

**Constitution**  
And  
**By-Laws**  
Of the  
**New Jersey Association of  
Accident Reconstructionists, Inc.**

Also known as

**NJAAR**

**Amended & Adopted  
February 6, 2018**

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**BY-LAWS OF THE  
NEW JERSEY ASSOCIATION OF ACCIDENT RECONSTRUCTIONISTS, INC.**

***ARTICLE I.       PURPOSES***

The New Jersey Association of Accident Reconstructionists, Inc. is an organization founded by members of the New Jersey Police Traffic Officers Association, Inc. (NJPTOA) to act in conjunction with the NJPTOA to promote Traffic Safety through accident investigation, and in so doing, promote the welfare of its members. Its purposes are:

- To provide professional standards for members investigating accidents;
- To promote the continued expansion of members knowledge in the area of technical accident investigation;
- To promote Traffic Safety through improving accident investigation;
- To promote and enhance the expertise of its members through training and the exchange of ideas.

***ARTICLE II.       MEMBERSHIP***

Membership in the Association shall be in one of the four (4) following categories and shall be subject to the approval of the Board of Directors:

A. Regular Members

Any person engaged in the field of accident reconstruction who has satisfactorily completed a duly recognized university course or training course in accident reconstruction, or any person approved by the Board of Directors, is eligible for Regular Membership upon payment of dues and the administrative fee set forth in Article III. A Regular Member shall have those rights to vote and hold office enumerated in Article IV and XIII.

B. Associate Member

Persons not eligible for Regular Membership but engaged in allied fields related to the Purposes of the Association are eligible for Associate Membership upon the approval of the Board of Directors and the payment of the dues and administrative fee described in Article III. An Associate Member shall have the right to hold office as indicated in Article IV (E). An Associate Member shall not have the right to vote, except as indicated in Article IV (F). There shall be three (3) categories of Associate Membership:

1. Police Officer  
Any Police Officer who does not meet all of the requirements of Regular-Membership of the Association.
2. Related Professionals  
Persons engaged in the field of accident investigation who do not meet the requirements for Regular Membership of the Association.
3. Allied Professionals  
Shall consist of persons sharing the objectives of the Association engaged in the fields of endeavor related to accident investigation.

C. Honorary Member

Any person who has made a significant contribution to the science of technical accident investigation or reconstruction or rendered distinguished service in related fields may be designated an Honorary Member by the Board of Directors. There shall be no dues or administrative fees required. Honorary Members shall not have the right to vote or hold office.

D. Life Member

A Life Member shall be anyone who has been a member in good standing in the Association for at least 5 years and has demonstrated active participation in service to or for the Association. All proposed applicants shall be investigated by the Membership Committee who shall report at a Regular or Special Meeting of the Board of Directors. Candidates may be voted upon by the Board of Directors or approved by a majority vote of the members present at an association meeting. There shall be no dues or administrative fees required of such a member. Candidates may be nominated by any Active Member in good standing. A Life Member's voting rights shall be identical to the voting rights of their prior member category.

### ***ARTICLE III. DUES AND FEES***

- A. Dues shall be in the amount approved by the Board of Directors and shall be payable annually, no later than April 1. Failure of a Member to pay annual dues shall be grounds for termination of membership by the Board of Directors.
- B. There shall be an administrative fee, set by the Board of Directors, required with each application for Membership. This fee is in addition to the annual dues and shall be non-refundable irrespective of the action taken on the application for Membership by the Board of Directors.

## ***ARTICLE IV. BOARD OF DIRECTORS***

- A. The executive authority of the Association shall be vested in a Board of Directors consisting of the four (4) elected officers, three (3) directors appointed by the president, and the current past president of the association. The three (3) directors appointed shall consist of advisors, who may be or have been engaged in the legal, technical, medical or other accident reconstruction related or allied field.
- President
  - Vice-President
  - Secretary
  - Treasurer
  - Three (3) Directors
  - Current Past President
- B. The Board of Directors shall meet at least once each calendar quarter.
- C. The term of office for the Board of Directors shall be for two years commencing on January 1. Elected officers shall serve no more than four (4) consecutive terms in that elected position.
- D. Five (5) members of the Board of Directors shall constitute a quorum of the Board. Except as otherwise provided in these by-laws, the Board of Directors may act on any matter by simple majority of those present and voting.
- E. Eligibility for Office
1. All members of the Board of Directors shall be Members of the Association in accordance with the provisions of Article II.
  2. To be eligible to serve as President, Vice-President, or Treasurer, a member shall be a Regular Member of the Association as provided in Article II.
  3. To be eligible to serve as Secretary, or as a Director of the Association, a member shall be a Regular or Associate Member of the Association as provided in Article II.
- F. All Board of Directors (whether a Regular or Associate Member) shall have the right to vote.

## ***ARTICLE V. ELECTIONS***

Any Member in good standing meeting the requirements of Office of Article IV may be a candidate for Office. All elections shall consist of nominations for office made by October 1 of the calendar year in which the election is to be conducted. Candidates for office in the Association are required to document their desire to run for office in writing via email or U.S. mail to the Secretary. This documentation shall consist of a one-page letter stating the individual's intention

regarding candidacy, and an enumeration of the member's qualification for office. All letters of candidacy shall be forwarded to the Board of Directors, which shall finally determine a member's qualification for the office sought in accordance with the requirements of Article IV.

All candidates meeting the requirements of Article IV for the office sought shall be designated by the Board of Directors as nominees. The names of all candidates designated as nominees by the Board of Directors shall be communicated to membership via electronic means, such as email, or via the Newsletter or official publication of the Association for review by the Membership. Said communication shall take place by November 15 of the calendar year in which the election is to be conducted.

Elections for all offices shall be conducted no later than December 15 of the calendar year in which the election is to be conducted. The election shall be conducted by online ballot. In the alternative, the board may elect to conduct the election by secret written ballot.

In the event no nominations are received or no challenges for an office arise, the Secretary shall cast the sole ballot electing those standing for election. The newly elected officers shall take office beginning on January 1 in the year following the election.

## ***ARTICLE VI. DUTIES OF OFFICE***

### **A. President**

The President shall be the Chief Administrative Officer of the Association and shall preside at all meetings of the membership and of the Board of Directors. He shall discharge all the duties incumbent upon a presiding officer and shall perform such other duties as shall be prescribed by the Board of Directors or the by-laws. He shall be a member of all Committees. The President and Treasurer shall execute all contracts and/or financial instruments of the Association. The President shall provide for an audit and an examination of the records and accounts of the Association on an annual basis. In the event of a tie, the President shall have the authority to cast the deciding vote.

### **B. Vice-President**

The Vice-president, in the absence of the president, shall assume the duties of the President. He shall perform such duties as are delegated to him by the President or the Board of Directors. Should a vacancy arise in the office of Secretary and/or Treasurer, the Vice-president shall assume the duties of the Secretary and/or Treasurer for the remainder of the term or until such time that the office is filled by a Board-approved Presidential appointee.

### **C. Secretary**

The Secretary shall keep the minutes of all meetings of the Association and of the Board of Directors. He shall retain and preserve all papers, letters, and transactions of the Association. He shall perform membership correspondence regarding, but not limited to, notice of all meetings, agenda items requiring mem-

bership vote and other items herein delegated. He shall be keeper of the election ballots prior to their being counted for election purposes. The Secretary shall be responsible for the collection of dues. All monies collected by the Secretary shall be turned over to the Treasurer. The Secretary shall maintain a roster of all members of this Association and dues paid by member police departments and agencies. He shall deliver to his successor all Association property and records in his possession upon the installation of a new Secretary.

D. Treasurer

The Treasurer shall collect and receive, and have custody of all funds of the Association. His signature and that of the president shall be required on all disbursements of the Association. The bank of deposit shall be subject to approval of the Board of Directors. A financial report shall be made at every membership meeting's. He shall submit his records for audit as described in these by-laws. He shall deliver to his successor all Association property and records in his possession upon the installation of a new Treasurer.

## ***ARTICLE VII. REMOVAL FROM OFFICE***

Any officer or member of the Board of Directors may be removed by the Board for failure to attend two (2) consecutive meetings of this Board, provided, however that he was not prevented from attending such meeting as a result of illness, absence from the State or being detained in his official duties or any other just cause determined by the Board of Directors. It is incumbent upon the officer who has failed to attend the meetings to document his reasons for non-attendance to the Board.

## ***ARTICLE VIII. MEETINGS***

Regular meetings of this Association shall be held periodically. To the extent possible, a reasonable attempt should be made to hold a meeting in each calendar quarter.

An attempt should be made to move the meeting throughout the State of New Jersey with the next date and location being announced prior to the end of each meeting. The exception to this rule is that a meeting may be held at the annual Joint Conference or other conference at which NJAAR is an active participant.

## ***ARTICLE IX. ELEMENTS OF MEMBERSHIP IN GOOD STANDING***

A member in good standing shall be required to attend at least one regular meeting of this Association each calendar year. He must be current in the payment of the membership dues. In the event of any challenge to the standing of a member, the determination of the Board of Directors shall be final.

***ARTICLE X.       TERMINATION OF MEMBERSHIP***

Any member of this Association may be expelled for the following reasons:

- A.     Conduct in a manner so as to discredit or disgrace the Membership of the Association;
  - B.     The commission of perjury;
  - C.     Deliberate concealment or destruction of evidence in any particular case;
- and
- D.     Deliberate misinterpretation of the laws of physics and equations that are used in accident reconstruction.

Accusations made during cross-examination shall not constitute proof of wrongdoing. The accused member shall have the right to a hearing. Three (3) regular members present at any meeting when an accusation is made shall be drawn at random to investigate any charge. Upon completion of their investigation, they shall report their findings to the Board of Directors. The accused member shall be afforded a hearing by the Board of Directors. The decision of the Board of Directors shall be binding and final.

***ARTICLE XI.       PROPERTY OF THE ASSOCIATION***

- A.     Any equipment, material or any other items issued or awarded by the Association shall be considered property of the Association. Upon termination of membership said property shall be forwarded to the President or his designee.
- B.     Each member shall be issued a Certificate of Membership. The certificate shall identify the member's name and membership number. The signature of the President of the Association at the time of issuance shall appear on each certificate.
- C.     All certificates shall be awarded to members in good standing at the time said member is accepted into the Association. These certificates shall be issued on a one- (1) time basis only.

***ARTICLE XII.     DISTRIBUTION OF ASSETS***

Upon dissolution of the Association, all Association assets shall be distributed to a charitable organization duly recognized by law and agreed upon by the Board of Directors.



### ***ARTICLE XIII. VOTING***

Voting on all matters before the Association, except as otherwise provided in these by-laws, shall be a vote of Regular Members in good standing present at a meeting of the Association or balloting by electronic means when so determined by the Board of Directors. All matters, except as otherwise provided in these by-laws, shall be decided by a simple majority of those Regular Members present and voting.

### ***ARTICLE XIV. COMMITTEES***

The President, with the advice and consent of the Board of Directors, may appoint the following Committees and any other Committees deemed necessary by the Board of Directors. All Committees shall report to the Board of Directors.

#### **A. By-Laws**

This Committee shall regularly review these by-laws and may suggest changes to the Board of Directors. When changes in the by-laws are properly proposed by the membership, it shall be the duty of this Committee to prepare drafts embodying such changes and to present such draft to the Board of Directors.

#### **B. Conference and Seminar**

This Committee shall organize any conference or seminar to be sponsored by the Association. It shall be the duty of this Committee to select sites, obtain vendors, speakers, instructors, etc.

#### **C. Education**

This Committee shall investigate schools pertaining to accident investigation/reconstruction, evaluate the curriculum and report their findings to the Board of Directors. They shall establish a list of available schools, courses and seminars, and inform the Board of Directors so they may be disseminated to the membership. Additionally, they shall review, examine and research any equipment or other devices or traffic controls that may have an effect on accident investigation/reconstruction.

#### **D. Membership**

This Committee shall investigate the qualifications of all prospective members in accordance with these by-laws. The Committee shall report their findings to the Board of Directors. This committee shall also be responsible for maintaining and increasing the membership in this Association.

E. Newsletter

This Committee shall be responsible to review matters of interest to the Association and periodically publish such information in the form of a newsletter to be distributed to all members in good standing of the Association.

F. Special Committees

Special Committees may be created by the President or Board of Directors and shall serve until dissolved by the Board of Directors.

The first name to appear, unless otherwise designated, will serve as the Committee Chairman. The Board of Directors has the right to remove any committee member who does not perform in the best interests of this Association. The Chairman of each Committee shall be called upon at each regular meeting to give a report of the preceding month's activity. The President shall be an ex-officio member of all committees. Committee Chairmen may attend meetings of the Board of Directors at the invitation of the President. Any expenses incurred by committee members while in the performance of their duties will be paid by the Association when documented. Expenses in excess of five hundred dollars (\$500.00) require approval of the Board of Directors.

***ARTICLE XV. RULES OF ORDER AT ASSOCIATION MEETINGS***

Roberts Rules of Order shall govern all meetings of the Association consistent with these by-laws.

***ARTICLE XVI. AMENDMENT OF BY-LAWS***

These by-laws may be amended or repealed by five (5) votes of the Board of Directors at any meeting of the Board of Directors or by a two-thirds (2/3) vote of the Regular Members.

No amendment or change to the by-laws shall be considered at a meeting of the Association unless copies of the proposed amendments were provided to all Regular Members at least thirty (30) days prior to that meeting of the Association.

***ARTICLE XVII. QUORUM***

The presence at any meeting, in person, of ten percent (10%) of the Regular Members of record of this Association (including at least four members of the Board of Directors) shall constitute a quorum for the transaction of business of this Association.