

◆◆◆◆**NARCOA**◆◆◆◆

POLICY BOOK



VERSION 22 ◆ Nov 17, 2016

INDEX

<u>Section Number</u>	<u>Page</u>
Section 1: Affiliates	1
Section 2: Annual Meeting	2
Section 3: Committees	2
Section 4: Communications	2
Section 5: Elections	3
Section 6: Excursions	3
Section 7: Excursion Coordinators	4
Section 8: Insurance	4
Section 9: Membership	5
Section 10: Operations & Safety	5
Section 11: Rules	5
Section 12: Confidentiality	5
Section 13: Trademarks & Copyrights	5
Section 14: Electronic Signatures	5
Section 15: Operator and EC Periodic Testing	6

At the Sept. 9, 1995 NARCOA Board Meeting, the Board voted to establish a “Policy Book” that would be a “living document” of policies which the Board might establish from time to time.

The official operating language of NARCOA is English.

Section 1: Affiliates

1:01 NARCOA Bylaws define one Affiliates requirement as groups with open membership. A group may be one person or many. The following makes no changes to the Bylaws:

- 1) The NARCOA Board shall appoint an Affiliate Administrator to approve qualified and applying groups as Affiliates, during the periods between NARCOA Board meetings. A group so granted an affiliate status is termed “Temporary Affiliate”. The Affiliate Administrator shall have 30 days to render a decision on the application. The 30-day period will begin when the administrator has notified the applicant by mail that applicant has supplied sufficient information such that the 30- day time period has begun. If the date of such notification is less than 30 days prior to the annual NARCOA membership meeting, it shall be the option of the Affiliate Administrator to waive the 30-day period such that the Administrator can make a recommendation to the Board of Directors at the upcoming Board meeting. If the Administrator does not waive the time period as aforementioned, the Temporary Affiliate status will be carried over until the Board meets during the following year.
- 2) The NARCOA Board shall vote whether or not to grant “Permanent Affiliate” status for all groups deemed qualified by the Affiliate Administrator. This vote shall be taken at the regular fall Board meeting. Simple majority of those voting is needed to approve permanent status.
- 3) NARCOA sets the floor for safety with its Rule Book and Operations Manual. Affiliates which have certain rules more restrictive than set forth in these two documents, must not allow such rules to be used to preclude participation in excursions by the general NARCOA membership. Such restrictions must not be arbitrary or petty, and must be placed on all members equally in the cause of safety. The NARCOA President and Board shall have final say as to if certain restrictions do not meet the intent of this policy. Affiliates with restrictions must post them on the NARCOA web page, and such restrictions are open for review by all. The Affiliate Administrator shall also keep watch on the web page for violations. Any and all restrictions by an Affiliate are to be on the NARCOA web page at least 30 days before any excursion is held on which such restrictions apply. Use of restrictions for the purpose of eliminating specific NARCOA members from excursions is not allowed. Violating Affiliates may be removed from Affiliate status via #d below.
- 4) Removal from Permanent Affiliate status may only be done by the NARCOA President, with subsequent approval by the Board within 60 days (simple majority of those Directors voting by mail, telephone, meeting, or email). Cause for removal shall be: 1) violation of the open membership requirement, and/or 2) violation of item #c above.

- 1:02** All affiliates must send to the NARCOA webmaster, to post on the NARCOA web page, all rules which are required by that affiliate above the NARCOA base line set of rules. (A web link to the affiliate rules is sufficient.) This posting must occur at least one month before any excursion by that affiliate using those rules. Each operator must carry a printout of the additional rules with his/her NARCOA Rule Book for excursions with the affiliate. The Rule Book Committee Chair shall periodically monitor the rules and assure that all affiliate rules are proper rules. Additionally, should a number of affiliates pass a specific rule, the Rule Book Committee Chair shall present said rule to the NARCOA BoD for consideration of inclusion into the base line set.
- 1:03** An affiliate excursion coordinator must post their excursion on the NARCOA website prior to the Certificate of Insurance being issued. The website information will be made available to "The Setoff" for publication.
- 1:04** Individual members approved as affiliates are subject to a single dues payment.
- 1:05** Effective 1/1/01, any director, officer, excursion coordinator, or other authorized agent of an affiliate who violates any NARCOA rule, policy, procedure or other dictum, or who fails to cite any such violation when required to do so, may subject the affiliate to the loss of affiliate rights and privileges, as determined by the Board of Directors on a case by case basis.
- 1:06** The primary purpose for the formation of a NARCOA Affiliate is to provide motorcar excursions for members on host railroads. Organizations or legal entities connected with, controlled by, or majority owned by businesses, such as "for-profit" corporations which have significant non-motorcar related interests, will not be accepted as NARCOA Affiliates without specific prior approval of the NARCOA Board of Director's. Exceptions are allowed for railroad related 501(c)(7) or 501(c)(3) non-profit groups such as museums, which have a primary purpose of railroad preservation or historic railroad operation, to which motorcar operations are a logical extension. (3-9-09)

Section 2: Annual Meeting

- 2:01** Each Director, each committee chairperson (or his/her designee), the Recording Secretary, the Editor of "The SETOFF", and any member-at-large if approved by the NARCOA President in advance, upon request, will be fully reimbursed for hotel costs, and mileage (prevailing IRS rate per round-trip mile) or airline costs.
- 2:02** Any business conducted throughout the year outside the annual Board of Directors meeting requiring vote by mail or electronic means shall be duly recorded by the secretary and read at the next Board of Directors meeting.

Section 3: Committees

- 3:01** Committee chairpersons will report their committee members at each Board meeting.
- 3:02** The Judicial Committee will decide procedures and policies to be followed where a rules violation, incident, or other circumstance suggest the need for a penalty. The committee will report its recommendations to the Board of Directors which must approve a penalty before it can be instituted. The Judicial Committee to be composed of a minimum of 7 members, who will include the Chairs of the Rules, Safety and Operations committees, along with at least 4 other members appointed by the Judicial Committee Chairman and confirmed by the NARCOA President.

Section 4: Communications

- 4:01** The NARCOA President appoints the Editor of "The Setoff".
- 4:02** Letters to the Editor of "The SETOFF" will be recorded as being received for publication two months after the date of actual receipt by "The SETOFF" Editor. This will permit one publication period to pass before the letter is printed, allowing review of the letter and possible response to it by a Board member to be printed simultaneously.
- 4:03** Letters to the Editor of "The Setoff" will not be published unless they are signed, and a phone number is indicated. This is necessary to permit "The Setoff" Editor to authenticate that a letter is written by the person signing. However, the letter writer can request that his/her name not appear in "The Setoff", and "Name withheld upon request" would appear in such instances. This policy is to be placed in the letter policy statement in each issue of "The Setoff".

- 4:04** The NARCOA Forum email list shall be administered by a moderator appointed by the President and approved by the Board of Directors. The moderator will police the Forum for any postings that may appear to be inappropriate. Upon his discretion he may remove a list subscriber for a period of time, or permanently, depending on the posting's circumstance. The moderator, upon removing a list member shall notify the suspended NARCOA member's Area Director of such action for a potential review.
- 4:05** Only NARCOA members may advertise events or items for sale on the NARCOA website or in "The Setoff".
- 4:06** Recommended production deadlines for "The SETOFF" are:
- 1) "The SETOFF" production deadline is the 10th of the month preceding the month of issue; the goal is to have "The SETOFF" in the hands of the membership by the first of the issue month,
 - 2) the annual NARCOA Calendar production deadline is Sept. 15th; the goal is to have it in the hands of the membership by Nov. 1st,
 - 3) the annual Area Director election ballots production deadline is April 15th; the goal is to have ballots in the hands of the membership by May 1st, mailed together with "The SETOFF",
 - 4) the annual Area Director election results will be provided to "The SETOFF" Editor by Aug. 15th, for inclusion in the Sept/Oct issue.
- 4:07** NARCOA Calendar Photos - Area Directors are encouraged to promote the taking of photographs suitable for use in the NARCOA Calendar during excursions in their Area. Photos should be submitted to the Setoff Editor, who has final decision on which photos are used in the Calendar.

Section 5: Elections

- 5:01** Annual Board of Directors' election results will be ratified by Board vote as the first order of business at the first email meeting following the announcement of the results of an election, and the new Directors Elect will be seated as the first order of business at the next Annual Meeting.
- 5:02** Seating of Officers Elect will take place at the Annual Meeting immediately after the new Board members are seated.
- 5:03** Incumbent Directors in Areas whose Directorships are up for election will be automatically nominated for re-election unless the incumbent specifically declines the nomination in writing; and the Election Committee is charged with the responsibility to make all due effort to secure the names of at least two nominees for each Area ballot.
- 5:04** Candidates for NARCOA Area Director may not seek or obtain endorsements of their candidacy by professional railroad management personnel, nor communicate the existence of same to the NARCOA membership.

Section 6: Excursions

- 6:01** An insured NARCOA motorcar excursion is defined as one in which a Certified Excursion Coordinator has received all of the following items:
- 1) signed Certificate of Permission from the railroad,
 - 2) signed Certificate of Insurance from the insurance coordinator,
 - 3) signed NARCOA General Release, or NARCOA and Affiliate General Release from each adult excursion participant,
 - 4) evidence that all operators have NARCOA insurance,
 - 5) evidence that all operators have a current NARCOA rulebook certificate of examination, and
 - 6) evidence that all operators have been, or are being, mentored per NARCOA mentoring procedure, as of June 1, 2005.

6:02 Insured excursions hosted by NARCOA Affiliates must:

- 1) be insured by an insurance policy acceptable to NARCOA,
- 2) use the current NARCOA rulebook as a baseline set of rules, and
- 3) use the NARCOA Operations Manual as the baseline guide in running an excursion. These three conditions must be stated in any announcements pertaining to the excursion.

Section 7: Excursion Coordinators

7:01 A Certified Excursion Coordinator is defined as a member who organizes motorcar excursions and is certified by the Operations Committee or its designee as meeting the following requirements:

- 1) member must be a NARCOA member in good standing,
- 2) member must have NARCOA insurance, and;
- 3) member must have been mentored using the current Excursion Coordinator Mentoring Process.

7.02 Certified Excursion Coordinators will be granted access to the NARCOA Electronic Database (NED) EC pages upon inclusion on the Certified EC List after completing a data security briefing with a Membership Committee team member. Their NED EC access will terminate with their removal from the Certified EC List. EC's in Training may also be granted access to the NED EC pages if their EC mentor obtains the approval of the Operations Chair (EC Mentoring Manager). EC's in Training must complete a data security briefing with a Membership Committee Team Member. Their NED EC access will terminate with the termination of their EC in Training status.

Section 8: Insurance

- 8:01** The definition of spouse is a legally married person including a person of the same sex. A spouse in a common law marriage is not permitted to operate under the member's insurance coverage.
- 8:02** The Insurance Committee can initiate and institute insurance policies without Board approval, but only to the extent that said policies must be presented for Board approval at the Board meeting next following such Insurance Committee action, and that disapproval by the Board would subsequently void such policies.
- 8:03** Government agencies can be added to the Certificate of Insurance as additional insured if a host railroad makes a written request for this to the Excursion Coordinator.
- 8:04** All members of the NARCOA Insurance program who operate motorcars at non-NARCOA insured excursions must report any incident, as defined by current Judicial Committee policy, at such an excursion to the NARCOA Insurance Administrator within 30 days of the incident. The Judicial Committee may become involved with investigating these incidents based upon current insurance coverage.
- 8:05** Beginning with the excursion insurance policy starting in the year 2001, any group or individual hosting a NARCOA insured excursion must be an Affiliate of NARCOA.
- 8:06** The Description of Insurance form shall define the member's responsibility for the payment of any self-insured retention. NARCOA shall pay the self-insured retention. The involved member will be required to reimburse NARCOA within 120 days of notification by the NARCOA Insurance Administrator of the self-insured retention, under penalty of suspension of membership and insurance privileges until NARCOA is reimbursed.
- 8:07** No Certificate of Insurance shall be issued unless the Excursion Coordinator is on the certified Excursion Coordinators list. Policy to become effective 1/1/08.

Section 9: Membership

9:01 NARCOA recognizes international organizations in support of organized railcar activities worldwide. The international association membership is extended to those groups that wish to associate themselves with NARCOA.

Section 10: Operations & Safety

10:01 The Operations Committee will:

- 1) implement and execute the directives from the Board of Directors with respect to excursion operations, and;
- 2) create for distribution an Operations Manual which will outline the policies drafted by the committee as approved by the Board of Directors, which will assist excursion coordinators in organizing safe motorcar excursions.

Section 11: Rules

11:01 Proposed changes to Safety Rules, Operating Rules, and NARCOA membership qualifications will be presented to the Board only upon the affirmative majority vote of the appropriate committee so designated by the Board. Upon the affirmative majority vote of the Board for preliminary approval of the proposed changes, "The SETOFF" shall publish the proposed changes for the purpose of soliciting NARCOA membership comments. Membership comments are to be directed to the respective Board members. After allowing a reasonable period of time for receiving members comments, the affirmative majority vote of the Board for final approval of the proposed changes shall constitute adoption of said changes. Results of the final vote including each Director's vote must be published in "The SETOFF". If the proposed changes are approved, they become effective upon publication of the results of the final vote in "The SETOFF".

Section 12: Confidentiality

12:01 Judicial Committee Members, NARCOA Board Members, and Officers will maintain confidentiality of JC Committee investigations, reports, and outcomes, and will not discuss them outside of official business.

Section 13: Trademarks & Copyrights

13:01 Affiliates may use the NARCOA name in promoting excursions; however, the terminology 'NARCOA sanctioned', or 'NARCOA approved' (or similar terminology), shall not be used in promoting excursions.

13:02 The only approved use of the NARCOA name by a member, group or individual that is not an Affiliate, is to indicate that they are a NARCOA member, or that insurance approved by NARCOA is required and/or that the current NARCOA rulebook will be used as the baseline set of rules, if either or both of those two conditions apply. Any other use of the NARCOA name by a member/group/individual that is not an Affiliate is strictly prohibited. This restriction specifically applies to books, magazines, photographs, film or video, texts, YouTube or similar services, Facebook and similar social media, internet postings, or any other form of communication, whether electronic or physical; as well as to merchandise, hats, T-shirts, etc., unless prior approval is obtained from the President or his representative.

13:03 The NARCOA Employer Identification Number (EIN) shall only be used for official business by NARCOA itself, not by affiliates, and not by individual members.

Section 14: Electronic Signatures

14:01 Electronic signatures are not acceptable on any official NARCOA document. All official documents, including but not limited to the NARCOA Agreement, Insurance Applications, Release of Liability/Waiver Forms, and Inspection Forms must be signed by hand, in ink.

Section 15: Operator and EC Periodic Testing

15.01 All operators must pass an online Rulebook certification test every two years with the test administered in even years. All Excursion Coordinators must pass an online Operations Manual certification test every two years with the test administered in odd years.