

# Constitution and By-Laws

of the  
MICHIGAN DRIVER AND TRAFFIC SAFETY EDUCATION ASSOCIATION  
Revised: April 22, 2024

## ARTICLE I NAME AND ADDRESS

- Section 1. This organization shall be known as the MICHIGAN DRIVER AND TRAFFIC SAFETY EDUCATION ASSOCIATION (MDTSEA). The Association shall be incorporated as a non-profit organization under Act No. 327, Public Acts of 1931, as amended.
- Section 2. Association and Secretariat mailing addresses shall be found in the By-Laws.

## ARTICLE II PURPOSES

- Section 1. The purposes of this Association shall be:
- a) To promote and encourage the teaching of driver and traffic safety education to school youth of the state of Michigan.
  - b) To study, evaluate and attempt to solve the problems that are associated with the teaching of driver and traffic safety education.
  - c) To cooperate with agencies in the interest of teaching driver and traffic safety education to students in the state of Michigan.
  - d) To improve and upgrade requirements for driver and traffic safety education programs.
- Section 2. Said organization is organized exclusively for charitable, religious, and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (C) (3) of the Internal Revenue Code, or corresponding section of any future Federal Tax Code.
- Section 3. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (A) by an organization exempt from Federal income tax under Section 501 (C) (3) of the Internal Revenue Code, corresponding section of any future Federal Tax Code, or (B) by an organization, contributions to which are deductible under Section 170 (C) (2) of the Internal Revenue Code, or corresponding section of any future Federal Tax Code.

### ARTICLE III MEMBERSHIP

- Section 1. Membership in MDTSEA shall be individual, honorary, sustaining, and complimentary. Membership in MDTSEA shall include a dual membership with American Driver and Traffic Safety Education Association (ADTSEA). Individuals and/or organizations eligible for membership as active, associate, or sustaining members may become members upon payment of dues.
- Section 2. Individual members shall be any individual engaged in driver and/or traffic safety education/training or related activities.
- Section 3. Honorary membership may be granted to individuals who have made outstanding contributions to driver and traffic safety education upon action of the President with the approval of the Executive Board or upon three-fourths (3/4) majority vote by active members present at any Association meeting. Past presidents shall automatically be granted honorary memberships. The ADTSEA portion of the dual membership shall be paid by the individual, not MDTSEA.
- Section 4. Sustaining members shall be any organization or provider that contributes to MDTSEA. It may also include individuals that wish to support MDTSEA but are not directly involved in driver education or traffic safety.
- Section 5. A one-year Complimentary membership is issued to newly approved driver education instructors, provided by the current Instructor Preparation Program providers. The ADTSEA portion of the dual membership shall be paid by the individual, not MDTSEA.

### ARTICLE IV OFFICERS

- Section 1. The officers of the Association shall be a President, President-Elect, Secretary, and Treasurer.
- Section 2. Association officers shall be elected by Secret Ballot at the annual business meeting. Members who are unable to attend the annual meeting may request an absentee ballot from the Secretariat within 30 days of the annual business meeting.
- Section 3. Incoming officers shall take office at 12:00 p.m. (noon) on the first Sunday following the annual business meeting.
- Section 4. The President, President-Elect, and Secretary shall serve a term of one (1) year. The Treasurer shall serve a term of two (2) years and be elected in the odd-numbered year.
- Section 5. At the conclusion of the President's term of office, the President-Elect shall become the President.
- Section 6. In the event of a vacancy in the office of President, the President-Elect shall complete the vacated term, at the conclusion of which, they shall commence and complete the term for which they were elected.

- Section 7. In the event of a vacancy in the office of President-Elect, Treasurer, or Secretary, the Executive Board may conduct a special election or appoint an individual to carry out the duties of that office until the office can be filled at the annual business meeting.
- Section 8. No individual shall hold more than one elective position in the Association at one time.
- Section 9. All officers shall be, at the time of their nomination and election, current members of MDTSEA. All nominees should have at least one year of experience on the MDTSEA Executive Board.

#### ARTICLE V DUTIES OF OFFICERS

- Section 1. The President shall preside at all meetings of the Association and of the Executive Board. With Executive Board approval, the President shall appoint chairpersons and members for all standing committees within 30 days of the annual business meeting and temporary committees as needed. The President shall serve as an ex-officio member of all committees.
- Section 2. The President-Elect shall assume all duties of the President in the absence of the President. In addition, the President-Elect shall serve as Chairperson of the State Conference Committee.
- Section 3. The Treasurer shall have charge of all monies of the Association, and shall pay all Association debts at the direction and approval of the President and/or Executive Board. Following the election of the Treasurer, the Executive Board shall select and appoint one (1) or two (2) Executive Board members to become joint signatories on all bank accounts and investment instruments. The Treasurer shall prepare, distribute, and maintain a detailed treasurer report for the annual business meeting and every Executive Board meeting.
- Section 4. The Secretary shall prepare, distribute, and maintain a permanent record of all business conducted at official Association meetings.
- Section 5. In addition to the duties of the officers as outlined in other sections of this Article, the officers shall perform other duties which pertain to their office in an organization.

#### ARTICLE VI DISTRICT REPRESENTATIVES

- Section 1. District Representatives shall be appointed by the President with a simple majority approval of the Executive Board. When deciding upon the number of representatives for any district, consideration should be given to the number of driving school locations, number of counties, and the population within the district.
- Section 2. The District Representatives shall serve as a representative of their district at Executive Board meetings. District Representatives may assist in coordinating state-approved professional development activities and should help increase

MDTSEA membership within their district.

## ARTICLE VII SECRETARIAT

- Section 1. The Secretariat shall serve as a clearing house for Association activities, including telephone service; maintenance of records; correspondence and inquiries; prepare reports upon request; prepare and distribute the Association newsletters and member communications; coordinate the Association budget and audit financial documents or reports; prepare conference and workshop agendas and paperwork; maintain membership lists; maintain an inventory list of equipment, supplies, and sales items; coordinate all state filings and tax preparation.
- Section 2. The Association may employ a secretariat. The compensation shall be determined by the Executive Board.

## ARTICLE VIII EXECUTIVE BOARD

- Section 1. The Executive Board shall consist of Association Officers, all Past Presidents, District Representatives, the Secretariat, and the Chairpersons of the Standing Committees.
- Section 2. Ex-officio members of the Executive Board shall be individuals who are not active driver education instructors or providers but are deemed beneficial to the operation of the Association. The President, upon the vote of three-fourths (3/4) of the Executive Board, may designate an individual as an ex-officio Executive Board member. Ex-officio members shall not have a vote on the Executive Board.
- Section 3. Elected or appointed members of the Executive Board who fail to meet the responsibilities of their office may be replaced upon the vote of three-fourths (3/4) of the Executive Board members. An elective or appointed office vacated in this manner shall be filled by nomination and election or appointment at the next regular Association Executive Board meeting.
- Section 4. Disqualification from the MDTSEA Executive Board participation shall include, but not be limited to:
- a) Any conviction which would disqualify an individual from obtaining or maintaining teacher approval from the Michigan Department of State, as outlined in Public Act 384 of 2006.
  - b) Any conviction or disciplinary action which would disqualify an individual from obtaining or maintaining a driver education provider and/or instructor certificate issued by the Michigan Department of State for the purpose of operating a driving school or providing driving instruction, as outlined in Public Act 384 of 2006.
  - c) Any conviction or disciplinary action as outlined above shall result in the loss of Executive Board participation for a period of not less than thirty-six (36) months from the date of the conviction, Michigan Department of State action, or other date as determined by the Executive Board.

## ARTICLE IX COMMITTEES

- Section 1. After the annual business meeting, the newly elected President, with the approval of the Executive Board, shall appoint standing committee members and designate each committee chairperson, at the next Executive Board meeting. All committees shall be listed, with their defined duties, in the By-Laws.
- Section 2. In addition to the standing committees, the President, with the approval of the Executive Board, may appoint temporary committees that are deemed necessary to carry on the work of the Association.
- Section 3. Each committee, both standing and temporary, shall consist of at least three members.
- Section 4. A written summary of committee meetings shall be submitted by the Chairperson to the Secretary to be included in the official Executive Board meeting minutes. The Chairperson shall give a report of the committee activities at each Executive Board meeting.

## ARTICLE X NEWSLETTER

- Section 1. The Association Newsletter shall be posted at least four (4) times per calendar year.

## ARTICLE XI MEETINGS

- Section 1. There shall be one (1) annual business meeting each year, the time and place to be at the discretion of the Executive Board.
- The members of the Association shall be notified of the annual business meeting at least 30 days prior to the meeting. The annual business meeting should be in conjunction with the annual state conference.
- Section 2. Executive Board meetings may be scheduled as follows:
- a) The day prior to the annual business meeting.
  - b) In March, June, September, and December.
  - c) At the discretion of the President.
- Section 3. Special meetings may be held at the call of the Executive Board or may be called by petition of 10% of the current members of MDTSEA.
- Section 4. If the President and President Elect are absent, the past presidents in descending order will assume the President's duties for that meeting.

## ARTICLE XII AMENDMENTS

Section 1. Constitutional or By-Law Amendment(s) requests shall be made to the Constitution and By-Laws Committee at least one week prior to a scheduled Executive Board meeting.

The Constitution and By-Laws Committee shall review the request and compose a draft for review at the following Executive Board meeting.

The Executive Board, with a two-thirds (2/3) vote shall approve a draft version prior to being presented to the members.

Section 2. The Constitution may be amended by a two-thirds (2/3) majority vote of the members casting a vote. When amendment(s) to the Constitution are to be voted upon at the annual business meeting, members unable to attend may request an absentee ballot from the Secretariat. Said Amendment(s) shall have been submitted to the Secretariat in writing by the constitution and by-laws committee and a copy circulated among the members at least thirty (30) days prior to the time at which the vote is taken.

Section 3. The By-Laws of this document may be amended by a two-thirds (2/3) majority vote at any regular or special meeting of the Executive Board. All successful amendments shall be subject to review at the next annual business meeting.

Section 4. The method of voting on Amendments shall be determined by the Executive Board.

## ARTICLE XIII DECLARATION OF AN EMERGENCY

Section 1. A declaration may be requested, for the Executive Board's consideration, through one of the following:

- a) when three (3) or more Executive Committee Members advise the President;  
OR
- b) when the President, the President-Elect, and either the Secretary or Treasurer advise the Executive Board; OR
- c) by a majority vote of the Executive Board.

Section 2. The request for a declaration of an emergency shall be considered by the Executive Board. If warranted, the Executive Board shall declare an emergency.

- a) A declaration shall give the Executive Board the authority to respond to the emergency, and the Executive Board must make a declaration to the membership if an emergency happens.
- b) The Executive Board shall determine the length of the declaration of emergency. The length of the declaration may be amended by the Executive Board based on circumstance(s).

## ARTICLE XIV DISSOLUTION

- Section 1. The Association shall be dissolved only upon the vote of a two-thirds (2/3) majority of the membership upon one year's notice.
- Section 2. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (C) (3) of the Internal Revenue Code, or corresponding section of any future Federal Tax Code, or shall be distributed to the Federal Government, or to a State or Local Government, for a public purpose. Any such assets not disposed of shall be disposed of by the circuit court of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.
- Section 3. None of the assets of the Association shall ever revert to the individuals or organizations comprising its membership.

# MDTSEA BY-LAWS

Revised: April 22, 2024

## ARTICLE I RULES OF ORDER

- Section 1. The revised Roberts Rules of Order shall be the authority on all questions not specifically stated in this Constitution or its By-Laws.

## ARTICLE II DUES

- Section 1. The dues of this Association shall be determined by the Executive Board. A MDTSEA membership will be a dual membership which will also grant them an ADTSEA membership. This dual membership will be paid as one fee. The membership shall expire one year following receipt of dues.
- Section 2. The MDTSEA portion of the dues are waived for honorary and complimentary memberships. The ADTSEA portion of the dues must be paid by the individual.
- Section 3. Members whose dues are not paid on or before the renewal date shall be dropped from the membership rolls.

## ARTICLE III QUORUM

- Section 1. At least 51% of the Executive Board members shall be present to constitute a quorum for transacting official business of the Association.

## ARTICLE IV STANDING COMMITTEES

- Section 1. The Association's standing committees and duties are as follows:
- a) Budget and Auditing Committee: Develop the Association budget and audit the books of the Treasurer at least twice per year. An officer other than the Treasurer shall serve as the Chairperson of this committee.
  - b) Constitution and By-Laws Committee: Review the Constitution and By-Laws and recommend changes to the Executive Board.
  - c) Legislative Committee: Assist in formulating the Association's legislative program(s) and update the Executive Board on pertinent legislation.
  - d) Nominations and Historian Committee: Secure a slate of candidates for the offices of President-Elect, Secretary, and Treasurer. Annually compile and record the Association's history via relative documents for display on the web site.
  - e) Membership and Award Committee: Promote individual and organizational memberships; recommend to the Executive Board candidates for Association awards and honors.



- f) Conference and Professional Development Committee: Recommend to the Executive Board the site, dates, and plans for the Association's annual conference and professional development activities.

## ARTICLE V CODE OF CONDUCT

- Section 1. Each person or entity acting for or representing the Association or its sponsored programs, as a member of the Executive Board, as an employee, as an independent contractor, or in any other official or unofficial capacity, shall abide by a Code of Conduct adopted by the Executive Board.
- Section 2. Periodic review of the Code of Conduct shall be an ongoing duty of the Executive Board and shall not be effective unless ratified by a majority vote by the Executive Board.
- Section 3. Enforcement of the Code of Conduct shall be a duty of the Executive Board. With a two-thirds (2/3) majority, the Executive Board may enforce the Code of Conduct against members of the Executive Board or other individuals or entities, by taking such actions as it deems appropriate, including but not limited to (i) removing from office Members of the Executive Board or Officers of the Association, (ii) firing employees, (iii) disallowing or placing limits on a person's or entity's actions for or representation of the Association, or (iv) any other action that the Executive Board deems necessary or appropriate.

## ARTICLE VI ASSOCIATION CONTACT INFORMATION

- Section 1. The Association contact information shall be:  
Address: PO Box 812, Hamburg, MI 48139  
Phone: (248) 880-7304  
Email: [secretariat@mdtsea.org](mailto:secretariat@mdtsea.org) and [info@mdtsea.org](mailto:info@mdtsea.org)  
Website: [www.mdtsea.org](http://www.mdtsea.org)

## ARTICLE VII ABSENTEE BALLOTS

- Section 1. Absentee ballots must be returned to the Secretariat no later than the Monday preceding the annual business meeting.

## ARTICLE VIII FISCAL YEAR

- Section 1. The MDTSEA fiscal year shall be January 1 through December 31.