establishing, changing the membership of, and discontinuing committees
- 309 • Facilitating elections for filling Executive Committee Representative
- 310 vacancies

311 The Executive Committee may enter into agreements with organizations or
312 individuals to assist the Committee in managing the affairs of the SMSA and
313 to complete projects in the approved work plans. The Executive Committee
314 may not relinquish to any organization or individual its authority and
315 responsibility to control and manage the affairs of the SMSA. The Executive
316 Committee members are duty-bound to oversee and supervise their area of
317 responsibilities as discharged by any organization or individual with which
318 SMSA has entered into an agreement.

319

320

321

EXECUTIVE COMMITTEE MEETING ATTENDANCE

322

323 Non-Voting members and visitors will be allowed to attend the Executive
324 Committee meetings for a given block of time with pre-approval from the
325 SMSA Chairperson and sign an SMSA confidentiality agreement prior to
326 attending.

327

328

329

330

331

SMSA EXECUTIVE COMMITTEE MEMBERS CODE OF ETHICS

332

Executive Committee Members

334

335 The responsibilities and duties of the regional representatives, supporting
336 and individual serving as members of the Executive Committee of the
337 National Association of State Motorcycle Safety Administrators are fiduciary
338 in nature and must be approached as such. In general the Executive
339 Committee has broad authority to manage the affairs of the Association.
340 The Executive Committee, as the elected representative body of the
341 Association, governs the Association, establishes policies and rules, assures
342 the accuracy of financial and administrative records, maintains the property
343 of the Association, and promotes the cooperative interaction between state
344 funded rider education programs, private industry, and other organizations
345 and individuals with an interest in motorcycle safety issues.

346
 347 Because of the critical role the Executive Committee plays in the life of the
 348 Association, Executive Committee members need to be aware of their
 349 responsibilities and be familiar with the Association's By-laws and governing
 350 documents. It is equally important that Executive Committee members are
 351 aware of what conduct is expected of them. Concern regarding personal
 352 liability for decisions made by the Executive Committee on behalf of the
 353 Association is not unfounded. However, articulation of the appropriate
 354 processes and procedures designed to protect Executive Committee
 355 members from personal liability may protect the members from such
 356 liability.

357 **Basic Conduct Expected of Executive Committee Members**

358
 359 Generally, rules are connected to a set of conduct or behavior. The basic
 360 conduct expected of Executive Committee members is that of fiduciaries.
 361 Inherent in this basic expected conduct are a number of promises. These
 362 fiduciary promises include the Executive Committee member endeavoring;

- 363
 364 1. To do his/her best to manage the affairs of the Association;
 365 2. To faithfully and carefully execute his/her fiduciary duty to the
 366 Association;
 367 3. To promote above all else, the general welfare of the Association; and
 368 4. To abide by, in managing the affairs of the Association, the mandates
 369 of the Association's Bylaws and other such documents and policies as
 370 have been established for the orderly conduct of the business of the
 371 Association.

372
 373 **The Fiduciary Duty:** The Promises – To Do One's Best, To Faithfully and
 374 Carefully Execute One's Duty.

375
 376 To promise to do one's best, and to faithfully and carefully execute one's
 377 duty governs the Executive Committee members' performance. As such,
 378 Executive Committee members have a duty to act in good faith and to place
 379 the interest of the Association and its members above their own interests at
 380 all times. Executive Committee members are subject to personal liability,
 381 even if they are acting in behalf of the Association. The fact that Executive
 382 Committee members are volunteers does not excuse them from their
 383 fiduciary responsibility. While this fiduciary duty is a legal principle, it may
 384 be viewed as a bundle of obligations. These obligations include the duties
 385 of:

386
 387
 388 Obedience

389 Diligence (due care)
 390 Loyalty
 391 Good Faith
 392 Trustworthy

393
 394

395 Each Executive Committee member is expected to exercise this bundle of
 396 obligations in managing the affairs of the Association. A review of each of
 397 these obligations, separately, will help to shape the thought processes of the
 398 Executive Committee member and assure that he/she is fulfilling those
 399 responsibilities as the rules of conduct dictate. Essentially, however, the
 400 Executive Committee member acts as the trustee for those members within
 401 his/her region and has an obligation to act for their benefit, as would any
 402 trustee. By analogy, and in most circumstances, this duty is generally
 403 extended to persons who act on behalf of others.

404

405 **Duty of Obedience**

406

407 Executive Committee members are required to manage the affairs of the
 408 Association in accordance with the Bylaws of the Association, Association
 409 policies, the laws of the State of Colorado, and other governing documents
 410 of the Association as may, from time to time come into existence. In acting
 411 accordingly, the Executive Committee member shall fulfill his/her obligation
 412 of obedience.

413

414 It is advisable that Executive Committee members regularly review their
 415 duties and responsibilities as specified in the Bylaws, adopted policies, and
 416 other such documents as they pertain to the conduct of business of the
 417 Association.

418

419 Examples of Obedience:

420

- 421 1. Convening business meetings in accordance with the Bylaws;
- 422 2. Conducting meetings and official assemblies using protocols
 423 established in Robert's Rules of Order?
- 424 3. Assuring meeting notices are distributed within mandated time lines;
- 425 4. Maintaining accurate records of Association business;
- 426 5. Requiring that conflicts of interest be disclosed prior to the taking of
 427 any vote; and
- 428 6. Initiating membership invoicing and collection of member dues
 429 annually.

430

431 **Duty of Diligence or Due Care**

432

433 This duty requires that each Executive Committee member exercise due care
 434 in the performance of managing the affairs of the Association. It is a
 435 standard of conduct which avoids negligence. In general, this standard
 436 requires that each Executive Committee member act in the same manner
 437 that a reasonable and prudent person would act in a similar circumstance.

438

439 Examples of Diligence:

440

- 441 1. Gathering (researching, investigating) all necessary information for
 442 decision making;
- 443 2. Consulting the opinions of appropriate professionals where necessary
 444 (e.g. legal counsel, certified public accountant, etc.);
- 445 3. Formulating and presenting a realistic and balanced budget;
- 446 4. Checking the license status of businesses contracted with for services;
 447 and
- 448 5. Responding promptly to claims for payment and assuring that services
 449 have been accurately rendered prior to authorizing such payment.

450

451 **Duty of Loyalty**

452

453 Simply, loyalty means that an Executive Committee member makes
 454 decisions for the benefit of the Association and not for the direct or indirect
 455 benefit of him/herself, another Executive Committee member, an individual
 456 member of the Association, or a select group of Association members. This
 457 duty includes the obligations:

458

- 459 1. To refrain from competing with the Association; i.e., abstaining from
 460 bidding against the Association for contracts or grants where only one
 461 such contract or grant shall be made;
- 462 2. To refrain from taking advantage of an Association opportunity; i.e.,
 463 hiring a person whom the Association still has under active
 464 consideration for employment;
- 465 3. To avoid conflicts of interest; i.e., abstaining from voting on an issue
 466 that may directly benefit the Executive Committee member, his/her
 467 associates, another Executive Committee member, or a selected
 468 Association member or a select group of Association members; and
- 469 4. To manage the affairs of the Association fairly.

470

471 Examples of Loyalty:

472

- 473 1. Voting against a request for funding when it is not allowed in the
 474 Association Bylaws, even though the request has come from a friend
 475 or colleague;
 476 2. Maintaining the confidentiality of Association business plans, during
 477 dealing with other organizations which may be competing with the
 478 Association for grant funding or contracts; and
 479 3. Initiating impeachment procedures or sanctions against other
 480 Executive Committee members or Association members who may have
 481 breached their fiduciary duties, even though such individuals are
 482 colleagues or friends.
 483

484 **Avoiding Conflicts of Interest**

485
 486 In making decisions for the benefit of the Association, Executive Committee
 487 members should avoid conflicts of interest at all costs. A conflict of interest
 488 may be defined as "a situation in which a duty to one leads to the disregard
 489 of a duty to another". This may be a situation where in some outside
 490 influence affects or may affect the ability to make an unimpeded,
 491 independent decision in a particular situation or when an individual owes
 492 duties or loyalties to separate entities whose interests conflict. In general,
 493 where there is a question of a conflict of interest, the Executive Committee
 494 member should:

- 495
 496 1. Abstain from voting on the issue before the Executive Committee;
 497 2. Disclose the nature of the conflict prior to a vote being taken; and
 498 3. Have the minutes reflect that a disclosure has been made.
 499

500 Note: Although the Bylaws of the National Association of State Motorcycle
 501 Safety Administrators are silent on this issue, and therefore might appear to
 502 allow an Executive Committee member with a conflict of interest to vote
 503 after the member discloses the conflict, Robert's Rules of Order, appears to
 504 provide a better practice, to wit:

505
 506 "Abstaining from voting on a question of direct personal interest. No
 507 member should vote on a question in which he/she has direct personal or
 508 pecuniary interest not common to other members of the organization"
 509 (Roberts 1990, Sec. 44, 402).
 510

511 Personal Conflicts

512
 513 While not all potential conflicts of interest become actual conflicts of interest
 514 requiring disclosure, potential conflicts of interest exist where there is a

515 possibility that an Executive Committee member's interests might at some
516 point in time conflict with the Association's interests.
517

518 **Duty of Good Faith**

519
520 In most situations, the duty of good faith is understood as an obligation to
521 act with an honest belief that the action taken is necessary for the benefit of
522 the Association. Good faith decisions might be indicated by conduct in which
523 the Executive Committee member remains:
524

- 525 1. Personally disinterested in the action, and has no expectation of
526 personal benefit from the action, other than that which might be
527 expected as a member of the Association;
- 528 2. Reasonable in the decision making process thereby making decisions
529 which exhibit ordinary sound business judgment; independent in
530 his/her judgments and is not inordinately influenced by another
531 Executive Committee member or member of the Association; and
- 532 3. Unbiased, avoiding discriminatory, arbitrary, capricious or malicious
533 intent in his/her conduct.
534

535 **Conclusions**

536
537 Serving on the National Association of State Motorcycle Safety
538 Administrators Executive Committee, as a representative, chairperson, or
539 outgoing chairperson, is a pursuit that carries with it tremendous
540 responsibility. Those principles which should guide the professional conduct
541 of the Executive Committee member can be summed up as follows:
542

- 543 1. Serve one principal – the Association;
- 544 2. Make decisions for one mission – the welfare and benefit of the
545 Association and its members;
- 546 3. Rise above self-interest;
- 547 4. Make decisions based upon the best information available through
548 research, professional knowledge, or consultation when required;
- 549 5. Act independently and not necessarily at the direction or dominance of
550 other Executive Committee members;
- 551 6. Act prudently in making decisions. Do what the "reasonable",
552 disinterested person would do in similar circumstances;
- 553 7. Remain knowledgeable of the affairs of the Association. This includes
554 especially maintaining a working knowledge of the governing
555 documentation;

- 556 8. Be responsive to your constituents, the member states within your
557 region. This may include surveying the region's member states for
558 their opinions on issues; and
559 9. Remember that one leads best by serving best.
560

561

562

Voting

563

General

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

568

569

State Member Voting Privilege

570

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

574

- 575 • Election and recall of SMSA officers
- 576 • Final approval of Bylaw revisions
- 577 • Approval of annual budget
- 578 • Other matters deemed necessary by the Executive Committee or the
579 Membership

580

581

Supporting Member Voting Privilege

582

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

587

- 588 • Election and recall of SMSA officers
- 589 • Final approval of Bylaw revisions
- 590 • Approval of annual budget
- 591 • Other matters deemed necessary by the Executive Committee or the
592 Membership

593

594 ***Individual Voting Privilege***

595

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

600

- 601 • Election and recall of SMSA officers
- 602 • Final approval of Bylaw revisions
- 603 • Approval of annual budget
- 604 • Other matters deemed necessary by the Executive Committee or the
 605 Membership

606

607 ***Designating a Representative***

608

609 **a. State Member Designated Representative**

610

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

613 All State Member Designated Representatives shall be:

614

- 615 • Employed by or under contract with the State Member
- 616 • An active participant with specific responsibilities in the Member's
 617 motorcycle safety program or activities

618

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

622

- 623 • Member organization or agency
- 624 • Representative's name
- 625 • Representative's title and position with or relationship to the Member's
 626 organization
- 627 • Representative's information, including but not limited to current address,
 628 phone number(s), and email address

629 The Designated Representative Form shall be signed by the Member's
 630 signatory authority.

631

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

635
636 Only the current Designated Representative of each State Member is eligible
637 for nomination and election to the Executive Committee as Regional
638 Representative.

639
640 State Members may change their Designated Representative by submitting a
641 new Designated Representative form to the SMSA Executive Committee
642 Secretary. New or revised Designated Representative forms must be
643 submitted to the Executive Committee Secretary at least one week prior to
644 any meeting where SMSA business will be conducted.

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

646
647 The collective body of Supporting Members shall elect one person to serve as
648 their Designated Representative to act on their behalf in the conduct of
649 SMSA business.

650 The Supporting Members' Designated Representative shall be:

- 651
- 652 • Employed by or under contract with a current Supporting Member
 - 653 • An active participant with specific responsibilities in the Member's
654 motorcycle safety program or activities

655
656 Supporting Members may change their Designated Representative by a
657 simple majority vote of all Supporting Members.

658
659 The current Designated Representative of the Supporting Members will serve
660 as the Supporting Members' delegate to the Executive Committee, as
661 outlined in Article VI.

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

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

666 The Individual Members' Designated Representative shall be:

- 667
- 668 • An active participant in motorcycle safety

669
670 Individual Members may change their Designated Representative by a
671 simple majority vote of all Individual Members.

672

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

676 **Dual Representation**

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

679 **Absentee Voting**

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

684

685 ***Meeting of Members***

686 ***Quorum***

687
688 The presence of a majority of the voting Designated Representatives shall
689 constitute a quorum for the transaction of business. If a quorum is not
690 established, no business shall be conducted on issues which are construed
691 by the Executive Committee as a conflict of interest.

692

693 **Definition of Presence**

694
695 "Presence" shall be defined as physical or virtual, as deemed appropriate for
696 the specific meeting nature and venue.

697
698 Meetings shall be presided over by the Chairperson. In his/her absence,
699 successions shall be Vice-Chair, Secretary and Treasurer, respectively. The
700 Secretary or a delegate acting in his/her behalf shall keep the minutes of
701 such meeting.

702

703 **Business Meeting**

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

707 ***Notice of Meeting***

708

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

712

- 713 • Date
- 714 • Time
- 715 • Location
- 716 • Agenda

717 ***Special Meetings***

718

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

721

- 722 • Reason for the special meeting
- 723 • Date
- 724 • Time
- 725 • Location
- 726 • Agenda

727

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

732

733 ***Petitioned Meeting***

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

737

- 738 • Reason for the special meeting
- 739 • Date
- 740 • Time
- 741 • Location
- 742 • Agenda
- 743 • Name of Member
- 744 • Name of Designated Representative
- 745 • Signature of the Designated Representative
- 746 • Date the petition was signed by Designated Representative

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

749
750 A quorum must be established prior to conducting a petitioned meeting. To
751 ensure a quorum will be present, the Designated Representatives shall
752 confirm their attendance with the Executive Committee Secretary a
753 minimum of 15 business days prior to the proposed meeting date.

754 **Action Without Meeting**

755 Action may be taken without a meeting through petition. For the action to
756 pass, a simple majority of the Designated Representatives shall vote in favor
757 of the action. The originators of the petition shall identify to the Executive
758 Committee how the petition shall be circulated and how the signatures shall
759 be verified prior to distributing the petition. The petition shall include:

- 760
- 761 • Reason for the action
 - 762 • Action being sought
 - 763 • A deadline for signing the petition
 - 764 • Full disclosure to the signing parties to what they are agreeing by signing
 - 765 • Printed or typed name of person signing
 - 766 • Original signature of the Designated Representative (scans or FAX copies
767 of original signatures may be acceptable; electronic signatures will not be
768 accepted)
 - 769 • Date the signature was affixed to the petition

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

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775

776 ***Fiscal Management***

777 ***Fiscal Year***

778
779 The SMSA's fiscal year shall begin January 1 of each year and end December
780 31 of each year.

781

782 ***Annual Budget***

783

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

790

791 ***Annual Income and Expenditures***

792

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

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

797

798 ***Budget Report***

799

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

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

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REGIONAL REPRESENTATION

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**EASTERN
REGION**

CONNECTICUT
DELAWARE
FLORIDA
GEORGIA
MAINE
MARYLAND
MASSACHUSETTS
NEW HAMPSHIRE
NEW JERSEY
NEW YORK
NORTH CAROLINA
PENNSYLVANIA
RHODE ISLAND
SOUTH CAROLINA
VERMONT
VIRGINIA
WEST VIRGINIA

**CENTRAL
REGION**

ALABAMA
ARKANSAS
ILLINOIS
INDIANA
IOWA
KENTUCKY
LOUISIANA
MICHIGAN
MINNESOTA
MISSISSIPPI
MISSOURI
OHIO
TENNESSEE
WISCONSIN

**WESTERN
REGION**

ALASKA
ARIZONA
CALIFORNIA
COLORADO
HAWAII
IDAHO
KANSAS
MONTANA
NEBRASKA
NEVADA
NEW MEXICO
NORTH DAKOTA
OKLAHOMA
OREGON
SOUTH DAKOTA
TEXAS
UTAH
WASHINGTON
WYOMING

FOR CURRENT MEMBERSHIP STATUS, PLEASE CHECK THE SMSA WEB SITE
– WWW.SMSA.ORG

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AWARDS

SMSA Outstanding Contribution Award

The SMSA Policy and Planning Committee will seek nominations for the SMSA Outstanding Contribution Award. This annual Award recognizes individuals who through their dedication, commitment and contribution to motorcycle safety have made a positive impact on a national, state or local level. SMSA selects one person annually for this award. Nominees may be currently or previously associated with the SMSA or an SMSA member's program or organization. Individuals may not nominate themselves and individuals that have previously received this award are not eligible. Members of the Policy and Planning Committee are also not eligible for nomination.

Nomination Requirements

- A description of the nominee's relationship to the SMSA or Member's program or organization
- A detailed description of the nominee's contributions and accomplishments in motorcycle safety and how they impacted national, state or local efforts
- The nominator's rationale and justification for nominating this individual
- Endorsements from other individuals that support this person's nomination

SMSA Outstanding State Award

The SMSA Policy and Planning Committee will seek nominations for the SMSA Outstanding State Award. This Award recognizes a state with a comprehensive state motorcycle safety program (NHTSA Highway Safety Program Guideline No. 3 – Motorcycle Safety Program) and has implemented strategies that are successful, effective and can be measured, evaluated and serve as best practices.

Nomination Requirements

- A detailed description of the state's comprehensive program;
- A description of recent motorcycle safety strategies;
- A description of how the strategies are measured and evaluated; and
- A description how the strategies impacted the motorcycle safety program.

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TRAVEL POLICY

GENERAL

Travel authorized by the National Association of State Motorcycle Safety Administrators and undertaken by any member designated by the Association, for the purpose of representing SMSA interests at national, regional, and state activities and forums on transportation safety issues, may be reimbursed under the following guidelines:

Meals and gratuities	Current GSA Rate
Hotel	Pre-approved Government or corporate rate, with receipt
Mileage	Reimbursement will be made based on current GSA rates.
Airfare	Actual cost with receipt or no more than comparable mileage.
Other direct costs (Conference fee, parking, ground transportation)	Actual costs with receipts

Requests for reimbursement of travel costs must be submitted to the SMSA Business Office no more than sixty days after the last day of actual travel, unless prohibited by exceptional circumstances.

933

SMSA Credit Card Polices

934 **Policies**

9351) The Executive Committee:

- 936 a. Shall designate and approve the individuals eligible receive and use an
- 937 SMSA business credit card;
- 938 b. May cancel, retract or reassign an SMSA business card at any time.

- 939 c. Shall determine when a credit card may be used and what may be
940 purchased
- 941 d. Shall establish limits for the credit card
- 942 e. Shall establish the process to reconcile credit card purchases with the
943 credit card bank statements

- 9442) Individuals assigned an SMSA business credit card are responsible for the
945 security of that card.

- 9463) Lost or stolen SMSA business credit cards shall be reported immediately to
947 the bank issuing the card and to the Chairman of the Executive Committee.

- 9484) SMSA business credit cards shall only be used to purchase items required to
949 conduct SMSA business. Card holders may not use the SMSA business credit
950 card to purchase personal items or services.

- 9515) The SMSA business credit card may be used to purchase meals for Executive
952 Committee members and members. The receipt shall include the names of
953 each individual and a brief description of the business purpose in accordance
954 with the Internal Revenue Service regulations

- 9556) The SMSA business credit card may not be used to purchase meals or
956 entertainment for guests, family members or non-SMSA members.

- 9577) The SMSA business credit card may not be used to purchase:
 - 958 a. Alcoholic beverages or tobacco products
 - 959 b. Controlled substances
 - 960 c. Electronic equipment or devices, unless preapproved by the
961 Executive Committee
 - 962 d. Items or services on term contracts
 - 963 e. Maintenance agreements for SMSA equipment, unless
964 preapproved by the Executive Committee
 - 965 f. Personal items or loans
 - 966 g. Purchases involving trade-in of SMSA property
 - 967 h. Telephones, related equipment, or services
 - 968 i. Items or services that exceed a total of \$1,000 in a single
969 purchase or \$2,500 in a single day without preapproval by the
970 Executive Committee
 - 971 j. Any other items or services deemed inconsistent with the values
972 of SMSA.

9738) Cash advances on credit cards are not permitted unless in an emergency
974situations and approval by the Executive Committee

9759) Cardholders shall be required to sign an agreement indicating they accept
976the SMSA credit card policy and procedures. Individuals who do not adhere to
977these policies and procedures risk revocation of their credit card privileges
978and/or disciplinary action.

979

980 **Procedures**

981 1. All credit card bank statements shall go to the SMSA Business Office
982 and kept on file for a minimum of three years. Executive Committee
983 officers may request copies of these bank statements.

984 2. Credit card holders shall obtain detailed receipts for all purchases and
985 attach these receipts to the credit card monthly log. The credit card
986 log with attached receipts shall be submitted to the SMSA Office and
987 the Treasurer by the last day of each month.

988 3. All monthly credit card logs shall be signed by the credit card holder
989 and approved by the Treasurer.

990 4. Cardholders should make every effort to ensure that purchases do not
991 include sales tax. Tax-exempt certificates are available through the
992 accounting department. Tangible personal property is property that
993 can be touched and retained in one's possession (excludes food,
994 entertainment, and other consumables.) Services are works or
995 activities performed by another for a fee (includes normal services
996 such as personal services performed by professionals and/or non-
997 professionals, but excludes lodging.) Sales tax may be paid for
998 minimal expenditures from one-time vendors who refuse the
999 exemption, but sales taxes should not be paid (select another vendor)
1000 where the purchases are for more substantial expenditures or are
1001 repetitively incurred.

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SMSA CARDHOLDER AGREEMENT

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I, _____, hereby acknowledge receipt of the following credit card: _____ / _____ - _____ - _____ - _____
(type of credit card) (credit card number)

As a cardholder, I agree to comply with the terms and conditions of this agreement, including the attached SMSA Credit Card Policies and Procedures agreement.

I acknowledge receipt of said Agreement and Policies/Procedures and confirm that I have read and understand the terms and conditions. I understand that by using this card, I will be making financial commitments on behalf of SMSA and that the SMSA will be liable to _____ for all charges made on this card.
(Name of Credit Card Company)

I will strive to obtain the best value for SMSA when purchasing merchandise and/or services with this card.

As a holder of this SMSA card, I agree to accept the responsibility and accountability for the protection and proper use of the card, as enumerated above. I will return the card to the Treasurer, upon demand. I further agree to return the card upon completion of Executive Committee term. I understand that the card is not to be used for personal purchases. If the card is used for personal purchases or for purchases for any other entity, the SMSA will be entitled to reimbursement from me of such purchases. The SMSA shall be entitled to pursue legal action, if required, to recover the cost of such purchases, together with costs of collection and reasonable attorney fees.

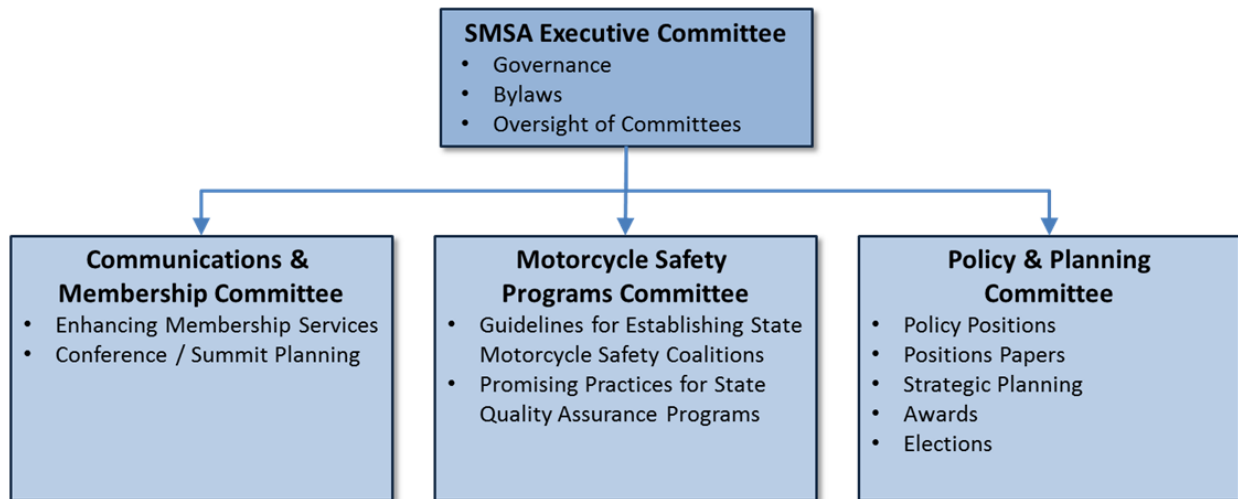
Signature _____ Date _____
(Cardholder)

Signature _____ Date _____
(Chair)

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Committee Structure

The National Association of State Motorcycle Safety Administrators has established a committee structure consisting of three (3) committees. All activities of the Association shall either fall under the SMSA Executive Committee (EC) or the committees. The committees shall report to the SMSA EC. The EC and committees shall be supported by the SMSA staff. The SMSA Committee Structure may also consist of Subcommittees, Working Groups and Special Task Forces as needed.



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Communications & Membership Committee

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The Communications & Membership Committee is responsible for projects and activities relating to safety awareness, membership services, communications, conferences and workshops.

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For 2013-2014 the committee will primarily focus on:

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1081

- enhancing membership services, and
- conference / summit planning

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In 2014, the committee will identify additional projects or activities for 2015 within the communications and membership area.

1087 **Motorcycle Safety Programs Committee**

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1089 The Motorcycle Safety Programs Committee is responsible for projects and
1090 activities relating to state motorcycle safety programs, rider education and
1091 training, life-long learning, research and data collection. For 2013-2015 the
1092 committee will primarily focus on:

1093

- 1094 • Guidelines for Establishing State Motorcycle Safety Coalitions, and
- 1095 • Promising Practices for State Quality Assurance Programs.

1096 In 2014, the committee will identify additional projects or activities for 2015
1097 within the motorcycle safety programs area.

1098

1099 **Policy & Planning Committee**

1100

1101 The Policy & Planning Committee is responsible for projects and activities
1102 relating to policy positions, policy papers, strategic planning, awards and
1103 elections. For 2013-2014 the committee will focus on:

1104

- 1105 • Policy Positions
- 1106 • White Papers
- 1107 • Strategic Planning
- 1108 • Awards
- 1109 • Elections

1110 In 2014, the committee will identify additional projects or activities for 2015
1111 within the policy and planning area.

1112

1113

1114 **Committee Composition**

1115

1116 Each committee shall consist of six (6) members:

1117

- 1118 • Chairperson
- 1119 • 1 Representative from each of SMSA's 3 Regions
- 1120 • 1 Supporting Member
- 1121 • 1 Individual Member

1122

1123 Each committee shall be supported by:

1124

- 1125 • 1 Executive Committee Liaison
- 1126 • SMSA Staff

1127 **Committee Member Responsibilities**

1128

1129 Committee members are responsible for:

1130

- 1131 • Representing the interests of the SMSA members as a whole.
- 1132 • Representing the interests of the membership category represented.
- 1133 • Participating in conference calls / web meetings of the committee.
- 1134 • Identifying possible SMSA projects and activities.
- 1135 • Assisting in overseeing project and activity expectations.
- 1136 • Participating in an annual meeting of the committee in conjunction
- 1137 with the annual SMSA conference (either prior to or post conference) if
- 1138 attending.
- 1139 • Contacting members represented to solicit input and feedback on
- 1140 projects and activities.
- 1141 • Providing feedback to SMSA staff on projects and activity deliverables.

1142 **Executive Committee and Staff Responsibilities**

1143

1144 The SMSA EC shall provide direction and feedback to the committees. The
1145 SMSA staff shall be responsible for planning and developmental tasks
1146 associated with all committee projects and activities in consultation with the
1147 committee chairperson.

1148