

TUCSON QUARTER MIDGET ASSOCIATION BYLAWS

ARTICLE 1

Name: Tucson Quarter Midgets, Inc. (The Association)
July 2011

SECTION 1:

Under the authority of the Arizona State Commission, there has been, and is hereby established the Tucson Quarter Midgets, Inc. (The Association), located in the City of Tucson, State of Arizona. TQMA is a non-profit organization with a tax ID number as assigned by the State of Arizona. The principle office of the Association for the transaction for corporate business shall be 9735 N. Casa Grande Hwy, Arizona 85742, in Pima County, State of Arizona. All original documents shall remain at this location.

SECTION 2:

Robert's Rules of Order shall be the parliamentary procedures providing they do not conflict with the bylaws or constitution of TQMA enforced now or hereafter amended.

SECTION 3:

Memberships, rules, and regulations under Quarter Midgets of America and TQMA shall prevail at all QMA sanctioned and TQMA club races. The elected secretary shall submit to National QMA all amendments each year and as designed to renew the charter to maintain TQMA membership. TQMA will continue to be sanctioned under Quarter Midgets of America for a period of not less than 24 months effective June 1, 2011; unless it is determined by the TQMA Board of Directors and general membership consisting of members in good standing, that the club will suffer significant financial hardship and cease to be operational without changing sanctioning bodies.

ARTICLE II

CREED

To create and maintain an interesting and safe activity for boys and girls so that they may enjoy a close relationship with their parents in a healthy outdoor sport. A sport which requires skill and practice in the handling of mechanical devices, develops reflexes, alertness and coordination which will be of great value to them throughout their entire lives; develops in our young generations the ideals of fairness, generosity, and a sense of responsibility without envy to others.

ARTICLE III

QUORUM

SECTION 1:

A quorum shall consist of 2 members of the general membership and 2 members of the Board of Directors, at all general meetings. To transact business at a meeting of the Board of Directors, a quorum shall consist of 4 members of the Board of Directors.

SECTION 2:

No business will be transacted without a quorum. If a quorum is not present, all actions must wait until a quorum is filled.

SECTION 3:

Only TQMA members can attend TQMA club meetings. Non-TQMA members can not attend TQMA club meetings without permission or invitation from the TQMA Executive Board.

SECTION 4:

Herb Kai will be a lifetime member of TQMA and has the right and privilege to attend and participate in all TQMA races, meetings, votes and events.

ARTICLE IV

ORGANIZATION AND MEMBERSHIP

SECTION 1:

TQMA shall be the governing board whose membership will be composed of an Executive Board, Board of Directors, and members in good standing with voting privileges. Any TQMA member who designates another club as his home club shall be an alternate member (a non-voting member). Any QMA member who transfers their membership to TQMA without payment of full club fees will be considered a non-voting member for one year or until full club fees are paid and voting eligibility is obtained.

SECTION 2:

The TQMA Board of Directors shall be responsible for the management of the affairs of the association and shall carry out and enforce all purposes and direction given to them by the voting membership.

SECTION 3:

The officers of TQMA shall consist of the President, (2) Vice President, Secretary and Treasurer. These officers will be known as the Executive Board. The Board of Directors shall consist of Thirteen (13) persons: President, (2)Vice President, Secretary, Treasurer, Head Technical Director, Head Safety Director, Head Publicity Director, Head Racing Director, Head of Tower, Novice Trainer, Pit Steward, and Head of Construction

SECTION 4:

Only Regular members (No alternate handlers) deemed members in good standing, with active drivers on their membership may participate in major club votes. Members in good standing who hold a position on the Board of Directors will have a vote in all major club decisions regardless of membership status (Regular or alternate) and regardless of whether they have an active driver on their membership. Active drivers are defined as drivers having participated in at least 3 races in the prior 6 months. A member in good standing is defined as a member having participated in at least three meetings (As TQMA members) total throughout the prior 6 months, participated in at least half the work parties, attended at least half of the promotional events, helps on race days, and/or supported the club through donation of goods or services. New members must have completed a 90-day probationary period and must also be deemed a member in good standing in order to be eligible to participate in any major club vote. Regular members without an active driver on their membership will not be eligible to participate in major club decisions, since every club decision will directly effect the active drivers, and TQMA exists for the drivers (kids). The scheduled meetings in April and May shall be designated for the nominations of officers and directors. Nominations shall be completed at the close of the May meeting. Elections shall take place at the next scheduled meeting in June. When ballots are called for and collected, voting is complete. Elected officers and directors will be elected for a one (1) year term. New officers and

directors shall assume their duties at the conclusion of the election meeting. All former officers and directors will have seven (7) days to transfer all club properties to incoming officers and directors. No two (2) members of an immediate family may serve on the Executive Board, unless the clubs active membership (consisting of members in good standing) falls below 20 members, at which time it may be deemed necessary to have two members of an immediate family to serve on the Executive Board in order for the club to remain operational. The President, Vice President, Treasurer, and Secretary shall not hold the same office for more than two (2) consecutive terms, unless the club deems it necessary for an Executive Board member to remain on the board in order for the club to remain operational. Executive Board members will be required to be off the Executive Board for a minimum of one year before becoming eligible to accept another Executive Board position, unless the club determines that to do so would compromise the operation of the club. A majority of the members present shall elect the new officers and Board of Directors. If more than two (2) candidates are running for the same office, the candidate with the most votes shall be elected. If only one (1) candidate is running for a position, a ballot vote is not necessary. Voting will be done by acclamation. For any office requiring more than one (1) position, the persons receiving the most votes shall be designated the Head Director. The proper procedure for voting shall be President, Vice President, Secretary, Treasurer, Board of Directors, and other elected positions. Pit steward will be an elected position.

SECTION 5:

ARTICLE V

DUTIES OF THE OFFICERS AND BOARD OF DIRECTORS

The Board of Directors shall have and exercise all power the Bylaws have granted to them except that it shall have no power to alter, adopt, rescind or nullify any part of the Bylaws, Rules or Regulations of TQMA. Any recommended changes to the bylaws of club rules shall be put before the membership with the previously stated quorum.

SECTION 1: DUTIES OF THE PRESIDENT

The president is the Chief Executive of the association and as such shall enforce all provisions and purposes of the association. (The president shall not run for or hold the regional director office during his/ her tenure.) The president shall perform the following:

- 1) Preside at all meetings of the membership and the Board of Directors.
- 2) May sign warrants supported by statements, which are drawn on the treasury.
- 3) Appoint members of all committees, except the nominating committee, including request for special committees.
- 4) Verify the bank balance monthly.
- 5) Be a non-voting member of every committee except the nominating committee.
- 6) Perform all duties as may be necessary.
- 7) Shall preside over office and Board of Director voting at the June meeting, assigned ballots being drawn up, passed out, collected and tallied.
- 8) The President or Secretary distributes all officers' club documents.

SECTION 2: DUTIES OF THE VICE PRESIDENT

The Vice President shall, in the absence of the President, perform the duties of that office and shall discharge any other duties required of that office.

SECTION 3: DUTIES OF THE SECRETARY

The Secretary shall perform the following duties:

- 1) Keep the membership records and issue membership cards in a timely manner.
- 2) Email or mail notices to all members of meetings, minutes of previous meetings, Bylaws, club rules, and Articles of Incorporation thereof.
- 3) Keep minutes, with accuracy, in proper books kept for this purpose.
- 4) Report to the membership the minutes of any Executive Board meeting.
- 5) Report all correspondence.
Distribute all QMA and TQMA rules and regulations to all members, including the latest updates.
- 6) The Secretary will work with the Treasurer or an appointed person to register and collect all pit fees and record all entries. An entry cannot be accepted without the proper safety inspections slips for the Safety Director and current TQMA membership and insurance cards.
- 7) The secretary shall perform all other duties required as directed by the membership.
- 8) The Secretary is also a non-voting member of all committees, except the nominating committee.

SECTION 4: DUTIES OF THE TREASURER

The Treasurer shall perform the following duties:

- 1) Receive and disperse all funds from and for TQMA. A complete set of books shall be kept listing all checks, cash, donations, sales of tickets, and all other forms of income. If two payments of insufficient funds are received, only cash will be accepted. A member who issues a check to TQMA which has been returned for insufficient funds cannot race the next race until full restitution has been made.
- 2) Give accounting at each monthly meeting.
- 3) Present an estimated expense to the membership regarding track expenses, trophy expenditures, and insurance. This should be done at the first meeting and an accurate account at the final meeting of the year.
- 4) The treasurer will work with the Secretary at registration and receive all pit fees or entries. All fees and monies are to be deposited within three (3) banking days to the TQMA checking account with an accredited banking institution.
- 5) One (1) signature from the Executive Board of Directors is required to issue a check for purchases of less than \$500. Two (2) signatures shall be required for all purchases of \$500 and over. Receipts shall be required in order to be reimbursed for any expenses. Advances can be made for up to \$500. No additional monies can be advanced until receipts are submitted. The receipts shall be submitted within thirty (30) days of advance.
- 6) An audit of the TQMA treasury shall be performed by an accredited accounting firm, which is not affiliated with the Association.
- 7) All appropriate tax forms shall be filed every year.

SECTION 5: DUTIES OF THE TECHNICAL DIRECTOR

The Technical Director, as head of the Technical Department, is directly responsible to the Board of Directors for the administration and interpretation of all rules having to do with the specifications of all cars as to design, general construction, size, weight, fuel, and engines. He/she shall also be directly responsible to the Board of Directors for the administration and interpretation of all rules and regulations as to classification of all cars and drivers and all racing procedures having to do with the conduct of all qualifying, competitive training, and education programs and events as they may concern the Technical Director.

SECTION 6: DUTIES OF THE SAFETY DIRECTOR

The Safety Director, as head of the Safety Department, is directly responsible to the Board of Directors for the administration and interpretation of all the rules having to do with all driver equipment, the handling of all fuel, gasoline and other volatile substances, all the safety belts, and the harnesses, as well as all rules and regulations involving the safety of drivers or of the public in the conduct of all qualifying competition, training, or educational programs and events as they may concern the Safety Director.

SECTION 7: DUTIES OF THE PUBLICITY DIRECTOR

The Publicity Director shall handle the publicity affairs of the Association as directed by the Board of Directors, shall be responsible for the newsletter and other forms of publicity for TQMA and shall also be responsible for the public relations and promotional programs.

SECTION 8: DUTIES OF THE RACE DIRECTOR

The members of TQMA shall elect the Race Director and his/her responsibilities are:

- 1) Conduct the Handler's meeting.
- 2) Begin the race on time
- 3) Appoint a Head Judge who in turn shall appoint judges for each race according to class.
- 4) Appoint a flagman as necessary.
- 5) Insure proper conduct of all members. If disciplinary action is deemed necessary, the member(owner, handler and/or driver) may be barred from participating at that event after conferring with the executive board.
- 6) Accept all written protest submitted properly with the time allotted, not to exceed one (1)hour after the incident in question and to assemble the proper protest committee for prompt action (only TQMA members may file an official protest-no verbal protests will be accepted from anyone)
- 7) Shall insure the track is ready for the race and shall insure that the track is properly secured at the end of the race. The Race Director shall insure that all TQMA equipment, doors and gates are secured prior to leaving at the end of the race day.

SECTION 9: DUTIES OF THE HEAD OF TOWER

The Head of Tower is directly responsible for all administrative duties on race day as follows:

- 1) Assist the Secretary to register and collect all pit fees and record all entries. An entry cannot be accepted without the proper safety inspections slip from the safety director and current TQMA membership and insurance.
- 2) Complete and post race lineups.
- 3) Maintains supplies of all needed race related documents.
- 4) Keep track of the pill draw.
- 5) Keep accurate account of qualifying track records.
- 6) All race results are recorded and reported to person(s) assigned to keep track of season points.
- 7) To assign scoring people for all heat and main races, and to assist in training new members on how to score a race.

SECTION 10: DUTIES OF THE NOVICE TRAINER

The Novice Trainer is directly responsible for instructing new drivers and handlers in procedures and safety of Quarter Midget Racing. It is also the duty of the Novice Trainer to work with the handlers to determine when a driver is ready to graduate and report to the Board of Directors. Novice program falls under Regional Director – Novice Trainer and Novice Committee.

SECTION 11: DUTIES OF HEAD OF CONSTRUCTION

The Head of Construction Director is directly responsible for all the track maintenance and improvements and is directly responsible to the board of directors for the administration and development of the track facilities.

SECTION 12: DUTIES OF THE PIT STEWARD

The Pit Steward shall perform the following duties on race day:

- 1) Assign flag people for practice sessions.
- 2) Inform handlers when cars are allowed to enter the track and when cars are exiting the track.
- 3) Gets cars lined up in the pit area.
- 4) Make sure the gates remain closed except when cars are entering and exiting the track.

SECTION 13: REMOVAL FROM OFFICE

Failure to fulfill the duties of any elected office shall be just cause for removal from the office by a quorum of the membership.

SECTION 14: REMUNERATION

All TQMA members shall donate their services and shall receive no remuneration of any kind.

SECTION 15: MEMBERSHIP

No officer may hold an office in any other Quarter Midget Club except his home club, but can be a Member at Large.

A TQMA member may be dropped for violation of TQMA bylaws, club rules, or just cause.

SECTION 16: NATIONAL OFFICE

Any TQMA officer may also hold an office in QMA.

SECTION 16: FULFILLMENT OF ELECTED TERMS

Any elected Board member not fulfilling an elected term, for other than personal hardship, shall not be eligible to run for the upcoming year Board elections.

ARTICLE VI

EQUIPMENT

SECTION 1

All equipment pertaining to, donated to, or purchased for the Association, or held for the Association, and supplies used in connection herewith, and all funds of said Association from whatever source obtained, including receipts from operations, shall be used only for the improvement of the property and services of this Association. All equipment shall be inventoried and entered into a Master Log. A receipt will be issued for donations in excess of \$250.00 in value. Any persons loaning equipment to TQMA for use, shall have a conditions of use agreement.

SECTION 2

No profit or earnings of any kind will be distributed to the membership of the Association. All such earnings and profits, if any, shall be used by the Association to improve, expand and extend its facilities and services according to the purpose as set forth in the Articles of Incorporation.

ARTICLE VII

MEMBERSHIP

SECTION 1

The membership of this Association shall be open to anyone desiring to become a member thereof and to assist in furthering the purposes of the Association. No one need own a Quarter Midget race car in order to qualify for membership. TQMA reserves the right to refuse membership to any person for just cause. Just cause is defined as any actions, intentional or non-intentional, that cause the TQMA club or its members hip hardship or is found to be detrimental to the club or its members.

SECTION 2

Each family membership with an active driver as previously defined, is entitled to two (2) votes per family. (one (1) for National issues) That is husband and/or wife at a general meeting. A member in good standing having participated at least three meetings throughout the year, participated in at least half the work parties, helped on race days, participated in at least half the promotional events, and/or donated goods or services will be eligible to vote in major club decisions including votes for officers and directors. The first scheduled meetings in April and May will be designated for the nominations of officers and directors. Nominations will be completed at the end of the May meeting and voting will be done at the June meeting.

SECTION 3

Membership may be obtained by payment of dues to the Treasurer annually, with the renewal date being January 1st and ending December 31st. Prepayment for the next year can be paid any time after September 1st but dues must be paid by the first race in January or a member will not be eligible to race. (National renewal dates- Due; October 31st- late December 31st) All members of the Association, including officers, shall pay dues to QMA in the amount of \$75.00 for a family membership or \$25.00 for an alternate handler/associate membership. QMA members wishing to transfer membership to TQMA from another QMA club will need to pay full club fees in order to be considered a voting members, provided other voting eligibility is met.. Transfer members not paying the full club fee will be considered

nonvoting members for one year or until full club fees are paid and voting eligibility is met. Transfer members deciding to pay full club fees or change membership status within 30 days of a major club vote will be ineligible to participate in any major vote for 30 days, even if voting eligibility is otherwise met. Voting rights, minutes and any newsletter publications are only available to regular memberships of TQMA. Drivers may only be on family membership applications of QMA and TQMA.

SECTION 4

In addition to said dues, members owning Quarter Midgets race cars shall pay and take driver insurance from the Association if not properly covered by another fully chartered QMA club. This fee is included above.

SECTION 5

Any member charged with conduct unbecoming a Quarter Midget Club member may be expelled from the membership by a quorum of the Board of Directors.

ARTICLE VIII

MEMBERSHIP HEARING PROCEDURES

National Code of Conduct is in effect and available through the procedure manual or on the National website.

Any member, Officer or Board member can be suspended or removed from membership for just cause, as determined by the Board of Directors. Any TQMA member may file a complaint against another with a written letter to the president. The Executive board will review the grievance and present it to the Board of Directors. General/just cause can be, but not limited to, the physical or verbal abuse of a child, member, judge, race official or member of the general public, in person or through multimedia (i.e. internet social network sites, e-mail, text messaging, voicemails, etc.) or any other causes approved by the Board of Directors. Recommendation of fines, suspension or removal will be determined based on the degree of the infraction. Any former or current TQMA member found to act in any way felt to be detrimental to the TQMA club and its membership and felt to be in direct conflict with the TQMA mission of providing a safe and fun racing experience for kids, may be banned from the track for life, as determined by the Board of Directors. TQMA membership is a privilege and not a right. After the Board of Directors has reviewed a grievance or complaint and made their recommendation, the offending member will be given written notice of a time and place for a hearing with an opportunity to defend or explain. If a grievance is enough to dismiss or remove a member, a two-thirds (2/3) vote of the Board of Directors will be enough to remove that member. If removal is not passed, a vote of the majority of the Board of Directors will be enough to suspend or fine the offender.

A member notified of a suspension will not be able to participate in any club activities. A member who appeals their suspension shall not be allowed to race or participate in club activities at a local level, without approval of the Board of Directors, until the appeal is heard and reversed by the appropriate board.

Any former or current TQMA member suspended, expelled or banned from the TQMA track will not be allowed on the TQMA premises for any reason, nor will said person be allowed to attend any TQMA events or meetings. Any current TQMA member who allows access to the TQMA track to any former or current TQMA member, who is currently banned or suspended from TQMA, will be issued a 90 day suspension and will be placed on probation for one year.

If a grievance involves an Executive Board member or a Board member, the same procedure is followed as above. The President calls the meeting to order and the Secretary takes the minutes. If the grievance involves the President, the President will open the hearing and then pass the gavel to the Vice President. The Secretary takes the minutes. If the grievance involves both the President and the Vice President, the President will open the hearing and then pass the gavel to the Secretary and the Treasurer takes the minutes. If the grievance involves the Secretary, the President can assign the Vice President or

the Treasurer to take the minutes. If the grievance is filed against the Treasurer, the same procedure is used as outlined above.

If any action results in the resignation or removal from the Association, the President has the option of appointing a replacement or recommending a replacement to the Board of Directors. The President can also choose to let the membership elect a replacement. If the President resigns or is removed, the Vice President assumes the Presidency.

ARTICLE IX

MEETINGS

SECTION 1

General membership meetings will be held at least 8 times per year. Meetings are to consider reports of the Association and to transact such other business as may be properly brought before the membership.

SECTION 2

All members shall receive written notice of all regular meetings. Said written notices shall be given by the Secretary and shall be mailed and/or emailed by request of the member, at least three (3) days prior to the meeting, except special meetings called by the President or the Board of Directors.

ARTICLE X

VOTING PROCEDURES

Proxy voting will not be allowed. Members must be present to vote and considered members in good standing. No more than two (2) votes are allowed per family (husband and wife) one (1) for National. A member meeting the voting criteria as defined earlier will be eligible to vote in any major club decision and for nominated officers and directors. Nominations shall be completed at the close of the May meeting. Elections shall take place at the next scheduled meeting in June. When ballots are called for and collected, voting is complete. Elected officers and directors will be elected for a one (1) year term. At the beginning of the New Year a majority can change previous rules and bylaws. Any motions made from the floor or any committee recommendations shall be decided from a majority vote. After a vote has decided the question, a two-thirds (2/3) vote of the membership present is required to repeal or amend the question. This includes meetings of the Board of Directors. Any and all committee recommendations will be voted on by the membership. No committee can make a mandatory rule or judgment. All rules or bylaw changes must be mailed out fifteen days prior to the next meeting.

ARTICLE XI

CERTIFICATES

The Association will issue neither shares of stock or membership certificates. The capital of this Association shall be obtained entirely by donations and contributions, dues, assessments, and such earnings as may be realized from operations of the Association.