

Section Charter Capital Area Section Of District 9 (TexITE)

ARTICLE I - PREAMBLE

Section 1.1

As authorized by the Constitution of the Institute of Transportation Engineers, Inc., hereinafter referred to as the Institute, the District 9 Board of Direction, hereinafter referred to as the District, as recorded in the minutes of the District Board meeting on June 27, 2002, grants this Charter for the Capital Area Section of the Institute, hereinafter referred to as the Section.

Section 1.2

This Charter shall become effective on August 1, 2002 and shall remain in effect, including any amendments, until rescinded by the District.

Section 1.3

On the date it becomes effective, this Charter shall supersede any previous Charter or Constitution of a Section enrolling members from the designated area and shall annul any By-Laws of such a Section that may be in conflict with it.

ARTICLE II - AREA AND PURPOSE

Section 2.1

The area designated as that of this Section shall be:

1. The Texas counties of Travis, Williamson, and Hays; or
2. As the area shall have been established from time to time as an outcome of amendments to the area designated as the District by the Institute as described in the attachment(s) hereto.

Section 2.2

The purpose of this Section shall be to:

1. Advance the objectives of the Institute.
2. Foster a closer association of Institute members.
3. Encourage members to prepare or discuss papers.
4. Prepare suggestions on matters of policy to the Board of Direction of the Institute.
5. Consider local transportation engineering problems.
6. Cooperate with other local engineering groups on matters of common interest.
7. Present the transportation engineering point of view consistent with established Institute Policies.
8. Encourage the introduction of transportation engineering courses in colleges, universities and technical schools in the Section

ARTICLE III - MEMBERSHIP

Section 3.1

Any Institute member who resides within the area designated for the Section, and who is in good standing with the District, is a member of the Section.

Section 3.2

Any Institute member may become a member of the Section, without residing in the Section area, upon approval of the Section Executive Board and upon payment of the Section dues.

Section 3.3

The Section may adopt one or more types of section affiliation for persons who are either:

1. Not eligible to be voting members of the Institute but who are accumulating experience toward Institute membership.
2. In sub-professional work in the transportation profession.
3. Students in a recognized transportation related program.
4. Professionally engaged in related fields.
5. In a position to work with and assist transportation professionals by virtue of official positions or commercial employment.

Section 3.4

All persons who are affiliated with the Section as provided in Section 3.3 and who are not members of the Institute shall be clearly identified as "Section Affiliates" and not as members of the Section.

Section 3.5

The Section By-Laws shall establish the manner in which persons may apply for or be invited into Section membership or affiliation as well as the manner in which such membership or affiliation may be terminated. However, no restrictions on Section membership shall be placed on any voting member of the Institute other than those stated in Section 3.1 and 3.2 as long as they are in good standing with the Institute.

Section 3.6

Members of the Section shall be entitled to all of the privileges of the Section as specified in the Section By-Laws. Institute Affiliate Members, Student Members of the Institute, or Section Affiliates shall be entitled to all the privileges of the Section, except that they may not vote and/or hold elective office in the Section unless otherwise specifically stated in the Section By-Laws.

ARTICLE IV - GOVERNMENT

Section 4.1

The government of the Section shall be vested in its elected officers and directors, who shall constitute an Executive Board. The Section By-Laws shall specify the elected officers, as the Section desires, provided that the Elected Officers shall include a President, at least one Vice-President, a Secretary and a Treasurer or a Secretary-Treasurer, who shall be voting members of the Institute.

Section 4.2

The Executive Board of the Section shall manage the affairs of the Section in conformity with the provisions of this Charter, the By-Laws of the Section, the Policies of the District, and the Policies of the Institute.

Section 4.3

The Section shall adopt By-Laws setting forth the structure of the Executive Board and providing the manner of nominating, electing, or appointing elected officers and directors of the Section and shall specify their terms of office.

Section 4.4

The Section shall adopt By-Laws to govern appointment of committees, number and times of meetings, assessment of dues, method of amending By-Laws and such other matters as the Section may desire provided such By-Laws do not conflict with this Charter, the Constitution of the Institute, or Policies of the Institute, its Board of Direction or the District Charter and/or By-Laws.

Section 4.5

The By-Laws of the Section may be adopted and amended after adoption, only if the proposition is submitted in writing to all voting members of the Section at least thirty (30) days in advance of the date on which action is proposed. Adoption and amendment shall require an affirmative two-thirds vote of those voting. Section By-Laws shall be filed with the District and the Institute within thirty (30) days after adoption or amendment and shall take effect upon being approved and filed with the District.

Section 4.6

The Section Executive Board may charter Subsections to meet specific needs within its boundaries upon written request of at least five voting Section members residing in the proposed Subsection area. Subsections shall adopt By-Laws that are not inconsistent with Section By-Laws and the Section Charter or the Subsection Charter. Subsection By-Laws shall be filed with the Section Executive Board, District and the Institute within thirty (30) days of adoption or amendment and shall take effect upon being filed with the Section Executive Board. The Section Executive Board may rescind a Subsection Charter by giving thirty (30) days notice in writing to the Subsection.

Section 4.7

At any time the District may annul any part of the Section By-Laws which it considers to be contrary to the Section Charter, the District Charter, the Constitution of the Institute or the best interests of the District or the Institute, by giving notice in writing to the Section Executive Board and the Institute.

ARTICLE V - RELATION OF SECTION TO DISTRICT AND INSTITUTE

Section 5.1

The Section shall not speak for the District or the Institute unless authorized in the particular matter in question by the District or the Board of Direction of the Institute, respectively.

Section 5.2

The Section shall not identify itself with national groups or organizations but may identify itself with local or area-wide groups or organizations.

Section 5.3

The names and addresses of all Elected Officers and Directors of the Section and the dates on which the terms of each begins and expires shall be reported in writing by the Section Executive Board to the District, the District Director, District Administrator and to the Institute within thirty (30) days after election or appointment.

Section 5.4

The Section Executive Board shall submit a written annual report to the District prior to January 15th of each year. The report shall include a summary of the Section's activities for the previous twelve months.

Section 5.5

The Institute will not be responsible for debts contracted by the Section nor will it give financial assistance to the Section. No dues will be required to be paid by the Section to the Institute or District.

ARTICLE VI - AMENDMENT OF CHARTER

Section 6.1

The District Board may amend or rescind this Charter. The Section Executive Board will be notified in writing by the District of any proposed amendment to, or rescission of this Charter so that the Section may have an opportunity for a hearing before the District concerning the proposed amendment or rescission. An amendment, with or without change, shall be submitted by the District to the Board of Direction of the Institute for approval. Rescission or the approved amendment shall become effective on the date determined by the District.

Section 6.2

The Section Executive Board may petition the District to amend this Charter. The District shall meet and act on the petition within six (6) months of its receipt. If the petition is approved, the District shall then petition the Board of Direction of the Institute for approval of the proposed amendment. The Board of Direction of the Institute shall act on this petition in the same manner as provided for amending the District Charter. Amendments to the Section Charter initiated by petition from the Section Executive Board shall become effective upon approval by the Board of Direction of the Institute.

ARTICLE VII - TRANSITION

Section 7.1

The new Capital Area Section will be the successor organization to the Capital Area Chapter of the Texas Section. To effect a smooth transition, the Capital Area Chapter officers, as originally elected for terms to expire on December 31, 2002, shall become the initial officers of the Capital Area Section. Specifically:

Section 7.1.1 Subject to his/her eligibility to serve, the Capital Area Chapter President, as originally elected for a term to expire on December 31, 2002, shall become the Capital Area Section President for a term to expire on December 31, 2002;

Section 7.1.2 Subject to his/her eligibility to serve, the Capital Area Chapter Vice President, as originally elected for a term to expire on December 31, 2002, shall become the Capital Area Section Vice President for a term to expire on December 31, 2003;

Section 7.1.3 Subject to his/her eligibility to serve, the Capital Area Chapter Secretary-Treasurer, as originally elected for a term to expire on December 31, 2002, shall become the Capital Area Section Secretary-Treasurer for a term to expire on December 31, 2003;

Section 7.1.4 Subject to his/her eligibility to serve, the Capital Area President whose term expired on December 31, 2001 shall become the Capital Area Section Immediate Past President for a term to expire on December 31, 2002;

Section 7.1.5 Section Representative Rick Collins shall remain on the District Board until December 31, 2003 as the Capital Area Section's initial Section Representative.

Section 7.2 If already underway, the 2002 election process for the Capital Area Chapter shall go forward. The ballots shall be canvassed and the winners, subject to their eligibility to serve, shall serve as the respective officers of the Capital Area Section for terms to begin on January 1, 2003.

Section 7.3

To the extent they are not in conflict with this Charter, the Charter and Bylaws of District 9, and/or the Institute's Constitution or Policies, the current Bylaws of the Capital Area Chapter shall serve as the interim Bylaws of the new Capital Area Section. Not later than December 31, 2002, the Capital Area Section shall enact new Bylaws in accordance with Article IV of this Charter.

Section 7.4

As of August 1, 2002, all assets (including funds in all checking and savings accounts) of the Capital Area Chapter shall become the assets of the new Capital Area Section.

Section 7.5

This Article shall become null and void on December 31, 2003 and shall then be removed from this Charter.

SUBSCRIBED FOR THE DISTRICT BOARD OF DISTRICT 9, INSTITUTE OF
TRANSPORTATION ENGINEERS

s/ John D. Friebele, District 9 Secretary-Treasurer

June 27, 2002