

**INSTITUTE OF TRANSPORTATION ENGINEERS**

**DISTRICT 6**

**SECTION BY-LAWS**

**SAN FRANCISCO BAY AREA SECTION**

**ARTICLE 1 - MEMBERSHIP**

**Section 1.01** - Any Institute member of any grade who resides within the area designated for the Section shall be eligible for membership in the Section, and shall become a member of the Section upon filing an appropriate application with the Secretary/Treasurer of the Section and upon payment of appropriate Section fees and dues. In addition, any Institute member of any grade who resides outside the area designated for the San Francisco Bay Area Section may join the San Francisco Bay Area Section if:

1. The Section designated for the area in which the member resides submits in writing a waiver of objection, or said member lives in a location which has not been included in any Section.
2. A majority vote of the San Francisco Bay Area Section Executive Board approves the application.

**Section 1.02** - Any Institute member of any grade who belongs to the Section shall be called a "Section Member".

**Section 1.03** - Persons residing within the area designated for the Section are eligible for affiliation with the Section as Section Affiliates if they:

1. Are not eligible to be members of the Institute but are accumulating experience toward Institute membership, or
2. Are in sub-professional work in transportation or traffic engineering, or
3. Are students in a post-secondary academic program who do not qualify for Student membership in the Institute, or
4. Are professionally engaged in related fields, or
5. Are in a position to work with and assist transportation and traffic engineers by virtue of official positions or commercial employment.

**Section 1.04** - The total number of Section Affiliates who are classified in Section 1.03 as being in position to work with and assist transportation and traffic

engineers by virtue of commercial employment shall not exceed fifty percent (50%) of the total number of Institute members in the Section.

Section 1.05 - The right to vote and to hold elective office in the Section shall be reserved to those Section Members who are currently Institute Fellows, Members, Associate Members or Institute Honorary Members who retain similar membership privileges. Such Section Members are hereafter referred to as qualified voters. Except for the right to vote and hold elective office, all Section Members and Section Affiliates shall share equally in the privileges and obligations of membership.

## ARTICLE II - RESIGNATION, APPROVAL TO JOIN ANOTHER SECTION AND EXPULSION

Section 2.01 - Any Section Member or any Section Affiliate may resign from the Section by written communication to the Executive Board of the Section.

Section 2.02 - Any Section Member or any Section Affiliate whose Section fees and/or special assessments are more than six (6) months in arrears shall be dropped from the Section membership by the Executive Board of the Section. A member who moves out of the Section boundaries and does not make special application for continued Section membership per Article I - Section 1.01, shall no longer be a member of the Section.

Section 2.03 - The Executive Board of the Section has the authority to waive objection to a resident of the area designated for the San Francisco Bay Area Section joining some other Section.

Section 2.04 - Any Institute member whose Institute membership has been forfeited shall also forfeit membership in the Section, and shall be eligible to reapply for membership in the Section only if reinstated to membership in the Institute. Any member of the Institute who is placed on inactive status by the Institute Board of Direction shall be placed on inactive status in the Section.

Section 2.05 - No Section Member or Section Affiliate shall advertise, use or attempt to use any identification with the Section in any manner whatsoever with intent to derive personal gain therefrom or act in any manner which reflects discredit upon the Institute and/or the profession. In the event that such an occurrence is alleged to have happened, the Executive Board shall take the following action:

1. If the individual is an Institute member, the appropriate information shall be forwarded to the Institute Board of Direction.
2. If the individual is a Section Affiliate, the Executive Board shall consider the case on its merits and, if warranted, expel or admonish the individual. Expulsion requires a two-thirds vote of the Executive Board.

## ARTICLE III - FEES, DUES AND ASSESSMENTS

Section 3.01 - There shall be no initiation or entrance fees.

Section 3.02 - The fiscal year of the Section shall be from July 1 to June 30. Annual fees, if any, shall be charged on a fiscal year basis. The Executive Board shall determine the amount of the annual fees.

Section 3.03 - Section fees for Life and Honorary members of the Institute shall be permanently waived.

Section 3.04 - A special assessment may be made if, on a secret mail ballot, two-thirds of those voting vote affirmatively.

Section 3.05 - All conferences conducted by the Section shall be planned on a financially self-supporting basis.

#### ARTICLE IV - OFFICERS AND EXECUTIVE BOARD

Section 4.01 - The elective officers of the Section shall consist of a President, a Vice-President and a Secretary/Treasurer.

Section 4.02 - Officers shall be elected at the Annual Business Meeting and shall assume office upon adjournment of the Annual Business Meeting at which they were elected. The term of office shall be for approximately one year and shall terminate upon adjournment of the succeeding Annual Business Meeting.

Section 4.03 - The Executive Board shall consist of:

1. The current elective officers of the Section.
2. The immediate past-President. If there is no such individual, then the living past President whose term has most recently expired and who is still a Member of the Section. This person shall be called the ex-officio elective officer.
3. The Chair of the past Presidents' Council.

Section 4.04 - In the event of a vacancy occurring in the office of President, the unexpired term shall be filled by the Vice-President. In the event of a vacancy occurring in the office of Vice-President or the office of Secretary/Treasurer, the Executive Board shall appoint a qualified voter to fill the unexpired term.

Section 4.05 - Each member of the Executive Board shall be entitled to one (1) vote in the affairs of the Section Executive Board.

#### ARTICLE V - DUTIES OF EXECUTIVE BOARD MEMBERS

Section 5.01 - The President shall preside at the Annual Business Chairs Meeting, shall preside at all Executive meetings, shall appoint the Chairs and members of all Section committees, shall serve as the intermediary between the Section and the District, and shall perform all other duties normally associated with the office.

Section 5.02 - The Vice-President shall, in the absence or incapability of the President, perform the duties of that office, and shall be program chairman for all conferences and other activities sponsored by the Section. The Vice-President shall assist the President in coordinating activities of the Section and shall accept such duties as the President assigns.

Section 5.03 - The Secretary/Treasurer's duties shall be as follows:

1. Keep records of all Section activities and minutes of all business meetings of the Section and all meetings of the Section Executive Board.
2. Keep the current membership role and records of dues and assessment payments.
3. Handle necessary correspondence and mailings.
4. Collect and be custodian of all funds of the Section, pay out said funds when properly approved by the Executive Board and keep an itemized account of receipts and expenditures.
5. Prepare such reports as requested by the Institute and the District. These shall be given to the President for approval prior to final submission.
6. Maintain current up-to-date copies of the Section Charter and the Section By-Laws and the Charters and By-Laws of any Chapters located in the Section.

Section 5.04 - The immediate past President shall attend Executive Board Meetings and give the other elected Board Members the benefit of previous experience in administering the affairs of the Section.

Section 5.05 - The Chair of the past-Presidents' Council shall attend the Executive Board Meetings and shall represent the past-Presidents' Council in the deliberation of the Executive Board.

#### ARTICLE VI - NOMINATION AND ELECTION OF OFFICERS

Section 6.01 - Prior to the Annual Business Meeting, a nominating committee of three qualified voters who are not current elective officers shall be appointed by the President. The nominating committee shall select one or more qualified candidates for each office. No nominee shall be included in the official list of candidates unless the nominating committee has obtained the candidate's written or verbal consent to run for office. The nominating committee shall transmit its list of nominees to the President.

Section 6.02 - The list of candidates shall be presented to the membership at least 60 days prior to the Annual Business Meeting at a regularly scheduled business meeting at which time additional nominations may be made from the floor.

Section 6.03 - If a business meeting is not scheduled, the list of candidates may be presented to the membership by mail at least 60 days prior to the Annual Business Meeting. In this event, additional nominations for any office may be made by petition signed by not less than five (5) members. Each petition shall be accompanied by the written consent of the nominee to run for that office and must be received by the Secretary/Treasurer not later than thirty (30) days after the date of the mailing notifying members of the candidates nominated by the Nominating Committee.

Section 6.04 - Not later than thirty (30) days prior to the Annual Business Meeting the Secretary/Treasurer shall send to each eligible voter a final ballot, listing the

candidates nominated for office. Final ballots returned by eligible voters to the Secretary/Treasurer before the election of Officers at the Annual Business Meeting shall be canvassed at the Annual Business Meeting by three (3) tellers appointed by the President. The candidate receiving the highest number of votes for each office shall be declared elected. In case of a tie vote, the new Executive Board of the Section at its first meeting shall choose between the candidates.

#### ARTICLE VII - PAST PRESIDENTS' COUNCIL

Section 7.01 - The past-Presidents' Council should be comprised of all of the past chairpersons of the San Francisco Bay Area of the Western Section and all of the past Presidents of the San Francisco Bay Area Section of the Institute of Transportation Engineers who are currently members of the Section.

Section 7.02 - The past Presidents' Council shall meet a minimum of once a year and at such other times as may be determined by their Chair.

Section 7.03 - The election of the Chair of the past-Presidents' Council shall be held prior to the annual meeting of the Section. The Chair shall assume responsibilities on July 1.

Section 7.04 - The Nominating Committee for election to the Chair of the past-Presidents' Council shall be composed of the three most recent past Presidents of the Section who are currently members of the Section. Members of the Nominating Committee shall not be eligible for election to the Chair.

Section 7.05 - The Chair of the past Presidents' Council shall be elected at a meeting prior to July 1 by the majority of past Presidents attending.

#### ARTICLE VIII - MEETINGS

Section 8.01 - The Annual Business Meeting shall be held sometime during the last month of the fiscal year at a date and location selected by the Executive Board.

Section 8.02 - Section Members and Section Affiliates on the Section mailing list shall be given written notice at least fifteen (15) days in advance telling the exact date and location of the Annual Business Meeting.

Section 8.03 - At the discretion of the Executive Board, there may be additional Section meetings, business or otherwise. However, if business is to be conducted at any such meeting, appropriate written notice shall be given to each Section Member and Section Affiliate on the Section mailing list at least fifteen (15) days in advance of the meeting.

#### ARTICLE IX - GOVERNMENT

Section 9.01 - The government of the Section shall be vested in its Executive Board.

Section 9.02 - The Executive Board shall establish policies for the operation of the Section in conformity with the provisions of the Institute Constitution, the District Charter, the District By-Laws, the Section Charter and the Section By-Laws.

Section 9.03 - The Executive Board shall meet in conjunction with the Annual Business Meeting and at such other times and places as it may deem necessary.

Section 9.04 - To pass, any vote taken in the Executive Board must receive a majority of the total possible votes. Proxies are permissible, and the President may poll absent voters by mail and/or telephone.

Section 9.05 - Statements intended as policies, standards, position statements, recommendations or resolutions of the Section (except for resolutions dealing exclusively with the internal affairs of the Section itself) shall be carefully considered by the Executive Board and given either a favorable or adverse recommendation. The Executive Board shall then submit the statement to a ballot of the Section Members. Accompanying material shall include fair statements in support of both sides of the issue together with the Executive Board's recommendation. The proposed statement shall become an official statement if and only if:

1. The Executive Board recommended approval and a majority of the voting qualified voters voted to approve it.
2. The Executive Board recommended disapproval but two-thirds of the voting qualified voters voted to approve it.

Section 9.06 - The President shall represent the Section at the Annual District Meeting. If the President is unable to attend, the Executive Board shall appoint some other qualified voter as the Section's authorized representative.

Section 9.07 - The President shall be an ex-officio member of all committees except the nominating committee, but shall not have voting rights on such committees.

Section 9.08 - The President shall appoint the chairs and members of standing committees and such special committees as may be desirable. Standing committees may include Membership, Technical, Editorial, Uniformity and Equal Opportunities.

Section 9.09 - The Executive Board shall appoint and/or recommend, as appropriate, member(s) to serve on ITE committees at the District or Institute level and non-ITE committees of local, state or regional significance.

Section 9.10 - The membership may, by petition to the Executive Board, initiate a vote to determine if any elective officer shall be deposed from office. The petitioners must include at least thirty (30) percent of the qualified voters in the Section. Within thirty (30) days after receipt of the petition by the Executive Board, the following question shall be submitted to each qualified voter for vote by secret mail ballot - "Shall \_\_\_\_\_ (name) be deposed from the office of \_\_\_\_\_ (Office)?" Should the affirmative carry a majority and if at least fifty (50) percent of the qualified voters cast ballots, the office shall be declared vacant and the vacancy filled as described in Section 4.04.

Section 9.11 - The membership may, by petition to the Executive Board, initiate a vote to determine if any action of the Board should be rescinded. The petitioners must include at least thirty (30) percent of the qualified voters in the Section. Upon receipt of such a petition by the Executive Board, the petitioned action shall be suspended and within thirty (30) days the following question shall be submitted to each qualified voter for vote by secret mail ballot: "Should the following action

of the Executive Board be upheld: \_\_\_\_\_?" Appropriate and fair statements in support of each side shall accompany the ballot. Should the negative carry two-thirds and if at least fifty (50) percent of the qualified voters cast ballots, the petitioned action shall be rescinded; otherwise, the suspension shall be lifted.

Section 9.12 - Executive Board meetings and Section business meetings, including the Annual Business Meeting, shall be conducted in accordance with the latest edition of Roberts Rules of Order Newly Revised. When that document conflicts with the Section By-Laws, the latter shall prevail.

#### ARTICLE X - VOTING AND VOTING ELIGIBILITY

Section 10.01 - At any properly called business meeting of the Section including the Annual Business Meeting, a quorum shall consist of those qualified voters present and voting. Proxies shall not be permitted.

Section 10.02 - In determining the total number of votes/ballots cast by the qualified voters of the Section on a given issue (including the election of officers), only those valid votes/ballots legitimately cast for a legitimate choice shall be counted. To pass, it is only necessary that the prescribed proportion (a majority, two-thirds, etc.) of this total be affirmative votes.

Section 10.03 - Voting for officers, for amendments to these by-laws, for petitions to amend the Section Charter, and for other matters which affect the relationship of the Section to the Institute or to the District shall be by secret ballot.

Section 10.04 - When a secret ballot is conducted by mail, ballots shall be sent to all qualified voters accompanied by a blank envelope and an envelope addressed to the Secretary/Treasurer. Voters shall indicate their selections on the ballot, seal it in the blank envelope and insert that envelope in the one addressed to the Secretary/Treasurer. The voter's signature shall be affixed across the back of the addressed envelope. Before the votes are canvassed, the names on the outside of the envelope shall be checked against a list of qualified voters and only the ballots cast by qualified voters shall be tabulated.

#### ARTICLE XI - CHAPTERS

Section 11.01 - Subject to securing any necessary approval from the District and/or Institute, a Chapter Charter may be issued by the Executive Board at its discretion upon the written request of at least five (5) qualified voters residing in the area corresponding to the proposed Chapter. Proposed Chapter By-Laws shall be included with the written request. For sufficient reason and subject to any necessary approval by the District and/or the Institute, the Executive Board may rescind and/or amend Chapter Charters.

#### ARTICLE XII - AMENDMENTS

Section 12.01 - Proposals to amend these By-Laws or to petition amendments to the Section Charter may be made either by resolution of the Executive Board or by written petition to the Executive Board signed by at least ten (10) qualified voters.


Section 12.02 - Proposed amendments shall be submitted by letter to the qualified voters. The balloting shall be by secret mail ballot. Copies of the proposed

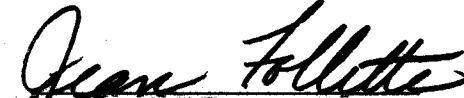
amendments shall be mailed to all qualified voters at least thirty (30) days prior to tabulating the results. Adequate and fair statements supporting each side of the issue shall accompany the mailing. The returned ballots shall be canvassed by three tellers appointed by the President.


Section 12.03 - An affirmative vote of two-thirds of all valid ballots cast shall be necessary to pass a proposed amendment.

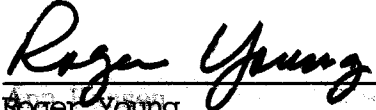
Section 12.04 - Amendments so adopted shall take effect on the date on which the Section Executive Board is officially notified of the approval of the District and Institute unless the approved proposal specifies a later effective date.

MODIFIED THIS 23<sup>RD</sup> DAY OF OCTOBER, 1981 BY A VOTE OF THE MEMBERS OF THE SAN FRANCISCO BAY AREA SECTION OF THE ITE. CERTIFIED BY THE EXECUTIVE BOARD.

  
George Carth  
President

  
Jean Follette  
Vice President

  
Tom Clausen  
Secretary/Treasurer

  
Roger Young  
Past President