

**League of American Bicyclists –Nominating Committee**

**Proposed Policy Statement**

**Use of League’s Membership List by Members**

*Approved by board 11-29-04*

WHEREAS, Article XII, Section 1 of the League’s Bylaws provides that “... a record giving the names and addresses of its members entitled to vote ... may be inspected by any member ... for any proper purpose at any reasonable time,” and

WHEREAS, the Board of Directors deems it a “proper purpose” for members to make use of the membership list in the solicitation of members’ signatures on nominating petitions, in accordance with Article III, Section 7 of the Bylaws, and

WHEREAS, the Board further deems it a “proper purpose” for members to make use of the membership list in the solicitation of members’ votes, in elections for the Board of Directors, and

WHEREAS, the League has, from time to time, provided “hard copy” (i.e., printed, on paper) membership lists to members in connection with the solicitation of either petition signatures, or votes, and

WHEREAS, the Board has determined that the practice of providing membership lists to members entails risks to the League, in that said list might be used for some improper purpose and/or used in violation of members’ privacy, and/or on violation of laws or regulations regarding the privacy of mailing lists,

Now, therefore, it is

RESOLVED, that the following Statement be adopted as the League’s Policy regarding use of the membership list,

AND further

RESOLVED, that all members of the League’s staff be given clear instructions regarding the implementation and enforcement of this Policy.

(Policy Statement attached)

## **League of American Bicyclists**

### **Policy Statement Regarding Use of League's Membership List by Members**

*Approved by board 11-29-04*

1. Any Member (or a Member's attorney or agent) may physically inspect the League's membership list (the "List"), at the League's office, at any reasonable time. The concept of a "reasonable time" implies such common courtesies as advance appointments.
2. The League will not provide copies of the List, nor permit the making of copies, except for proper purposes specifically approved by the Board.
3. As of the date of adoption of this Policy Statement, the following purposes have been designated by the Board as "proper purposes" for Members' use of the List:
  - a. solicitation of signatures for nominating petitions, in accordance with Article III, Section 7 of the Bylaws
  - b. solicitation of votes, for or against any candidate, in an election for the Board of Directors
4. Any person requesting a copy of the List (or any part thereof, such as a list of all Members in a Region), for a proper purpose, may be required to pay the cost of copying the List, and must provide a written statement:
  - a. stating the purpose for which the List will be used,
  - b. acknowledging that the List is not to be used for any other or improper purpose,
  - c. acknowledging the receipt of, and understanding of, this Policy Statement, and
  - d. agreeing to indemnify the League, the Board of Directors, individual Officers and Directors, and individual members of the Staff, from and against any claims arising from any use of the List, for any purpose and by any person, other than the purpose stated in accordance with paragraph 4(a) above.
5. A Member may make use of the List, or any portion thereof, without obtaining physical access to the List (and thus avoid the indemnification described in paragraph 4(d) above), by engaging the services of the fulfillment house which is under contract with the League for the purpose of maintaining the List. The League staff will assist members who wish to make use of the List via the fulfillment house. Each such use of the List must be approved as a "proper purpose." The Member must bear all costs of mailing, including postage, materials, and the fulfillment house services. Further, the Member must comply with paragraphs 4(a) through 4(c) above.

6. If the List is to be used, either directly by a Member or via arrangement with the League's fulfillment house, to send a written communication to all or any substantial portion of the membership, whether nationally or in a region, the Member must submit, in advance, a sample or specimen of said written communication piece. All communication pieces must disclose the name(s) of the Member(s) sponsoring the mailing.

The Board of Directors reserves the right to reject any communication piece that contains libelous material, or that otherwise might subject the League to threat of legal action.