

**FEDERAL BAR ASSOCIATION TRANSPORTATION AND  
TRANSPORTATION SECURITY  
LAW SECTION BY-LAWS**

**ARTICLE I: NAME AND ESTABLISHMENT**

The name of this organization is the Transportation and Transportation Security Law Section (hereinafter, "Section") of the Federal Bar Association (hereinafter, "Association"). The Section is established under Article VIII of the Constitution of the Association and is governed by the Constitution and By-laws of the Association and these By-laws.

**ARTICLE II: PURPOSE**

The purpose of the Section shall be to further the purposes of the Association as stated in its Constitution and, in addition:

To promote high standards of professional competence and ethical conduct in the practice of transportation law.

To promote the development of sound laws and policies in the transportation field.

To enhance the professional growth and development of members of the transportation bar.

To promote the welfare of attorneys and judges practicing in the transportation field employed by the Government of the United States.

To provide meaningful services for the welfare and benefit of the members of the transportation bar.

To keep members of the transportation bar informed of developments in their respective fields of interest through the use of publications, educational programs, and other appropriate methods.

To keep members of the transportation bar informed of the affairs of the Section, to encourage their involvement in its activities, and to provide opportunities to members of the Section to assume leadership roles in the Section.

To promote professional and social interaction among members of the transportation bar, with a particular emphasis on such interaction between government and private sector members.

To provide awards and recognition to individuals and organizations which make substantial contributions in the field of transportation law.

### **ARTICLE III: MEMBERSHIP AND DUES**

Section 1. ACTIVE MEMBERSHIP. Any active member of the Association in good standing and any honorary member shall be eligible for active membership in the Section and shall be enrolled as a member upon the payment of the annual Section dues.

Section 2. HONORARY MEMBERSHIP. Any member or associate of the Association may be made an honorary member or honorary associate of the Section upon the approval of the Governing Board (hereinafter, "Board") of the Section. Approval shall be indicated by a majority vote of those present and voting at a regular meeting of the Board. Honorary members and honorary associates shall be exempt from the payment of Section dues.

Section 3. ASSOCIATES. Any associate of the Association in good standing shall be eligible for associate status with the Section and shall be enrolled as an associate upon the payment of the annual Section dues.

Section 4. DUES. Section dues for active members and associates shall be collected annually at the same time Association dues are collected. The amount of dues shall be determined annually by the governing body of the section, subject to the approval of the National Council of the Association (hereinafter, "National Council").

Section 5. TERMINATION OF MEMBERSHIP. Any active member or associate of the Section whose annual dues are more than six months past due shall cease to be a member or associate of the Section.

### **ARTICLE IV: OFFICERS**

Section 1. OFFICERS. The officers of the Section shall be the Chairperson, the Chairperson-Elect, the Deputy Chairperson, the Secretary, the Treasurer, and the Newsletter Editor.

Section 2. TERMS. All officers of the Section will serve a term in office coterminous with that of the President of the Association. No person shall serve as Chairperson more than three (3) consecutive term(s). The fiscal year of the Section shall be the same as that of the Association.

Section 3. DUTIES OF OFFICERS.

CHAIRPERSON. The Chairperson shall be the chief executive officer of the Section and preside at all meetings of the Section's membership and at meetings of the Board. The Chairperson shall appoint an officer of the Section to supervise the monitoring of legislation and the development of Section positions thereon. The Chairperson shall cause the Association and the Section's membership to be informed of the Section's activities, and shall perform such other functions as usually pertain to the

office or as may be designated by the Board. The Chairperson shall designate persons, who need not be officers, for Membership, Chapter Liaison, and Programming/CLE.

CHAIRPERSON-ELECT. The Chairperson Elect shall assist the Chairperson in such manner and to such extent as the Chairperson may request. The Chairperson-Elect shall preside at meetings in the absence of the Chairperson. In case of the death, resignation, or disability of the Chairperson, the Chairperson-Elect shall perform the duties of the Chairperson for the remainder of the chairperson's term or disability.

DEPUTY CHAIRPERSON. The Deputy Chairperson shall assist the Chairperson and the Chairperson-Elect in such manner and to such extent as either may request. The Deputy Chairperson shall preside at meetings in the absence of the Chairperson and the Chairperson-Elect. In case of the death, resignation, or disability of the Chairperson-Elect, the Deputy Chairperson shall perform the duties of the Chairperson-Elect for the remainder of the Chairperson-Elect's term or disability.

SECRETARY. The Secretary shall issue notices of all meetings of the Section's membership and of meetings of the Board and shall accurately record the minutes of those meetings. The Secretary shall perform recordkeeping and correspondence functions as are requested by the President or the Board and perform such other functions as usually pertain to the office.

TREASURER. The Treasurer shall keep accurate records of all income and expenditures of the Section and periodically report the financial condition of the Section to the Board and to the Association. The Treasurer shall consult with the chairpersons of Section activities concerning their activity budgets.

NEWSLETTER EDITOR. The Newsletter Editor shall edit and publish the Section newsletter in consultation with the other members of the Governing Board and subject to the direction of the Chairperson.

#### Section 4. SELECTION OF OFFICERS.

4.1 ELECTION. Selection of officers of the Section shall be by election except with respect to the office of Chairperson. The Chairperson-Elect shall automatically assume the position of Chairperson upon the expiration of the previous Chairperson's term. All officers other than the Chairperson shall be elected at the Annual Meeting of the Section. This election may be by acclamation or, in the event the matter is contested, by secret ballot. An election shall be by secret ballot upon demand of five (5) active members present at the Annual Meeting. A majority of the active members present and voting shall be necessary to elect. Each active member in good standing shall be entitled to cast one vote for each position subject to election. In the event no candidate receives a majority of the votes cast, there shall be further balloting, dropping the candidate with the lowest number of votes on each ballot when there are more than two candidates. Mail-in, fax-back or e-mail ballots shall be authorized.

4.2. NOMINATION. The Chairperson shall appoint a Nominating Committee of five (5) persons from among the members of the Board and previous Section Chairpersons who are active members. The Nominating Committee shall nominate one person for each open office. The nominations of the Nominating Committee shall be circulated in writing to the membership of the Section with the notice of the Annual Meeting, which shall be mailed not later than three (3) weeks prior to the Annual Meeting. Additional nominations may be made in writing provided that they are submitted to the Secretary at least two (2) days prior to the Annual Meeting and endorsed by not less than ten (10) active members. No person may be nominated without his or her consent to serve if elected. The membership shall be notified of all such additional nominations at the Annual Meeting. No person may be nominated for Chairperson-Elect who shall not have been an active member of the Section for the preceding three (3) years. No member may hold two or more elective offices at the same time. It shall be the duty of the Secretary to prepare a ballot for the Annual Meeting in the event there are two or more nominees for any office.

## **ARTICLE V: GOVERNING BOARD**

Section 1. COMPOSITION. There shall be a governing Board composed of (a) the officers of the Section, (b) the committee Chairpersons of the Section, (c) the immediate past Chairperson, and (d) up to eight (8) additional active members or honorary members appointed by the Chairperson.

Section 2. POWERS AND FUNCTIONS. The Board shall be vested with the powers and duties necessary for the administration of the activities of the Section consistent with the Constitution and By-laws of the Association. Among its functions are:

- (a) Recommending changes in Section dues to the National Council.
- (b) Recommending changes in the Section's committee structure to the National Council.
- (c) Approving the annual budget of the Section.
- (d) Setting the time and place of the Annual Meeting of the membership of the Section.
- (e) Approving programs and awards recommended by the Section's officers or committees.

Section 3. VACANCIES. In case of the death, resignation, or disability of an officer (other than the Chairperson), a committee Chairperson, or a member of the Board, the Chairperson shall recommend, and the Board shall appoint, a replacement to serve out the remainder of the term.

## **ARTICLE VI: COMMITTEES.**

Section 1. STANDING COMMITTEES. The Section shall have the following Standing Committees:

(a) Steering Committee. The members of the Steering Committee shall consist of the members of the Board who are neither officers nor committee Chairpersons of the Section. The Steering Committee is responsible for providing policy and planning advice to the Chairperson and the Board and for performing such other tasks as are requested by the Chairperson.

(b) Air Transportation Committee. The Air Transportation Committee is responsible for developing, recommending, and conducting programs on air and space transportation law and policy issues.

(c) Surface Transportation Committee. The Surface Transportation Committee is responsible for developing, recommending, and conducting programs on motor carrier, railroad, and surface transportation law and policy issues.

(d) Water Transportation Committee. The Water Transportation Committee is responsible for developing, recommending, and conducting programs on water transportation law and policy issues.

(e) Logistics Intermodal Transportation Committee. The Logistics Intermodal Transportation Committee is responsible for developing, recommending, and conducting programs on logistics and intermodal transportation law and policy issues.

(f) E-Commerce Committee. The E Commerce Committee is responsible for developing, recommending, and conducting programs on transportation e-commerce and consumer law and policy issues.

(g) Legislative Committee. The Legislative Committee is responsible for developing, recommending, and conducting programs on legislative matters and issues of interest to the membership.

Section 2. AD HOC COMMITTEES. The Section shall have such Ad Hoc Committees as shall be designated by the Chairperson.

Section 3. SELECTION OF COMMITTEE LEADERSHIP AND MEMBERS. Each committee shall have a Chairperson appointed by the Section Chairperson, with the approval of the Board, and such other officers as the Section Chairperson shall appoint, also with the approval of the Governing Board, to assist the committee Chairperson. The committee Chairperson shall select the members of the committee from the active and honorary members and associates of the Section. The members of the Steering Committee shall be determined in accordance with Section 1(a) above.

Section 4. COMMITTEE MEETINGS. Each committee shall meet at least once each year.

Section 5. PUBLIC POSITIONS. A committee may not issue a public report or take a public position on an issue either in its own name or on behalf of the Section. All proposals for public reports or positions shall be submitted to the Section's Board for consideration and issuance.

Section 6. TERMS. All committee Chairpersons, committee officers, and committee members will serve a term coterminous with that of the Chairman of the Section.

## **ARTICLE VII: MEETINGS**

Section 1. SECTION MEETINGS. Meetings of the membership shall be at the call of the Chairperson or the Board. There shall be an Annual Meeting of the membership of the Section at time and place selected by the Board. There shall be no quorum requirement for Section meetings, and all decisions shall be made by majority vote of the active members present and voting at any such meeting.

Section 2. BOARD MEETINGS. The Board shall meet at the call of the Chairperson as needed to carry out its administrative powers and functions, but no less frequently than quarterly. Six (6) members of the Board shall constitute a quorum for the transaction of Board business. All decisions of the Board other than the amendment of the By-laws shall be made by majority vote of the Board members present and voting at the Board meeting.

Section 3. NOTICE. The Secretary shall give at least three (3) days notice of all meetings of the Section and the Board.

Section 4. RULES OF ORDER. The rules of order for all meetings shall consist of (in the order stated):

- (a) The Constitution and By-laws of the Association;
- (b) These By-laws;
- (c) Standing Resolutions passed by the Section's Board (copies of which shall be retained by the Secretary of the Section); and
- (d) The current issue of Robert's Rules of Order.

**ARTICLE VIII: PUBLIC POSITIONS**

The Section – in the name of the Association – may issue reports, make public announcements, and publicly advocate positions on issues of concern to the Section only with the prior approval of the National Council. Without such prior approval, the Section may take a public position only if the position statement includes a disclaimer that indicates that the Section is taking the position in the name only of the Section. In any event, if the Section takes such action in its own name and not in that of the Association, the Section shall report that action immediately to the Executive Committee of the National Council.

**ARTICLE IX: BY-LAWS**

Section I. EFFECTIVE DATE. These By-laws shall be effective immediately upon approval of the National Council.

Section 2. AMENDMENT. These By-laws may be amended at any regular meeting of the Board by vote of two-thirds of the Board members present and voting, provided that each Board member shall be given at least 14 days notice of the meeting and the proposed amendment. The amendment shall not become effective until approved by the National Council.