

*Dedicated to Freedom of the Road*



**ABATE of Oregon, Inc.**

# Member's Handbook

A Brief History

Frequently Asked Questions

Structure of the Organization

Duties of Officers

Events

Bylaws

Rules of Operation

## MISSION STATEMENT

ABATE of Oregon promotes motorcycle awareness, education, safety, and liberty through community involvement and legislative action.

## BRIEF HISTORY

ABATE (A Brotherhood Against Totalitarian Enactments) of Oregon, Inc. was formed in 1975. The very first chairman (Coordinator) was Luke Metcalfe. Although the structure of the organization has evolved over the years, ABATE has always held firm to the principle of freedom of the road and a policy of non-discrimination toward anyone wanting to be a member. Over the years ABATE has become a very effective political force as well as a nationally acclaimed educational body.

In 1976 the River City Chapter was formed which was the first outside of Portland. In 1977 ABATE began its first concerted effort to change the helmet law in Oregon. The membership worked to give freedom of choice back to motorcyclists in Oregon. At one point a round-the-clock sit-in and vigil was held at the capitol. This created a lot of attention and forced the helmet bill out of committee where it passed and was signed into law by Governor Robert Straub.

In 1978 the first Fossil Run was held. Originally a chapter event, the Fossil Run has become one of the largest runs in the Northwest as well as the main fund-raiser for ABATE of Oregon. In 1979 the first attempt to create a motorcycle training program to teach beginners to ride was proposed by ABATE in the legislature.

In 1981 the motorcycle rider training program, which later became Team Oregon, was made into law. This safety and education program was conceived of and made to be by the efforts of ABATE of Oregon, Inc. and other motorcyclist groups in Oregon. It is now administered by the Oregon Department of Transportation, but it is still one of ABATE's proudest achievements.

In 1988 the state legislature sent a referendum to the voters about mandating helmets, rather than dealing with the issue themselves. This was barely passed by the voters of Oregon in one of the lowest turnout elections in state history. To prevent such things from happening in the future, it was decided that there needs to be a presence in the Capitol

during the legislative session. To address this need, BikePAC was formed as a separate entity in 1989.

In the early 1990s there were increasing numbers of reports about police using helmets as a tool for harassment. "Illegal" helmet tickets and even confiscation of helmets showed the need to have the helmet law addressed again. Several attempts were made to give adult riders freedom of choice but none were successful.

In 1995 a bill was created at the request of BikePAC to define what a helmet is. ABATE and BikePAC held the "Biker's Days" at the capitol to teach motorcyclists how to directly lobby the legislature. This proved extremely effective and the helmet definition bill passes and was signed by Governor Kitzhaber. It was hoped that this law would eliminate the harassment of motorcyclists by certain law enforcement personnel. Motorcyclists were still being detained or pulled over just to check for "illegal helmets" and reports kept coming in that the harassment did continue. After a large campaign at Fossil in 1996 by the Oregon State Police to write helmet tickets, ABATE and State Coordinator Larry Schalk filed a class action lawsuit against the Oregon State Police. In 1997 a federal court found that the State Police had interpreted the law incorrectly and could not use helmets as a reason to make a stop.

ABATE of Oregon, Inc. has achieved much for motorcyclists in Oregon since 1975: the Team Oregon training program which gives motorcyclists, both beginner and experienced, the ability to safely improve their skills; the Governor's Motorcycle Safety Advisory Committee, which was created to advise the governor on issues of motorcycle safety; the Motorcycle Awareness Program developed by ABATE members to teach young automobile drivers to be aware of motorcycles; many charity events like toy runs which benefit people not directly involved in motorcycling in our communities; and the ongoing battle to enact legislation favorable to motorcycles and rescind legislation unfavorable to motorcycles.

## FREQUENTLY ASKED QUESTIONS

Most questions about the day to day operations of ABATE can be answered in the Rules of Operation or Bylaws. Some of the most common questions involve things like chapter operations, fundraising, political activities, or charities.

### **Why does my chapter have to follow the state guidelines? Aren't all chapters autonomous?**

It is a common belief that ABATE is a group of individual chapters. It is true that the individual chapters do run themselves and have their own treasuries and such. However, we are all part of one legally incorporated organization. In the eyes of the law there is only one statewide organization. This is part of why the financial records of each chapter are always sent to the state treasurer. The fiscal procedures in one chapter can have an effect legally on the whole organization. Because of this there are some limits on what chapters can do.

### **Why can't our chapter donate money to BikePAC?**

ABATE can only give \$5000 per year to a PAC. The state organization contracts with BikePAC, which involves a \$5000 yearly payment. Again, we are all one organization. Therefore an individual chapter cannot also give more as this puts ABATE over the \$5000 limit. However a chapter can join BikePAC and pay dues even if this maximum has been reached.

### **Why can't my chapter donate to political campaigns?**

Another common question involves political action. Although ABATE members do work with some issues in the political arena, it is against the rules for our non-profit organization to lobby for or donate to specific candidates. ABATE can campaign for issues or ideas, but not candidates or ballot measures. There is no reason, however, why individuals who are members cannot take part in political campaigns or even run for office themselves.

### **Someone told me our chapter doesn't own the property they have. What do they mean by this?**

Again, we are really one statewide organization. Individual chapters may have some property which belongs to the chapter. This property may be used by the chapter for many years and no one will demand it to be sent to a state event. But any equipment that an individual chapter may possess reverts to the state if the chapter gives up their charter.

### **Are my donations to ABATE tax-deductible?**

One of the most rewarding aspects in ABATE is the volunteer charity work that is done during the year. ABATE and its members sponsor food drives, toy runs at Christmas time and volunteer during disasters. ABATE is chartered as a Social Welfare organization, so it is one of our reasons for existing. It is not our primary focus, however, to be a true charity. We are not trying to replace the Salvation Army or other charity groups. Since we are not primarily a charity it is important to note that donations to ABATE are not tax-deductible and should not be represented as such.

### **How much of ABATE's business is conducted in private?**

All proceedings in ABATE are conducted publicly. All finances, meetings, and motions are open for members to see. Membership information, however, is not published and is only allowed to be used for ABATE business.

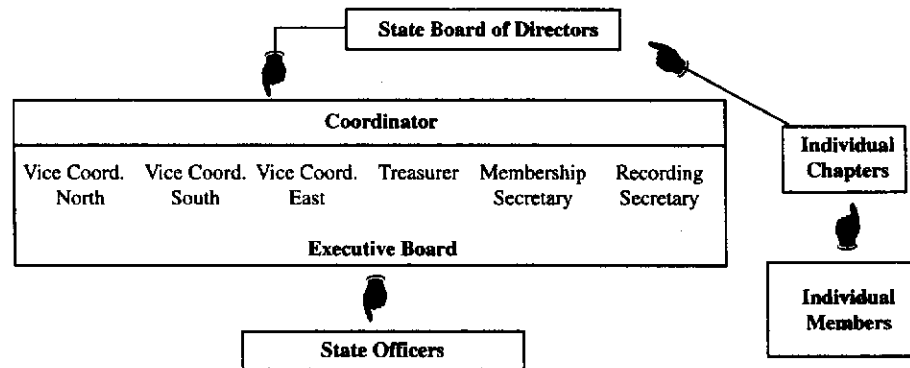
## Structure of ABATE of Oregon, Inc.

The structure of ABATE of Oregon, Inc. is simple. (See chart below). In most cases the chapters also follow the same structure as the state. It is not required that they do this, as long as the required officers (Coordinator, Treasurer, Recording Secretary, Membership Secretary, and State Board Representative, who is actually a Member of the Board of Directors) are present.

The state officers consist of a Coordinator, three Vice-Coordinators from the three regions (North, South and East), Treasurer, Recording Secretary, and Membership Secretary. These comprise the Execu-

tive board which can make emergency decisions and authorize routine or small expenditures that cannot wait for the next Board meeting. Other officers include the Legislative Director, Products Director, Education Director, Public Relations, State Run Coordinator, Newsletter Editor, Historian, and Web Page Editor.

More descriptions of these offices can be found in the Officers' Handbook. It is important to note that no money can be spent, except routine expenses and/or emergencies, without the board of directors' approval.



Directives for actions follows a path from the Board of Directors to the Coordinator. In cases where rapid action is required the Executive Board will vote on behalf of the State Board (of Directors). State Officers follow the direction of the State Board of Directors to carry out the boards wishes.

### Bringing an item before the Board of Directors

To have an item brought before the state board and voted on, follow this procedure: A concept is brought out at a chapter meeting. If seconded it can be voted on. If passed by the chapter, the chapter will direct their State Board Rep to bring it to the Board of Directors (State Board) meeting. There, if seconded, it will be voted on by the Board.

The only people who have a vote at the state board meeting are the individual chapters' board representatives that are in compliance with the Rules of Opera-

tion. State Officers cannot vote unless they are acting as the board rep for their chapter. In case of a tie the presiding officer, usually the Coordinator, will break a tie. If the motion is passed the Coordinator will take action to ensure the directive is complied with. It should not be assumed that all actions have to be started at the individual member level. Many directives also are initiated by State Board Reps once a need for them is perceived.

## DUTIES OF OFFICERS

Following is a list of the state officers and a general list of their duties.

**Coordinator:** Oversees the operation of the organization and directs officers, members and chapters to ensure the will of the Board of Directors is carried out.

**Vice Coordinator:** Assists the coordinator by carrying out actions delegated by the Coordinator. Also all three Vice Coordinators have regions of Oregon under them and are responsible for overseeing the chapters within them.

**Recording Secretary:** Keeps the minutes at state Board of Directors meeting. Also ensures that minutes are published in the newsletter.

**Treasurer:** Keeps the books of the organization and oversees the books of the chapters.

**Membership Secretary:** Keeps track of membership information such as renewals and ensuring new members are on the rolls and receiving a newsletter.

**Sergeant-at-Arms:** Keeps the state meeting in an orderly fashion. Also is in charge of security at all state events. There are three Sergeants-at-Arms, one for each region.

**Legislative Director:** Keeps membership informed on current legislative events that affect the motorcycling. Also acts as liaison between ABATE and BikePAC.

**Education Director:** Oversees the education programs in ABATE such as the Motorcycle Awareness Program taught to Drivers Education students.

**Newsletter Editor:** Responsible for providing a newsletter for mailing to the general membership.

**Products Director:** Oversees all products which are sold through ABATE of Oregon.

**Public Relations Director:** Works to inform the public and media of ABATE activities. Also acts as a liaison to the media.

**Historian:** Keeps the history of ABATE of Oregon, Inc. by pictures, old event flyers, scrap-books, etc.

**Run Coordinator:** Responsible for planning and running all state events, especially Fossil and Chiloquin.

**Web Page Editor:** Directs and edits the content of ABATE of Oregon's web page on the Internet. Web page is at <http://www.abateoforegon.org>

## EVENTS

The State Board of Directors meets the second Saturday of each month. All members are encouraged to attend.

STEAM (Seminar to Train, Educate And Motivate) is held early in the year at Chemeketa Community College in Salem. This free seminar has classes which can benefit all members. It is especially useful for chapter officers to learn how things operate.

May Awareness Rally to promote Motorcycle Awareness Month is held the first Saturday in May on the Capitol Steps in Salem, Oregon.

Fossil campout is over Memorial Day Weekend in May every year near Fossil Oregon.

Labor Day Run is held at Chiloquin Oregon.

Elections for new state officers are at the December State Board meeting.

## **ABATE of Oregon, Inc. BYLAWS**

By-laws as established 8/26/75, ratified 1/13/77.

Amended 5/9/78, ratified 1/13/78.

Amended 10/93, ratified 11/1/93.

Amended 11/95, ratified 1/13/96.

Bylaws effective

1. There is only one qualification for membership, that being the payment of dues established by the State Board of Directors. No group or class is required to join. No group or class is denied membership.
2. The election of State Officers of the State Board of Directors shall be held at the last meeting of each year by the voting membership of the State Board of Directors. The number of State Officers of the State Board of Directors shall be at least, but not limited to, five. Vacancies of State Officer positions may be filled by appointment by the State Coordinator, pending ratification at the next state board meeting by the State Board of Directors.
3. The State Executive Board shall be comprised of the following State Officers:
  - A. Coordinator
  - B. Vice-Coordinator North
  - C. Vice-Coordinator South
  - D. Vice-Coordinator East
  - E. Treasurer
  - F. Membership Secretary
  - G. Recording Secretary
4. The State Executive Board, by simple majority, has the authority to:
  - A. Issue statements on behalf of the organization.
  - B. Expend funds.
  - C. Take any action deemed necessary to accomplish the goals of the organization.
5. All members of ABATE of Oregon, Inc. shall join and work together for:
  - A. Education programs to assist all motorcyclists, especially the young and/or novice rider, to reduce accidents.
  - B. Public awareness programs promoting motorcycling.
  - C. Fair motorcycle legislation.
6. All funds obtained from membership fees, donations, and organizational benefits shall be used for:
  - A. Rider and non-rider education
  - B. Distribution of information
  - C. Legislative action
  - D. General costs incurred in the operation of the organization itself, none of which shall go to any member or officer with the exception of reimbursement of out-of-pocket expenditures directly related to ABATE activities authorized by the State Board of Directors and/or State Executive Board.
7. The Rules of Operation for ABATE of Oregon, Inc. shall be used as the basis for day to day operation.

# **ABATE of Oregon, Inc.**

## **RULES OF OPERATION**

1. **NAME:** This organization, hereafter referred to as ABATE, is legally known as A.B.A.T.E. of Oregon, Inc. which stands for A BROTHERHOOD AGAINST TOTALITARIAN ENACTMENTS.
2. **JURISDICTION:** ABATE shall:
  - A. Have jurisdiction of all members, chapters and use of name and logo with the state of Oregon.
  - B. Maintain equitable relations between all its members and chapters.
  - C. Assure the democratic right to assemble, voice opinions and take action on matters of mutual interest to motorcyclists.
3. **ORGANIZATIONAL STRUCTURE**
  - A. **MEMBERSHIP**
    1. **Applications:**
      - a. Membership in ABATE shall be obtained and maintained through application to ABATE.
      - b. Each application for membership shall be accompanied by dues established by the State Board of Directors and submitted to the State Membership Secretary.
      - c. Memberships are non-assessable, non-transferable, non-assignable and non-refundable.
      - d. Each member will decide which chapter they want to belong to, or may decide to be a Member-at-Large (Indian Creek).
      - e. ABATE membership records will remain confidential, and will be used ONLY for ABATE purposes.
    2. **Termination:** Membership in ABATE will be terminated upon death, written request from the member, non-payment of dues, theft of ABATE assets, or by decision of the Board of Directors.
    3. **Duties of Members -** It shall be the DUTY of each member of ABATE to:
      - a. Abide by the BYLAWS.
      - b. Conduct themselves in a creditable manner with regards to the organization.
      - c. Bring to the attention of the State Board of Directors' presiding officer any activity that is not in the best interest of ABATE.
  - B. **ABATE CHAPTERS**
    1. To receive a Charter as a Chapter in ABATE a group must:
      - a. Have ten paid-up members.
      - b. Elect from those paid-up members a Coordinator, Secretary, Treasurer, Membership secretary, and one State Representative.
      - c. Make application to the State Board of Directors for a Charter.
    2. To remain as a Chapter in ABATE the Chapter must:
      - a. Abide by the ABATE Financial Policy and Procedure Manual.
      - b. Send copies of Chapter minutes to the State Coordinator within seven (7) days of the Chapter meeting.
      - c. Ensure participation of Chapter State Representatives at the State Board of Directors' meetings, unless excused by State Coordinator.
      - d. Submit a monthly Chapter report to the State Newsletter by the 10th of each month.
    3. Any chapter in noncompliance with part 2 (a, b or c) of the above four requirements will have voting privileges at the State Board of Directors' meetings suspended until brought into full compliance. Chapter in noncompliance of 2 (d) for second month in succession will have voting privileges suspended until brought into full compliance.

- C. **ABATE STATE BOARD OF DIRECTORS:** The State Board of Directors will be the governing body of ABATE and will meet at a time and place to be determined by the State Executive Board.
1. The State Board of directors will be composed of one State Representative from each chapter, who will constitute the voting membership of the State Board of Directors.
  2. A minimum of one-third of the chapters of ABATE must be present and eligible to vote to constitute a quorum.
  3. The State Board of Directors will use Robert's Rules of Order as a guideline to conduct meetings.
  4. The fiscal year of ABATE will be January 1 through December 31.
  5. Motions brought before the State Board of Directors which will directly affect the general membership will be referred to the chapters for discussion and voted on at the next State Board of Directors meeting, unless a delay in voting will cause a disruption in the transaction of business by the organization.
4. **RULES OF OPERATION:**
- A. The original Rules of Operation became effective July 1, 1980.
  - B. The Rules of Operation have been amended in 4/1983, 4/1986, 6/1989, 11/1993, 1/1996.
  - C. All changes to the Rules of Operation and the Bylaws must appear in the State Newsletter before being voted on by the State Board of Directors.

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