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# Institute of Transportation Engineers

## New England Section By Laws – As Amended December 6, 1999

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### ARTICLE I - MEMBERSHIP

**Section 1.1** - Any Institute member who resides within the area designated for the Section, and who is in good standing with the District, shall be a member of the Section. Throughout these By-Laws, the term "Resides" refers to the individual's preferred Institute mailing address, either home or place of business.

**Section 1.2** - Any Institute member may join the Section without residing in the Section area, by obtaining approval of the Section Executive Board and upon payment of Section fees and dues.

**Section 1.3** - Persons who fall into one or more of the following classifications may be affiliated with the Section as Section Affiliates;

- (a) Persons engaged in transportation or traffic engineering work who lack sufficient experience for Institute membership or who are in the process of applying for such membership;
- (b) Persons engaged in sub-professional transportation or traffic engineering work;
- (c) Students registered in a recognized engineering school;
- (d) Professionals engaged in related fields;
- (e) Persons who come into frequent contact with transportation or traffic engineers and who thus have an interest in the profession and are in a position to work with and assist transportation and traffic engineers by virtue of official positions or commercial employment.

**Section 1.4** - All members who reside within the Section Area and Section Affiliates, shall be entitled to all the privileges of the Section except that student members may not vote or hold elective office in the Section. Section members who do not reside within the Section Area shall be entitled to all the privileges of the Section, except that they may not hold elective office in the Section.

**Section 1.5** - All applications for Section Affiliate except by students shall include as reference the names of not less than three persons to whom the candidate is personally known, at least two of whom shall be Institute members. If not an Institute member, the other shall be of recognized engineering reputation. All applications for Section Affiliate by a student shall be certified by a faculty member at the engineering school attended by the applicant.

**Section 1.6** - The Section Membership Committee shall process applications for Section Affiliate, including securing confidential reports from the applicant's references as required. The Section Membership Committee shall forward the application, the applicant's experience record and the confidential reports of the references together with its own recommendations to the Section Executive Board for final action.

**Section 1.7** - At least thirty days prior to final action by the Section Executive Board, the members of the Section shall be notified of the name, address and occupation of each applicant for the Section Affiliate either by mail or by publication in the Section Chronicle.

**Section 1.8** - Election of Section Affiliates shall be by vote of the Section Executive Board. An affirmative vote by a majority of those attending shall be required for election.

**Section 1.9** - The total number of Section Affiliates shall not exceed 50% of the total number of Section members. Section Affiliates shall at all times be designated as Section Affiliates only.

**Section 1.10** - The Section Executive Board may, in special circumstances, designate a present or former Section member as a Distinguished Member. Recommendations for Distinguished Member may be made by any member of the Section. Individuals must have the following qualifications to be considered for Distinguished Member of the Section:

- (a) Retirement from full-time practice of transportation or traffic engineering: and,
- (b) Have provided distinguished service and significant contributions to the Section over a period of years.
- (c) A Distinguished Member shall be entitled to all the privileges of the Section and will be relieved of all dues and fees of the Section.

## **ARTICLE II - RESIGNATION AND EXPULSION**

**Section 2.1** - A Section Affiliate may resign from the Section by written communication to the Section Executive Board. If Section dues have been paid, the Board shall accept the resignation in good standing.

**Section 2.2** - Any Section member or Section Affiliate whose Section dues are more than one year in arrears shall be dropped from Section membership by the Section Executive Board, and the unpaid dues, but not more than the total of two years dues, shall become an obligation to be paid before the delinquent can be restored to good standing in the Section.

**Section 2.3** - Any Section member whose Institute membership has been forfeited shall also forfeit membership in the Section, and will be reinstated to membership in the Section only if reinstated to membership in the Institute. Any Section member who is placed on inactive status by the Institute Board of Direction shall also be placed on inactive status by the Section Executive Board.

**Section 2.4** - Any Section Affiliate who, by reason of any change in occupation or profession, except by retirement, shall cease to be in contact regularly and frequently with transportation or traffic engineers or the transportation and traffic engineering profession shall forfeit affiliation with the Section without prejudice.

**Section 2.5** - The Section Membership Committee shall periodically review the qualifications of Section Affiliates. Upon meeting minimum qualifications for Institute membership the Section Affiliate shall be encouraged to apply for such membership. Any such Affiliate who fails to apply for Institute membership shall be reported to the Section Executive Board who shall investigate and determine if membership should be terminated and dropped from the Section.

**Section 2.6** - Any Section Affiliate who advertises, uses, or attempts to use identification with the Section in any manner whatsoever with intent to derive personal gain therefrom shall forfeit affiliation with the Section.

**Section 2.7** - The Section Executive Board shall consider the expulsion of any Section Affiliate (a) upon information coming to its notice, or (b) upon the written request of five or more members, or (c) upon recommendation of the Section Membership Committee that, for the cause set forth, a person identified as a Section Affiliate be expelled. The Section Executive Board shall thereupon follow the procedure set forth in Art. II. Sec. 18 of the Institute Constitution. In the event such a charge is brought against a member of an Affiliate of the Institute, the Section Executive Board shall immediately refer the matter to the Institute Board of Direction.

## **ARTICLE III - DUES AND ASSESSMENTS**

**Section 3.1** - No Section dues shall be collected from Institute members residing in the Section area except those collected by Institute Headquarters for the District dues. Honorary, Distinguished and Student members shall not be liable for Section dues. Dues for Section Affiliates and Section members not residing in the Section area shall be established by the Section Executive Board.

**Section 3.2** - Annual dues shall be payable at the beginning of the fiscal year, which shall be January 1 of each year and must be paid by June 30. Dues of Section Affiliates and Section members not residing in the Section area shall be payable on election, with dues pro-rated to the number of full quarters remaining in the fiscal year.

**Section 3.3** - Special assessments may be made by the affirmative vote of two-thirds of those voting at any regular meeting or on a mail ballot.

## **ARTICLE IV - NOMINATION AND ELECTION OF OFFICERS AND DIRECTORS**

**Section 4.1** - Officers of the Section shall include: a President, a Vice President, a Secretary and a Treasurer. The Section Executive Board shall consist of the Officers, four Directors, the immediate Past President and the Chairman

of the Past Presidents Council. All members of the Section Executive Board shall reside in the Section Area. Officers and Directors shall be elected annually to assume office on January 1. The terms of Directors shall be for two years and shall be staggered. The terms of Officers shall be one year.

**Section 4.2** - No member shall occupy the same elective office for more than two consecutive terms.

**Section 4.3** - 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 any other elective office, the Section Executive Board shall elect a member to fill the unexpired term.

**Section 4.4** - Except for the office of Vice President, the Nominating Committee shall nominate one or more qualified candidates for each Director and for each Officer. The Nominating Committee shall nominate at least two qualified candidates for the office of Vice President. Written consent to hold office must be received from each person nominated. The Nominating Committee shall transmit its list of nominees to the Secretary not later than September 16.

**Section 4.5** - Not later than October 1 of each year, the Secretary shall send to the members of the Section a list of the candidates nominated by the Nominating Committee. Additional nominations for Director or Officer may be made by petition, signed by not less than five members. Each such petition shall be accompanied by the written consent of the nominee to run for the stated office, and must be received by the Secretary not later than the third Monday of October. A member may not be a Candidate for more than one office.

**Section 4.6** - Not later than November 1, the Secretary shall send to all voting members a ballot, listing the candidates nominated for Officers and Directors. Ballots shall be returned to the Secretary and shall be tallied at the Annual Meeting by three 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 outgoing Section Executive Board shall select one of the candidates.

## **ARTICLE V - MEETINGS**

**Section 5.1** - Regular meetings of the Section shall be held as determined by the Section Executive Board, but not less than four meetings a year shall be held. The Section Executive Board may call a special meeting when conditions justify. No action affecting the Section shall be taken at any special meeting, however, unless at least fourteen days written notice has been sent to all members.

**Section 5.2** - The Annual Meeting of the Section shall be held between November 12 and December 20. A report of the financial condition of the Section shall be made by the Treasurer at the Annual Meeting.

**Section 5.3** - Installation ceremonies of officers shall be held at the first meeting after the Annual Meeting.

**Section 5.4** - Chapter meetings may be held at any time or jointly but not in conflict with Section meetings.

## **ARTICLE VI - GOVERNMENT**

**Section 6.1** - The majority of the Section Executive Board shall constitute a quorum.

**Section 6.2** - The President shall preside at meetings of the Section and of the Section Executive Board. However, when the President is unable to do so, the Vice-President shall preside at meetings and discharge the duties of the President.

**Section 6.3** - The President shall be an ex-officio member of all committees, except the Nominating Committee.

**Section 6.4** - The President shall appoint annually a Nominating Committee, composed of three Section members, not later than June 1.

**Section 6.5** - The President shall appoint (with the exception of the Past Presidents Council) Standing Committees, District Board Representatives, and such special committees as may be desirable, with the approval of the Section Executive Board. Standing committees shall include but not be limited to: Membership, Program and Young Professionals Group. District Board Representatives and Standing Committee members shall be named by the first Section Executive Board meeting following January 1.

**Section 6.6** - The Past Presidents Council shall consist of all living New England Section Past Presidents. This Council shall consider and advise on policy questions concerning the Section and the Institute. Prior to the Annual Meeting of the Section, the Past Presidents of the Section shall elect one of its members to be its Chairman.

#### **ARTICLE VII - VOTING AND VOTING ELIGIBILITY**

**Section 7.1** - Voting for Officers and Directors, for amendments to these By-Laws, for petitions to amend the Charter, and for other matters which affect the relationship of the Section to the District or Institute shall be by secret ballot.

**Section 7.2** - When such a secret ballot is required, ballots shall be sent to voters, accompanied by a blank envelope and an envelope addressed to the Secretary. Those qualified to vote shall indicate their selections on the ballot, seal it in the blank envelope, and insert that envelope in the one addressed to the Secretary. The voter shall sign the back of the addressed envelope. Before the ballots are canvassed, the names on the outside of the envelopes shall be checked against a list of eligible voters and the blank envelopes containing ballots cast by eligible voters separated from all others.

**Section 7.3** - Any member whose Section dues are more than six months in arrears shall be ineligible to vote.

#### **ARTICLE VIII - AMENDMENTS**

**Section 8.1** - Proposals to amend these By-Laws or to petition amendments to the Charter may be made by resolution of the Section Executive Board or by written petition signed by at least five (5) voting members.

**Section 8.2** - Proposed amendments to these By-Laws shall be submitted by letter to the membership qualified to vote and shall be on the order of business of the next regular meeting occurring not less than thirty days subsequently. Such amendments may be amended by majority vote of those voting members attending the meeting in any manner pertinent to the original amendment. The amendments, as originally proposed or as amended at this meeting, shall be submitted as prescribed in Article VII, Section 7.2 of these By-Laws within fifteen days of the meeting and canvassed within thirty days following such submission by three tellers appointed by the President.

**Section 8.3** - An affirmative vote of two-thirds of all ballots cast shall be necessary for the adoption of any amendments to the By-Laws, for petitions to amend the Section Charter, and for other matters which affect the relationship of the Section to the District or the Institute.

**Section 8.4** - Amendments to the By-Laws so adopted shall take effect upon being filed with the District Board.

#### **ARTICLE IX - ESTABLISHMENT OF A THOMAS E. DESJARDINS MEMORIAL SCHOLARSHIP FUND**

##### **Section 9.1 - Creation and Purpose**

The *Thomas E. Desjardins Memorial Scholarship Fund (the Fund)* is hereby created by the New England Section ITE under its Charter, as allowed under Article II, Area and Purpose, Section 2.2, as follows:

- 8) *encourage the introduction of transportation and traffic engineering courses in colleges, universities and technical schools in the Section.*

**Section 9.1a** - The Fund is not for profit and its purpose and objectives are as follows:

- (a) The Fund shall be maintained through voluntary contributions by members of the New England Section of the Institute of Transportation Engineers, and private corporations, individuals, or other legal entities who may wish to participate in it. Fund revenues are to be placed in a trust account maintained separately from other accounts of the New England Section of the Institute of Transportation Engineers.
- (b) Investments thereof, designated by the Section's Treasurer, shall be in a secure, low-risk trust account (e.g., a certificate of deposit or a separate checking account), as deemed appropriate by the Section's Board of Directors. The Section's Treasurer shall account for all income producing funds coming into the trust account. Net returns from such investments shall be available for use as part of the scholarship fund. Any sums received as interest or other income from the trust account not expended during each scholastic year, which shall be designated as engaging July 1 of each calendar year, shall become part of the available trust account fund for the next year.
- (c) It is preferred that award of the scholarship funds for an academic year be given to a college junior and senior student(s) of high moral character and with high academic achievement who also have involvement in extracurricular activities. However, individuals other than college junior and senior students may be selected. Recipients must be enrolled in an accredited Civil Engineering Program. It is preferred, but not mandatory, that the anticipated course of study of the scholarship recipients be Transportation Engineering. The scholarship award shall be for a single academic year. There shall be no restriction as to the choice of college or university attended, nor of the location of residence and high school attendance of the recipients. Preference, however, will be given to students attending universities within the geographic area of the New England Section.

## **Section 9.2 - Fund Officers and Identification of a Fund Chairman**

**Section 9.2a** - The duly elected New England Section Executive Board (the Board) shall be the Fund Officers and shall bear responsibility for overseeing the collection and disbursement of the Fund. The Board shall promulgate such forms for application and make such rules, regulations, and requirements as seem desirable to implement the Fund.

**Section 9.2b** - The Board shall do all things as may be necessary or convenient to attain the purposes herein set out under applicable statutes and laws.

**Section 9.2c** - The Board shall annually appoint a Fund Chairman who will typically, though not necessarily, be a member of the Board. It will be the responsibility of the Fund Chairman to organize annual Fund raising activities to obtain contributions to the Fund and, if necessary, organize Fund subcommittee meetings to assist the Board in implementing the Fund's goals and objectives.

## **Section 9.3 - Annual Fund Meetings**

**Section 9.3a** - The status of the **Thomas E. Desjardins Memorial Scholarship Fund** shall be discussed at an Annual Fund Meeting during each calendar year. The date of each Annual Fund Meeting shall be set by the Board and shall be concurrent with a New England Section meeting (e.g., concurrent with the Joint Massachusetts/Section meeting). The purpose of the Annual Fund Meeting shall be 1) to hear from the Fund Chairman as to the amount of the scholarship award, 2) to receive a status report of the Fund's income/expenses from the Board's Treasurer, and 3) to nominate and approve the recipient(s) of the Thomas E. Desjardins Memorial Scholarship. Other meetings may be held at the discretion of the Board or the Fund Chairman. The Board or the Fund Chairman may designate the place for any special meetings.

**Section 9.3b** - In the absence of specified rules, Robert Rules of Order, Newly Revised, shall prevail at Special Fund Meetings.

## **Section 9.4 - Scholarship Fund Annual Report and Reporting Responsibilities**

**Section 9.4a** - The Fund Chairman appointed under Section 9.2c shall submit a written Annual Report to the District Board prior to January 1<sup>st</sup> of each year. The report shall include a summary of Fund-related activities for the previous year. The Board Treasurer shall be responsible for investing and reporting on the Fund's income and expenses in the Annual Report. The Treasurer report on the Fund's income and expenses shall be prepared for presentation at the Annual Meeting.

**Section 9.4b** - A listing of Fund contributors shall be published in the Scholarship Fund Annual Report, as cited under Section 9.4a of this bylaw.

**SUBSCRIBED FOR THE DISTRICT BOARD OF DISTRICT 1 OF THE INSTITUTE OF  
TRANSPORTATION ENGINEERS**

**Paul Nayoukas, Secretary**

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**Diane Morabito, Treasurer**

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**Thomas J. Soyk, Secretary/Treasurer**

**January 24, 1995**

**Frank Dolan, Secretary/Treasurer**

**August 14, 1987**