

North Cascade Washington Chapter #5369 By-Laws

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Preamble

The Harley Owners Group® (H.O.G.) is an organization founded and sponsored by Harley-Davidson® Motor Company. The group was established to offer motorcycling benefits and services to Harley-Davidson enthusiasts throughout the world, and to develop a close relationship between the Harley-Davidson rider, the Harley-Davidson dealer and Harley-Davidson Motor Company.

The opportunity to start an independent chapter affiliated with the Harley Owners Group is offered to bring members together for the common interest of promoting motorcycling activities. The goal of the North Cascade Washington Chapter is to generate an increased level of enthusiasm for riding Harley-Davidson motorcycles. The chapter shall be a family-oriented and a nonpolitical organization.

Article I – Purpose

1. The purpose of the North Cascade Washington Chapter shall be to promote responsible motorcycling activities for Harley Owners Group members by conducting chapter activities and encouraging participation in other H.O.G. events.
2. Chapter activities and operations shall be conducted in a manner consistent with a family-oriented, nonpolitical philosophy.

Article II – Sponsorship

1. The North Cascade chapter is sponsored by the Skagit Harley-Davidson dealership. The decision to sponsor our chapter shall be undertaken solely at the dealer's discretion.
2. The Skagit Harley-Davidson dealership shall have absolute authority to require that the sponsored chapter conducts its operations and activities in accordance with the dealership's standards. The sponsoring dealership shall require the chapter to operate and conduct activities in accordance with H.O.G. operating policies, the annual charter and these by-laws.
3. The Skagit Harley-Davidson dealership shall have authority over, and approval rights regarding, the content of all chapter publications.
4. The Skagit Harley-Davidson dealership shall have authority over any and all matters pertaining to chapter membership.
5. The Skagit Harley-Davidson dealership may establish chapter dues, which dues shall be used solely to pay or defray the cost of chapter administration.

Article III – Application and Term of Relationship

The North Cascade chapter affiliation with H.O.G. shall be for a one year term and shall be subject to annual application and acceptance by H.O.G.

Article IV – Name and Affiliation

1. The Harley Owners Group, a division of Harley-Davidson Motor Company, is the chartering body for all H.O.G. chapters. The North Cascade chapter is affiliated with the Harley Owners Group and shall be a separate and independent organization providing services to its chapter members on a "not-for-profit" basis.
2. The North Cascade chapter must adhere to the Charter and to H.O.G. Operating Policies.
3. Should H.O.G. determine, in its sole discretion, that the North Cascade chapter is not adhering to the Charter, H.O.G. may rescind its recognition of the North Cascade chapter as a H.O.G. affiliated organization. Skagit Harley-Davidson may likewise rescind sponsorship of the chapter at any time, at which time the chapter's H.O.G. affiliation shall also cease.

Article V – Officers

1. The North Cascade chapter shall have the following primary officers: Director, Assistant Director, Treasurer and Secretary. Other discretionary officers and assistants may be appointed as needed.
2. Skagit Harley-Davidson may assume any, or all, officer position(s) including their respective responsibilities and may remove any officer from office at the dealer's sole discretion.
3. Skagit Harley-Davidson has the authority to require the chapter to perform to the sponsoring dealer's standards and is to assure H.O.G. that the chapter abides by this Charter and the Operating Policies.
4. The duties and responsibilities of the primary (required) chapter officers shall be as follows:
 - A. **Director:** The Director shall uphold the Charter and the chapter by-laws, conduct chapter meetings and coordinate chapter officer responsibilities.
 - B. **Assistant Director:** The Assistant Director shall assist the Director in carrying out the Director's duties. The Assistant Director shall also be responsible for promoting membership, membership orientation, membership retention, and keeping the chapter members informed of H.O.G. programs.
 - C. **Treasurer:** The Treasurer shall be responsible for the collection and disbursement of chapter funds, reporting the financial transactions to the membership on a monthly basis, submitting an annual financial report to H.O.G., compliance with all revenue recording and reporting requirements.
 - D. **Secretary:** The Secretary shall be responsible for the administrative needs of the chapter, keeping the minutes of chapter annual business meetings and general meetings, oversees the position of membership officer if it exists, ensuring that all chapter members are current H.O.G. members, having on file a signed copy of the Annual Chapter Membership Enrollment Form and Release of each member as signed on an annual basis, and submitting to H.O.G. the H.O.G. Chapter Charter Application and any other reports as required by H.O.G. Further, the Secretary shall ensure that all insurance requirements are met (including participant signatures to required release forms), shall ensure preparation of injury report forms, timely submission of injury report forms to the appropriate insurance company and shall be responsible for the maintenance and storage of release forms and injury reports.
5. The duties and responsibilities of the discretionary (optional) chapter officers shall be:
 - A. **Activities Officer:** The Activities Officer shall be responsible for the administration of chapter events.
 - B. **Ladies of Harley Officer:** The LOH Officer shall be responsible for encouraging women members to take an active part in chapter activities.
 - C. **Head Road Captain:** The Head Road Captain shall be responsible for assisting in the planning of routes for chapter rides, ensuring the road captains adhere to the administrative requirements and keeping the Chapter informed of all H.O.G. programs.
 - D. **Editor:** The Editor shall be responsible for assembling and organizing written, oral (broadcast) and electronic material for chapter publications, e.g., newsletters, press releases. All chapter publications, whether written, oral (broadcast) or electronic, shall be subject to approval by the sponsoring dealer prior to publication.
 - E. **Safety Officer:** The Safety Officer shall be responsible for providing chapter members with information relating to the availability of rider training.
 - F. **Photographer:** The Photographer shall be responsible for obtaining and organizing chapter photographs for use in chapter publications and chapter history albums.
 - G. **Historian:** The Historian shall be responsible for the preparation and maintenance of a written account of the history of the chapter, to include officer positions, chapter activities and membership levels.
 - H. **Membership Officer:** The Membership Officer shall be responsible for ensuring that all chapter members are current H.O.G. members, having on file a signed copy of the Annual Chapter Membership Enrollment Form & Release of each member as signed on an annual basis; maintains chapter membership report, and maintaining report on the Chapter Officer section of members.hog.com.
 - I. **Webmaster:** The Webmaster shall be responsible for assembling and organizing material for the Chapter Web site and seeking approval from Skagit Harley-Davidson prior to publication.
 - J. **Chaplain:** The Chaplain shall be responsible for assisting members in need of inspiration, promoting family oriented riding events and assisting the Director where needed.
6. The election process for officers in the North Cascade chapter shall be:
 - A. Nominations for all officer positions will be taken during the October and November general meeting. The person making the nomination and the nominee must be physically present at the meeting to accept the nomination.
 - (1) Treasurer, Membership and Webmaster are dealer appointed positions, however at the dealer's discretion, nominations and voting may be allowed. The Director shall meet with Skagit Harley-Davidson prior to the October general meeting to determine how to proceed each year.
 - B. Elections will take place at the December general meeting. Voting will be conducted by paper ballot. The ballots will be given to each member in good standing that is physically present at the meeting during sign in and collected as each member exits the meeting. Ballot counting will be conducted by no less than 3 officers. Results will not include the vote count but will announce the member elected and be provided via email and posted in the next newsletter.
 - C. Ballots will be retained for 90 days after the election for any member to view upon request.

Article VI – Membership

1. All Harley Owners Group members may join the North Cascade chapter. An expired membership in H.O.G. automatically terminates chapter membership. It shall be the responsibility of the North Cascade chapter to ensure that chapter members are current H.O.G. members and to maintain on file in the chapter records a signed copy of the annual Chapter Membership Enrollment Form and Release of each chapter member. It shall be the responsibility of any person applying for, or renewing, membership in the North Cascade chapter to provide proof of his or her National membership as a condition of eligibility for membership.
2. Skagit Harley-Davidson may suspend or terminate a person's membership in the North Cascade chapter if the sponsoring dealer, at the sponsoring dealer's sole discretion, determines that a member's conduct is undesirable or contrary to Skagit Harley-Davidson's interests.

Article VII – Dues

1. The North Cascade chapter is a not-for-profit organization. Skagit Harley-Davidson may, at their sole discretion, establish chapter dues to be utilized solely to pay or defray the cost of chapter administration.
2. The North Cascade chapter may conduct legitimate fund-raising activities to assist in paying or defraying chapter operating expenses or to raise funds for charitable purposes. All such fund-raising activity shall be subject to approval by Skagit Harley-Davidson.

Article VIII – Activities

Chapter events and activities are the sole responsibility of the North Cascade chapter. These events and activities may include any family-oriented, safe activities that promote a positive image of the sport of motorcycling and that appeal to the membership.

Article IX – Chapter Publications

All material published by the North Cascade chapter must include the official chapter name and number. All chapter publications, whether written, oral (broadcast), or electronic must be approved by Skagit Harley-Davidson. If, at any time, H.O.G. determines in its sole discretion that a chapter publication is incompatible with the family-oriented, nonpolitical philosophies and/or objectives of H.O.G., the chapter recognition as a H.O.G. affiliated organization may be terminated. A copy of all chapter publications of any type must be sent to the H.O.G. office.

Article X – Trademark License

1. The trademarks H.O.G.®, HOG®, HARLEY OWNERS GROUP®, L.O.H.®, LADIES OF HARLEY® and the following H.O.G. logos (the "**H.O.G. Trademarks**") are among the many trademarks of Harley-Davidson Motor Company. These **H.O.G. Trademarks** may not be altered in any way and cannot be used in combination with any other words or graphics.



2. The issuance or renewal of this Annual Charter for H.O.G. Chapters shall constitute a limited license to use the **H.O.G. Trademarks** for the term of the Annual Charter for H.O.G. Chapters.
3. The Chartered H.O.G. Chapter's license to use the **H.O.G. Trademarks** is limited to use in conjunction with the official North Cascade chapter name and use in conjunction with material relating to chapter activities.
4. The current H.O.G. eagle logo shall be displayed only with the official North Cascade chapter name, which shall be displayed above the H.O.G. eagle logo and within the official H.O.G. chapter chevron as depicted below.



5. The North Cascade chapter must obtain approval from H.O.G. prior to using **H.O.G. Trademarks** on any material other than chapter publications. T-shirts, pins and all other items are only to be produced by authorized licensees of Harley-Davidson Motor Company and shall likewise be subject to prior approval by H.O.G.
6. Chapter use of the H.O.G. Trademarks may continue only so long as the Annual Charter is in effect between H.O.G. and the North Cascade chapter and the chapter operates in accordance with the Annual Charter and H.O.G. Operating Policies. H.O.G. may, at its sole discretion, terminate the chapter's limited license to use the H.O.G. Trademarks at any time upon thirty (30) days' notice in writing, and the chapter will immediately terminate all use of the marks when the notice becomes effective.
7. The North Cascade chapter shall provide such assistance as may reasonably be requested by Harley-Davidson Motor Company to protect the H.O.G. Trademarks in the locality of the chapter's operations.

Article XI – By-Laws

1. The Annual Charter shall be adopted and serve as operating policy for H.O.G. chapters and must be available to all chapter members.
2. The North Cascade chapter by-laws, may not replace, supersede or conflict with the Charter and H.O.G. Operating Policies. Skagit Harley-Davidson and the H.O.G. office have approved these chapter by-laws prior to publication or implementation. A copy of these by-laws must be furnished to Skagit Harley-Davidson and H.O.G. office and must be available to all chapter members.

Article XII – Amendments

The North Cascade chapter and Skagit Harley-Davidson with H.O.G. approval may amend these by-laws at any time based upon a review of chapter developments and needs or because of conflicts with national, state, or local laws.

Article XIII – Disbursement of Funds

In the event of dissolution or final liquidation of the North Cascade chapter, all of the remaining funds and property of the chapter shall, after paying or making provision for the payment of all of the liabilities and obligations of the chapter and for necessary expenses thereof, be distributed to such organization or organizations as are organized and operated exclusively for charitable purposes and which qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code. In no event shall any of such assets or property be distributed to any director, officer or private individual.

Article XIV – Disclaimer

While the North Cascade chapter may be affiliated with H.O.G., it remains a separate, independent entity responsible for its actions. All Harley Owners Group members and their guest(s) participate voluntarily and at their own risk in H.O.G. and H.O.G. chapter activities. Skagit Harley-Davidson, H.O.G. and Harley-Davidson Motor Company, its subsidiaries and distributors and North Cascade chapter officers are and shall be released and held harmless by the member/guest for any injury or loss to the member/guest or to his or her property which may result from participation in H.O.G. and H.O.G. chapter activities. This means that each and every member of the local chapter and their guest(s) have no ground for legal action against Skagit Harley-Davidson, H.O.G., Harley-Davidson Motor Company, its distributors and its subsidiaries, the North Cascade chapter and their respective agents and employees for any injury resulting to them or their property.

Article XV – National, State, Local Laws

If any part of these by-laws should be invalid for any reason whatsoever under any national, state or local laws having jurisdiction over the subject matter, then that part shall be considered deleted from these by-laws and the rest of this document shall remain valid and in full force and effect.

Article XVI – Operating Policies

1. **Rescision and Termination of Sponsorship:** In the event Skagit Harley-Davidson decides to terminate or rescind sponsorship of the North Cascade chapter:
 - A. The dealer shall inform the appropriate H.O.G. Regional Manager of the intent to cancel or terminate sponsorship fifteen days prior to providing the chapter with written notice of termination or rescision of sponsorship. Such notice shall be afforded by telephone or facsimile transmission.
 - B. Skagit Harley-Davidson shall provide the North Cascade chapter with written notice that sponsorship is terminated or rescinded, setting forth the reasons for termination or cancellation. Said notice shall be effective fifteen days subsequent to date of delivery of the notice. A copy of the dealer's written notice to the chapter membership shall be sent to the Regional Manager.
2. **Assistant Director Duties:** The assistant director shall also act as H.O.G. State Rally liaison and shall ensure that information regarding H.O.G. State Rallies is communicated to the chapter membership.
3. **Treasurer's Duties:** The chapter treasurer shall also be responsible for providing all financial documentation to Skagit Harley-Davidson for the administration of any and all federal, state and local revenue reporting and taxation requirements.
4. **Dues:** Annual chapter membership dues may not exceed the maximum amount set forth in the annual Charter.
5. **Chapter Activities:** North Cascade chapter will hold a minimum of four closed events per year.
6. **Membership:** In order to suspend or revoke a membership in the North Cascade chapter, Skagit Harley-Davidson must do the following:
 - A. Notify the member in writing of the cancellation of his or her chapter membership.
 - B. Refund the member's chapter dues for the year.
 - C. Send a copy of the cancellation letter to the appropriate Regional Manager.
7. **Newsletters:** The North Cascade chapter will publish a minimum of six newsletters per year. Newsletters can consist of any printed material informing the membership of activities, i.e. post cards, flyers, multi-page publications, etc. Activities listed in the newsletter must indicate whether it is an open event, H.O.G. member event or closed event.
8. **Road Captain (RC) Program:** The North Cascade road captain program will be administered by the Head Road Captain in the following manner:
 - A. Prospective RCs will need to plan and execute 3 group rides with an established RC. The intent of this requirement is to ensure that each RC understands the administrative requirements set forth by H.O.G., some examples include minor release forms, adult release forms and minor's assumption of risk for non-member riders and passengers. Another benefit of working with an established RC is the promotion of "group think" while leading rides, some examples include on/off ramp merging in a manner not to split the group, adjusting speeds through urban areas to maintain the integrity of the group and giving the right of way at intersections to vehicles so that the group may remain together.
 - B. Prospective RCs have from January to December of each calendar year to complete the program described above. In the event that does not occur they will be required to complete the entire program in the following year.
 - C. Established RCs are encouraged to plan and execute 3 group rides each year to remain in good standing as an RC. If 3 group rides are not performed by the RC, it will be at the discretion of that year's Head Road Captain to determine the RC's status for the following year.
 - D. An established RC may take a one year break without having to re-enter the program as a prospective RC. Any absence beyond one year will require entry into the program as a prospective RC.
 - E. The process for assignment of rides will be done in a manner determined by that year's Head Road Captain.
 - F. The North Cascade chapter typically purchases an officers pin and year patch for each RC in appreciation of their efforts on behalf of the chapter. It is the Head Road Captains responsibility to submit the request with the number required to the primary officers for consideration. The manner in which these are awarded will be the determined by the Head Road Captain within the guidelines set forth in these by-laws.