

**EASTERN SIERRA CHAPTER, RIDGECREST CA
HARLEY OWNERS GROUP®, # 166501 BY-LAWS**

ARTICLE I - NAME AND AFFILIATION

The name of the organization shall be **Eastern Sierra Chapter, Ridgecrest CA Harley Owners Group®, # 166501**, (hereinafter referred to as the Chapter). The Harley Owners Group® (H.O.G. ®), a division of Harley-Davidson®, Inc. is the governing body for all H.O.G. ® sanctioned activities. Each local chapter is a separate and independent organization providing services to their chapter members on a non-profit basis.

ARTICLE II - PURPOSE

The purpose of the Chapter is to promote responsible motorcycling activities for Harley Owners Group® members by conducting chapter activities and encouraging participation in other H.O.G. ® events, while maintaining a family-oriented philosophy.

ARTICLE III - SPONSOR

The sponsoring Authorized Harley-Davidson® dealer is Antelope Valley Harley-Davidson®. The sponsoring dealer has the authority to require the Chapter to, and assure H.O.G. ®, that the Chapter is performing to his standards and abiding by this Harley Owners Group® Charter.

ARTICLE IV - MEMBERSHIP

- Section 1. Only current Harley Owners Group® members may join the local Chapter. An expired membership in H.O.G. ® automatically excludes eligibility for membership in the Chapter. If, by decision of the sponsoring dealer, a member's conduct is undesirable, that person's membership in the Chapter may be suspended or revoked. The member shall be notified in writing of cancellation of membership giving the reason for cancellation. A copy of the letter will be sent to the H.O.G. ® Regional Manager. A full refund of the member's dues for the year shall be given upon request.
- Section 2. The annual dues shall be reviewed and may be increased as necessary by the majority vote of the Board of Officers and sponsoring dealer to meet Chapter operating expenses. Dues shall not exceed the maximum allowed by H.O.G. ®. Dues shall be paid as follows:
NEW MEMBERS - Full payment through 6/30, one-half payment after 7/1-7/31, pro-rated each month, starts 8/1.
RENEWING MEMBERS - Dues must be paid by the March meeting. Renewing members will be assessed a late fee of \$5 thereafter. If dues are not paid by the deadline the newsletter will be discontinued to the member until such time the dues are paid.
- Section 3. The H.O.G. ® patch, Chapter rocker, and all other H.O.G. ® merchandise are optional and may be purchased through the Chapter, only by Chapter members in good standing, payable at the time of request.
- Section 4. The Chapter fiscal year shall be from January 1 through December 31.

ARTICLE V - OFFICERS

- Section 1. The primary officers of this Chapter shall be the director, assistant director, secretary, and treasurer (or secretary/treasure combination). The sponsoring dealer shall appoint the director. The assistant director, secretary, and treasurer (secretary/treasurer) shall be appointed by the director at the discretion of the sponsoring dealer.

- Section 2. The secondary officers of this Chapter shall be the past director, activities officer, road captain coordinator, editor, Ladies of Harley® (LOH®) officer, safety officer, photographer, historian, webmaster, and membership officer. Secondary officers shall be appointed by the director and sponsoring dealer.
- Section 3. The privilege of holding office shall be limited to current Chapter and National H.O.G. ® members in good standing.

ARTICLE VI - DUTIES OF OFFICERS

- Section 1. The Director shall oversee Chapter meetings and uphold the HOG® Charter and the Chapter by-laws.
- Section 2. The Assistant Director shall assist the director in carrying out his/her duties.
- Section 3. The Treasurer shall be responsible for the collection and disbursement of funds of the Chapter and provide the sponsoring dealer and primary officers with a written annual financial statement. Monthly financial reports will be given to the Chapter membership and Board members at their respective meetings.
- Section 4. The Secretary shall be responsible for the administrative needs of the Chapter, provide H.O.G. ® with a list of Chapter officers and any other reports as required by H.O.G. ® on an annual basis. Minutes of the Chapter meetings shall be published in the Chapter newsletters. The duties of the secretary and treasurer may be combined.
- Section 5. The Past Director shall assist the current Director as needed to insure a smooth transition.
- Section 6. The Activities Officer oversees the administration of Chapter activities/events (i.e. Christmas party, Chapter picnic, events coordinated with sponsoring dealer's open house, etc.).
- Section 7. The LOH® Officer encourages women to take an active part in Chapter activities/events.
- Section 8. The Road Captain Coordinator oversees the planning of Chapter rides, approval of activity/event routes (with the Safety Officer) and shall ensure that all road captains meet the requirements set forth by the Board of Officers and Sponsoring Dealer.
- Section 9. The Editor organizes written material for the Chapter (i.e. newsletter, press releases, etc.) and, at the discretion of the Director and Sponsoring Dealer, has material approved prior to publishing.
- Section 10. The Safety Officer is responsible for providing information relating to the availability of rider training and other information relating to safe riding to Chapter members and approval of activity/event routes (with the Road Captain Coordinator).
- Section 11. The Photographer is responsible for the pictorial history of Chapter activities/events. He/she organizes Chapter photos for newsletters, Chapter history albums, etc.
- Section 12. The Historian organizes a written account of Chapter activities, membership levels, etc. The Historian will present this book to the Sponsoring Dealer upon completion of the calendar year as a memento of that year.
- Section 13. The Membership Officer ensures that Chapter members have current National H.O.G. ® memberships, enrolls new members into the Chapter, administers annual Chapter member renewal process, and maintains membership changes, either online or by mailing to the H.O.G. ® office on a quarterly basis.
- Section 14. The Webmaster authors, edits and updates the Chapter website, following all

Internet guidelines in the Chapter Handbook, coordinates information with Sponsoring Dealer for approval, works with Editor to ensure consistency between all written and electronic communication with members, and ensures member privacy in association with the website.

- Section 15. The primary officers may assume the duties of the secondary officers when the position is not filled.
- Section 16. The failure of an officer to attend three consecutive Chapter (general or board) meetings without adequate reason shall constitute resignation. The Director shall declare that office vacant, and shall fill that office by appointment with the approval of the Board of Officers and Sponsoring Dealer. In the event of the resignation of an officer, that office shall be filled by appointment by the Director with the approval of the Board of Officers and Sponsoring Dealer.
- Section 17. Each officer, upon expiration of his/her term in office or upon resignation, shall turn over to his/her successor without delay, all records, books and other material pertaining to that office; and he/she shall return to the Treasurer without delay, all funds pertaining to his/her office.

ARTICLE VII - BOARD OF OFFICERS

- Section 1. The Board of Officers shall consist of the appointed officer, and the Sponsoring Dealer.
- Section 2. The Board of Officers shall act at the direction of the general membership, to include the transaction of all necessary items of business between meetings of the general membership.
- Section 3. The Board of Officers shall meet monthly, prior to the general membership meeting, at the discretion of the Director.
- Section 4. Five members of the Board of Officers shall constitute a quorum.
- Section 5. Annual reports shall be compiled by all officers and filed with the secretary no later than the last board meeting of the Chapter fiscal year.

ARTICLE VIII - GENERAL CHAPTER MEMBERSHIP MEETINGS

- Section 1. The Chapter shall hold monthly general membership meetings.
- Section 2. The general membership meeting dates and locations shall be at the discretion of the Director.
- Section 3. The privilege of making motions and voting shall be limited to Chapter members in good standing.

ARTICLE IX - ACTIVITIES/EVENTS

- Section 1. Chapter activities/events are the sole responsibility of the local Chapter and must be listed in the newsletter as an open or closed event.
- Section 2. Activities/events shall include any family-oriented, safe activities that promote a positive image of the sport of motorcycling and that appeal to the Chapter membership.
- Section 3. Fund-raising activities/events shall be held for the purpose of meeting Chapter obligations including, but not limited to, Chapter picnic, Christmas party, donation to selected charities, cost of publishing the newsletter and mailing of newsletter, expenses relating to Chapter activities/events. The fund-raisers shall be with the approval of the Board of Officers.
- Section 4. The Chapter shall hold a minimum of **FOUR CLOSED** Chapter activities/events per year to retain active Chapter status with H.O.G. ®

a. **CLOSED** Chapter activities/events are for Chapter members and ONE guest per member. A **CLOSED** activity/event is defined as an activity/event specifically designated for Harley-Davidson® motorcycles.

b. **OPEN** Chapter activities/events are open to Chapter members, other National H.O.G. ® members, and other guests as desired. An OPEN activity/event is open for any and all makes and models of motorcycles. Fliers and other notices advertising an OPEN activity/event will be “OPEN TO ALL MOTORCYCLES”.

Section 5. It is imperative that appropriate insurance be obtained for all activities/events as necessary.

Section 6. Activities/events sponsored by the Chapter cannot restrict attendance by any Chapter members *except as described in Section 4, a. and b.* Any activity/event that is not specifically announced or advertised as *OPEN* should be considered a *CLOSED* activity/event.

Section 7. All Chapter sponsored rides will have, per group, a recognized road captain as ride leader, and a recognized road captain as sweep. All Chapter sponsored rides will follow the scheduled itinerary for the specific ride. All riders will be given a pre-ride brief on the route and a map if necessary. The Chapter’s responsibility and sponsorship will end upon arrival at the designated destination (via the scheduled itinerary). Riders and passengers shall assume risk and responsibility thereafter.

Section 8. Any Chapter sponsored ride may be cancelled at the discretion of the Road Captain Coordinator, Safety Officer, Director, or Sponsoring Dealer.

ARTICLE X - NEWSLETTER

Section 1. The Chapter newsletter shall be the Desert Wind. At the discretion of the Director and Sponsoring Dealer the newsletter may be approved prior to printing.

Section 2. **SIX** newsletters per year must be published for the Chapter to be considered active.

Section 3. All information must be compatible with the H.O.G. ® family-oriented philosophies and/or objectives of H.O.G. ® or Chapter recognition and right to produce a newsletter may be rescinded.

Section 4. A copy of all Chapter material must be sent to the H.O.G. ® office.

ARTICLE XI - BY-LAWS AND AMENDMENTS

Section 1. Adoption of the Chapter by-laws will be made by the members at the first general membership meeting after review and approval by the primary officers and Sponsoring Dealer.

Section 2. The by-laws shall be revised as often as necessary to meet the changing needs of the Chapter.

Section 3. Amendments to the by-laws shall be made with a majority vote of the membership.

ARTICLE XII - DISBURSEMENT OF FUNDS

Disposition of Chapter assets upon dissolution of the Chapter shall be as follows: After all Chapter expenses and obligations have been paid, any remaining assets shall be donated to a charitable organization as agreed upon by the Board of Officers and Sponsoring Dealer.

ARTICLE XIII - INACTIVE CHAPTER STATUS

Any chapter with no activities/events or newsletters for one consecutive model year will have chapter recognition as a H.O.G.® affiliated organization rescinded.

ARTICLE XIV - DISCLAIMER AND RELEASE, WAIVER OF RIGHTS

Section 1. While the local Chapter may be affiliated with H.O.G. ®, it remains a separate, independent entity responsible for the actions of its members.

Section 2. **RELEASE FOR CHAPTER MEMBERSHIP**

I agree that the Sponsoring Dealer, Harley-Owners Group® (H.O.G.®), Harley-Davidson®, Inc., Harley-Davidson Motor Company®, my Chapter and their respective officers, directors, employees and agents (hereinafter, the “**RELEASED PARTIES**”) shall not be liable or responsible for injury to me (including paralysis or death) or damage to my property occurring during any H.O.G.® or H.O.G.® Chapter activities and resulting from acts or omissions occurring during the performance of the duties of the **RELEASED PARTIES**, even where the damage or injury is caused by negligence (except willful neglect). I understand and agree that all H.O.G. ® members and their guests participate voluntarily and at their own risk in all H.O.G.® activities and I assume all risks of injury and damage arising out of the conduct of such activities. I release and hold the “**RELEASED PARTIES**” harmless from any injury or loss to my person or property which may result from my participation in H.O.G. ® Activities and EVENT(S). I UNDERSTAND THAT THIS MEANS THAT I AGREE NOT TO SUE THE “**RELEASED PARTIES**” FOR ANY INJURY OR RESULTING DAMAGE TO MYSELF OR MY PROPERTY ARISING FROM, OR IN CONNECTION WITH, THE PERFORMANCE OF THEIR CHAPTER DUTIES IN SPONSORING, PLANNING OR CONDUCTING SAID EVENT(S).

WAIVER OF RIGHTS UNDER STATE STATUTES

further agree to waive all benefits flowing from any state statute which would negate or limit the scope of this Release and Indemnification Agreement including, but not limited to, Section 1542 of the California Civil Code which provides:

“A general release does not extend to the claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known to him must have materially affected his settlement with the debtor.”

ARTICLE XV - NATIONAL, STATE, LOCAL LAWS

Section 1. The Charter for local chapters and these by-laws shall be in effect unless in conflict with national, state or local laws.

Section 2. Should H.O.G. ® become aware of any conflicts, H.O.G. ® may review and amend the Charter as required.