

NORTH CAROLINA SECTION BYLAWS

(Adopted 10/7/88, Revised 10/27/2000)

Proposed Revisions November 2, 2004, November 30, 2004, May 24, 2005 & July 21, 2005

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ARTICLE I - MEMBERSHIP

Section 1.1 - Members of the Section shall consist of those Institute members as specified in the Charter of the North Carolina Section of the Institute of Transportation Engineers.

Section 1.2 – Affiliates of the Section shall be all persons who do not meet the requirements as specified in the Charter of the North Carolina Section of Institute of Transportation Engineers.

Section 1.3 - The Board shall establish standards and procedures to be followed in the admission of all members.

Section 1.4 - The Section Membership Committee shall be responsible for processing all applications, including securing confidential reports from the applicant's references as required. Applications shall be filed on forms prescribed by the Section. The Section Membership Committee shall review each application and based on applicant's education, experience records, and confidential reports of the references together with its own judgement is empowered to approve by majority vote an applicant's membership into the Section.

Section 1.5 – An affirmative vote of the Section Membership Committee members shall constitute election of an applicant's membership into the Section. Otherwise, the application shall be forwarded to the Section Board for review and consideration. The Section Membership Committee shall report to the Section Board all membership actions taken.

ARTICLE II - RESIGNATION AND EXPULSION

Section 2.1 - Any Member, or Section Affiliate may resign from the Section by written request to the Section Board. If the Member's Section dues have been paid, the Board shall accept the resignation.

Section 2.2 - Any Member, or Section Affiliate whose section dues are more than one year in arrears shall be dropped from Section rolls by the Section Board, and the unpaid dues shall become an obligation to be paid before the delinquent can be restored to good standing in the Section.

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Section 2.3 - Any Section Member whose Institute membership has been forfeited shall automatically forfeit membership in the Section, and will be eligible to reapply for membership in the Institute. Any member of the Institute who is placed on inactive status by the Institute Board of Directors shall automatically be placed on inactive status by the Section Board.

Section 2.4 - Any Section Affiliate who, by reason of change in occupation or profession, shall cease to be in contact regularly and frequently with transportation professionals shall forfeit affiliation with the Section without prejudice.

Section 2.5 - 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 2.6 - The Section Board shall consider the expulsion of any Section Affiliate (a) upon derogatory 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 Board shall thereupon follow the procedure set forth in Article II, Section 17 of the Institute Constitution. In the event such a charge is brought against a Member or Affiliate of the Institute, the Section Board shall immediately refer the matter to the Institute Board of Directors for handling as provided in Article II, Section 17 of the Institute Constitution.

ARTICLE III - FEES, DUES AND ASSESSMENTS

Section 3.1 - An entrance fee and transfer fee may be established by the Section Board.

Section 3.2 - Annual dues shall be established by the Section Board. Dues shall be payable according to the International Institute Board of Direction billing schedule. Dues for new Members and Section Affiliates shall be payable on election. Retired Life, Honorary Members, and any retired member may be exempt from dues and shall retain all rights and privileges of their membership classification. The Board by unanimous consent may waive the age requirement under extenuating circumstances.

Section 3.3 - Any member or Section Affiliate who dues are more than six months in arrears shall lose the right to vote and to receive the publications of the Section. Should the dues of Members or Section Affiliates become one year in arrears, their connection with the Section shall become forfeited. The Section Board, however, may for cause, extend the time for payment and for the application of these penalties.

Section 3.4 - Special assessments may be made by mail ballot upon affirmative vote of the majority of the Members voting.

ARTICLE IV - NOMINATION AND ELECTION OF OFFICERS, DIRECTORS AND SECTION REPRESENTATIVES

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Section 4.1 - Officers of the Section shall include: A President, Vice President, Secretary, Treasurer, two Directors, one of who shall be the immediate living past president; the other being elected from the Section at large. Only Institute Members may hold these offices. In addition, there shall be two Affiliate directors who may vote on actions which fall within the exclusive jurisdiction of the Section. The terms of the elected officers (President, Vice President, Secretary, and Treasurer) shall be one year beginning January 1st each year. No Member shall serve consecutive terms as President.

Section 4.2 - The President, Vice President, Secretary, Treasurer, and one Director shall be elected by the Members. The Affiliate Directors shall be elected by the Affiliates and serve two-year staggered terms.

Section 4.3 – District 5 Section Representatives shall represent the Section on the District 5 Board. Their number, length of term and date of office are as specified in the District 5 bylaws. They shall be elected by the Members of the Section and serve staggered terms.

Section 4.4 - 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 Board may elect a member to fill the unexpired term.

Section 4.5 - At least ninety (90) days before the Annual Meeting the President shall appoint a nominating committee comprised of at least three (3) Members, and at least three (3) Affiliates.

Section 4.6 – The Nominating Committee shall nominate one or more qualified candidates for each elective office. Written consent to hold office if elected must be received from each person nominated. The Nominating Committee shall transmit its list of nominees to the President at least seventy-five (75) days before the Annual Meeting.

Section 4.7 - At least sixty (60) days before the Annual Meeting the Section Membership shall be informed of the nominated slate of Officers. Additional nominations for any office may be made by petition signed by not less than five Members in appropriate membership categories. Each such petition shall be accompanied by the written consent of the nominee to run for the designated office and serve, if elected. The President must receive petitions at least forty-five (45) days before the Annual Meeting. Members nominated for more than one office shall be considered a candidate only for the one office they prefer.

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Section 4.8 In the event the Section Membership nominates an additional candidate or candidates as provided in Article IV, Section 7 or more than one qualified candidate for elective office has been nominated as Provided in Article IV, Section 6 and 7, no later than thirty (30) days prior to the Annual Meeting, a final ballot listing the candidates nominated shall be sent to each eligible voter. Final ballots returned by eligible voters before the election at the Annual Meeting shall be canvassed at the Annual Meeting by tellers appointed by the President and they shall report the results in a manner prescribed by the Section Board. The candidate(s) receiving the highest number of votes for each office and who in number equal the number of offices to be filled shall be declared elected. In case of a tie vote, the new Section Board at their first meeting shall choose between the candidates.

Section 4.9 – The President, Vice President, Secretary, Treasurer, two Directors (one of who shall be the immediate living past president; the other being elected from the Section at large), and the two Affiliate directors shall constitute the Section Board of Directors and are hereafter referred as the Section Board. The District 5 Section Representatives shall be Ex-officio non-voting members of the Section Board.

ARTICLE V - MEETINGS

Section 5.1 - Regular meetings of the Section shall be held as determined by the Section Board, but no less than one meeting a year shall be held. The Section Board may call special meetings when conditions justify. No action affecting the Section shall be taken at any special meeting, however, unless at least fourteen days written notice concerning the matter has been sent to all members.

Section 5.2 - An Annual Meeting of the Section shall be held at a time and place approved by the Section Board. A report of the financial condition of the Section shall be made at the Annual Meeting. Committee reports and reports by the President may be made at any meeting.

Section 5.3 - Installation ceremonies for Officers shall be held at the Annual Meeting.

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ARTICLE VI - GOVERNMENT

Section 6.1 - The Government of the Section shall be vested in the Section Board. The Board shall manage the affairs of the Section in conformance with the provisions of the Section Charter and Bylaws.

Section 6.2 - The President shall preside at meetings of the Section and of the Section 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 committees, councils, and task forces as deemed necessary and desirable. Operating policies will be established by the Section Board.

ARTICLE VII - VOTING AND VOTING ELIGIBILITY

Section 7.1 - Voting for officers and section representatives, amendments to these Bylaws, petitions to amend the Charter, and other matters which affect the relationship of the Section to the Institute shall be carried out in a manner prescribed by the board.

Section 7.2 - When voting is required, a paper or secured electronic process may be used in a manner prescribed by the board. The voting process shall be made available to all eligible members.

Section 7.3 – Before the votes are canvassed, the eligibility of voting members shall be checked in a manner prescribed by the board.

Section 7.4 – The President shall appoint a Tellers Committee to tally votes and report the results.

ARTICLE VIII - AMENDMENTS

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

Section 8.2 - Proposed amendments to these Bylaws shall be submitted by letter to the membership eligible to vote. The amendments shall be submitted as prescribed in Article VII.

Section 8.3 - An affirmative vote of two-thirds of all ballots cast shall be necessary for the adoption of any amendments to the Bylaws.

Section 8.4 - Amendments to the Bylaws so adopted shall take effect when filed with the Institute Board of Direction, as provided in the Charter.

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