

Rating[®] and Design[®] AASHTOWare[™] Bridge

Users Group

CONSTITUTION

Article I - Name

The name of this organization shall be the AASHTOWare[™] Bridge Users Group (RADBUG), hereinafter referred to as the Users Group. The Users Group shall have two divisions, the Rating Sub Group and the Design Sub Group, hereinafter referred to as the Sub Group, respectively.

Article II - Objectives

The objectives of the Users Group, a nonprofit organization, are as follows:

1. To provide a forum for a unified voice to direct the course of development for the Rating and Design AASHTOWare[™] Bridge Subproducts, hereinafter referred to as the Subproducts, and collectively referred to as the Product, or any future products that supersede this product.
2. To provide cooperative technical support of the Product.
3. To encourage acceptance of the Product as a national bridge load rating and design system.
4. To hold an Annual Meeting every year for the purpose of promoting the Product through training sessions for the Product, providing a forum for presentations on the use of the Product by the various entities that have the Product licensed, providing a forum for updates on the continued development of the Product by the AASHTOWare[™] BridgeTask Force, hereinafter referred to as the Task Force, and providing a forum for presentations on topics related to the Product.
5. To hold a Users Group Meeting and Sub Group meetings at the Annual Meeting every year for the purpose of conducting the business of the Users Group and the respective Sub Groups and for the election of officers for the Users Group and the respective Sub Groups.

Article III - Membership

1. Members of the Users Group shall consist of anyone that has any type of license for either Subproduct and desires to participate in the Users Group.
2. Voting on different items presented to the Users Group shall be restricted as designated in other articles of this constitution. If restrictions on voting for an item are not defined in this constitution, then voting for that item shall be open to all members of the Users Group.

Article IV - Governing of Users Group and Sub Groups

The duties of the Board of Directors and the officers of the Users Group and Sub Groups shall be as set forth in this Article of the constitution.

Section 1 - Board of Directors

1. The governing body of the Users Group shall be a Board of Directors.
2. The Board of Directors shall consist of the President of the Users Group, the Secretary of the User Group, the Vice President of the Rating Sub Group, the Vice President of the Design Sub Group, and a past President of the Users Group.
3. The past President of the Users Group shall be the most recent past President that is not a member of the Task Force.
4. Past Presidents shall participate on the Board of Directors at their discretion.
5. The President of the Users Group shall serve as the Chair of the Board of Directors.
6. The Board of Directors shall be specifically empowered to represent the Users Group in proposing specific projects to such organizations as the Federal Highway Administration and AASHTO for financing.

Section 2 - Elections

1. Elections for the purpose of filling vacancies in the offices of the Users Group and Sub Groups shall be held during sessions for the Users Group meeting and the Sub Group meetings held each year at the Annual Meeting.
2. A simple majority of votes cast by members present during the vote at the Users Group meeting or the Sub Group meetings shall constitute an election.
3. Elections shall be overseen by the respective chair of that meeting or by a person as designated by the chair of that meeting in accordance with the articles of this constitution.

Section 3 - Users Group President

1. The President shall be from a state, federal (excluding AASHTO), or local governmental agency that has an active unlimited or workstation license for either Subproduct.
2. At the time of election, the President shall designate the Sub Group of which he/she is considered to be a member.
3. At all subsequent Annual Meetings, the office of President shall be filled by advancement by the Vice President of the Sub Group for which the outgoing President was not a member. If the position of Vice President of the Sub Group for which the outgoing President was not a member is vacant at the time of the

Annual Meeting, then the office of President shall be filled by election at that Annual Meeting and may be filled by a member of either Sub Group.

4. If the office of President becomes vacant between Annual Meetings, then the office of President shall be filled by advancement of the Vice President of the Sub Group for which the previous President was not a member.
5. The term for the President of the Users Group shall be one year.
6. The President shall fill, by appointment, any vacancies that occur in the Secretary of the Users Group or in the Vice President of either Sub Group. To be filled by Presidential appointment, these vacancies must happen outside of the normal timeframe of the Annual Meetings.
7. The President shall not serve more than three consecutive terms in any combination of the offices of President of the Users Group and Vice President of a Sub Group. Partial terms shall not count when determining the number of terms the President has served.
8. Current members of the Task Force shall not be eligible for filling a vacancy in the office of President.
9. In the event that the existing President of the Users Group becomes a member of the Task Force during his/her term in office, he/she will be required to resign as President of the Users Group.
10. The President of the Users Group and the Vice President of the Sub Group for which the President is not a member shall be the official Users Group Representatives at all functions including the Task Force meetings, when invited to attend.
11. The duties of the President shall include setting the agenda and coordinating the Annual Meeting, moderating the Annual Meeting, conducting the Users Group meeting at the Annual Meeting, and conducting all other business of the Users Group as needed.
12. In the event that a checking account is set up for the use of the Users Group, the President shall be authorized to co-sign checks for work related to the business of the Users Group, along with the Secretary.
13. The President shall have the authority to delegate all duties and responsibilities as needed to the Vice Presidents of the Sub Groups.
14. The President shall have the authority to appoint committees to deal with specific issues that relate to the Users Group.

Section 4 - Users Group Secretary

1. The first Secretary of the Users Group shall be chosen by election at the Annual Meeting at which this constitution is voted upon and approved.
2. The Secretary shall be from a state, federal (excluding AASHTO), or local governmental agency that has an active unlimited or workstation license for either Subproduct.

3. Subsequent vacancies in the office of Secretary of the Users Group shall be filled by election at the Annual Meeting when the term of the Secretary is expiring or the office is open at the time of the Annual Meeting. Vacancies that occur between Annual Meetings shall be filled by appointment by the President of the Users Group.
4. The term for the Secretary of the Users Group shall be two years.
5. The Secretary shall not serve more than three consecutive terms in office. Partial terms shall not count when determining the number of terms the Secretary has served.
6. Current members of the Task Force shall not be eligible for filling a vacancy in the office of Secretary.
7. In the event that the existing Secretary of the Users Group becomes a member of the Task Force during his/her term in office, he/she will be required to resign as Secretary of the Users Group.
8. The Secretary shall be responsible for taking minutes for the Users Group meeting that is held at each Annual Meeting.
9. The Secretary shall be responsible for maintaining a listing of the members of the Users Group. The member listing shall include basic contact information including email address and telephone number for all members of the Users Group. The use of this member list shall be restricted to the business of the Sub Groups, Users Group, and the Task Force.
10. In the event that a checking account is set up for the use of the Users Group, the Secretary shall have the responsibility for maintaining the records of this account and providing a financial report at the Users Group meeting on any account activities for the prior year. The Secretary also shall be authorized to co-sign checks for work related to the business of the Users Group, along with the President.
11. The Secretary shall assist as needed with preparations for the Annual Meeting and Users Group meeting.
12. The Secretary shall be responsible for maintaining a current electronic copy of the Constitution of the Users Group and ensuring that a current copy is provided to the AASHTO representative assigned to the Users Group and to the Chairman of the Task Force.

Section 5 - Sub Group Vice President

1. The Vice President of each Sub Group shall be chosen by election at the Sub Group meetings held at the Annual Meeting.
2. The Vice President shall be from a state, federal (excluding AASHTO), or local governmental agency that has an active unlimited or workstation license for either Subproduct.

3. Subsequent vacancies in the office of Vice President of a Sub Group shall be filled by election at the Sub Group meeting when the term of the Vice President is expiring. Vacancies that occur between Annual Meetings shall be filled by appointment by the President of the Users Group.
4. The term for the Vice President of a Sub Group shall be one year.
5. The Vice President of a Sub Group shall not serve more than three consecutive terms in any combination of the offices of President of the Users Group and Vice President of a Sub Group. Partial terms shall not count when determining the number of terms the Vice President has served.
6. Current members of the Task Force shall not be eligible for filling a vacancy in the office of Vice President.
7. In the event that the existing Vice President of the Sub Group becomes a member of the Task Force during his/her term in office, he/she will be required to resign as Vice President of the Sub Group.
8. The Vice President shall act as the official Sub Group representative in conducting the business of the Sub Group or the Board of Directors and in communicating with the Task Force.
9. The Vice President shall act as the official Users Group representative in accordance with Section 3 of this Article.
10. The duties of the Vice President shall include setting the agenda for the Sub Group meeting held at each Annual Meeting, moderating the Sub Group meeting, and reporting the results of that meeting to the Users Group during the Users Group meeting.
11. The Vice President shall be responsible for appointing someone to record minutes at the Sub Group meeting.
12. In the event that the Sub Group passes bylaws, the Vice President will be responsible for maintaining a record of the by-laws and ensuring that a current copy is provided to the AASHTO representative assigned to the Users Group and to the Chairman of the Task Force.
13. The Vice President shall be responsible for maintaining a listing of the members of the Sub Group and coordinating this listing with the listing maintained by the Secretary of the Users Group. The member listing shall include basic contact information including email address and telephone number for all members of the Sub Group. The use of this member list shall be restricted to the business of the Sub Group, Users Group, and the Task Force.
14. The Vice President shall assist with all activities related to the planning of the Annual Meeting as designated by the President of the Users Group.
15. The Vice President shall have the authority to delegate all duties and responsibilities as needed to another member of that Sub Group.

16. The Vice President shall have the authority to appoint committees to deal with specific issues that relate to the Sub Group.

Article V - Annual Meetings

1. An Annual Meeting shall be held each year for the Product during the week that includes August 1st.
2. When significant scheduling conflicts exist with the Task Force or with other national meetings, or if other unforeseen scheduling conflicts arise, the Board of Directors shall have the authority to adjust the meeting date as needed to address these conflicts with the goal of not moving the meeting more than a week before or after the week that includes August 1st.
3. The location of the Annual Meeting shall be recommended to the Task Force by the Board of Directors with the goal of having the meeting location determined two years in advance.
4. Final notices of the Annual Meeting site, dates, costs, and tentative agendas shall be sent to the members on the listing maintained by the Secretary of the Users Group no later than April 1.

Article VI - Users Group and Sub Group Meetings

1. A Users Group meeting and Sub Group meetings shall be held each year at the Annual Meeting.
2. The primary purpose of the Users Group meeting shall be to discuss enhancements and any other issues specific to the Product, to vote on the enhancement listings and any other issues requiring a vote, and to fill the offices of President of the Users Group and Secretary of the Users Group in accordance with the other articles of this constitution.
3. The primary purpose of the Sub Group meeting shall be to discuss enhancements and any other issues specific to either Sub Group, to vote on the enhancement listings and any other issues, and to fill the office of Vice President of the Sub Group in accordance with the other articles of this constitution.

Article VII - Special Committees

1. Special Committees may be formed by the President of the Users Group to deal with broader topics or issues related to the Product.
2. Special Committees may be formed by the Vice President of a Sub Group to deal with topics or issues more specifically related to the Subproduct.
3. Special Committees to deal with special topics or issues may be formed by the Users Group or Sub Groups by a simple majority vote of the Users Group or Sub Group during their respective meetings.

4. Committees formed by the President or Vice President shall be effective for a period of one year or until the next Annual Meeting.
5. Committees formed by a vote of the Users Group or Sub Groups shall be effective for the duration as designated at the time of vote.
6. The members of the Users Group or Sub Groups may dissolve any committee formed by the group or the officers of that group by a simple majority vote of the members present at the meeting of that group during the Annual Meeting.
7. The President of the Users Group shall appoint all members of committees formed by the President or the Users Group and define the duties of that committee.
8. The Vice President of the Sub Group shall appoint all members of committees formed by the Vice President or the Sub Group and define the duties of that committee.
9. All committees shall submit an annual or final report to the authority that appointed the committee. These reports may be informal or formal as directed by the authority that appointed the committee.

Article VIII - Users Group Fees

1. The Board of Directors shall work with the AASHTO representative assigned to the Users Group and with any event planners that are hired to determine a registration cost to be assessed to those attending the Annual Meeting.
2. The registration cost to be assessed for those attending the Annual Meeting shall be sufficient enough to cover all direct costs that are incurred by the Users Group in holding the Annual Meeting.
3. Costs that are assessed shall be limited to costs for correspondence, meeting rooms, audio/visual equipment, meals provided as part of registration, special group activities, and any other incidental costs directly associated with holding the Annual Meeting.
4. Additional fees not related to the Annual Meeting shall only be assessed upon discussion and approval by a simple majority vote of the members of the Users Group in attendance at the Annual Meeting.

Article IX - Affiliations

1. Affiliation of the Users Group with other organizations by the officers or membership of the Users Group shall not be allowed without specific change in the constitution.
2. Cooperation with other organizations to the extent that it does not compromise the Users Group shall be allowed by approval of the Board of Directors or the members of the Users Group.

Article X - Enhancement Voting

1. Voting on enhancements shall be restricted to state, federal (excluding AASHTO), and local governmental agencies that have an active unlimited or workstation license for either Subproduct.
2. One ballot shall be allowed for each Subproduct that the agency has licensed.
3. Ballots shall be weighted based on the amount of license fee that the agencies have paid for each licensable Subproduct in the current fiscal year at the time of the vote.
4. Licenses that are purchased by governmental agencies for the direct use of non-governmental agencies shall not be considered in the weighting of the ballots.
5. For members that have signed up to license a Subproduct for the current fiscal year but have not paid the license fee, the weight applied to their ballots shall be based on the current fiscal year.
6. For members that have not signed up to license a Subproduct for the current fiscal year but had that Subproduct licensed in the previous fiscal year, their ballot shall be weighted based on the previous fiscal year.
7. Weighting of the ballots for each item listed shall be done by taking the sum of the license fee that the member has paid for that Subproduct as determined above, dividing it by 1000, and then taking the resulting number times the result of eleven minus the rank of that item on the ballot.
8. The official enhancement listing for the balloting process shall be distributed to the members of the Users Group no later than the beginning of the Annual Meeting with the goal of trying to get this listing to the members at least one month prior to the start of the Annual Meeting.
9. Ballots shall be distributed just before or during the Annual Meeting.
10. Each agency shall list their top ten desired enhancements in order of importance for each Subproduct that they have licensed. All weighting on the ballots shall be done based on a complete ballot with ten enhancements ranked by the agency casting the ballot.
11. The agency shall not list a particular enhancement more than once on their ballot. If an incident is listed more than once on a ballot, the highest ranked duplicate will be counted, and all other duplicates will be eliminated, having the same effect as leaving the field blank.
12. Weighting of the ballot shall not be adjusted for fields left blank on the ballot.
13. To be eligible for inclusion on the ballot, the proposed enhancement shall be assigned an incident number and be included on the official enhancement listing for the balloting process.
14. Enhancements presented for consideration and discussion at the Users Group session prior to the balloting shall be assigned a unique identifier so that they can be included in the balloting. After the close of the Annual Meeting, the President

- shall forward any new enhancement proposals to the Product's Contractor to have an official incident number assigned.
15. Enhancement voting shall be done during a session of the Users Group meeting each year.
 16. Voting shall be open two weeks prior to the start of the Annual Meeting and shall end two weeks after the close of the Annual Meeting. Voting after the meeting shall be delivered to the current president.
 17. It shall be the responsibility of the agencies to be aware of these time limits and submit their ballot within the designated time limits. Ballots received after the time limits have expired shall not be counted.
 18. The ballots shall be tallied by the President and the results of this balloting provided to the Chairman of the Task Force.
 19. Balloting results from the previous year shall be provided to the members of the Users Group at the next Annual Meeting as a part of the registration material.

Article XI - Trademarks

For Trademark information about AASHTOWare™ Products go to aashtoware.org.

Article XII - Constitution/Bylaws Ratification and Amendments

Section 1 - Ratification

A copy of this constitution shall be provided as part of the registration materials for the 2008 Annual Meeting and shall be presented to the users at a special Users Group meeting near the beginning of the 2008 Annual Meeting. An election on ratification of the constitution shall be held at the normal Users Group meeting that will be held at a later time during the Annual Meeting. Voting on ratification of the constitution shall be restricted to state, federal (excluding AASHTO), and local governmental agencies that have an active unlimited or workstation license for either Subproduct. If approved by a majority vote of the agencies casting votes, this constitution shall become effective at the conclusion of that vote and shall replace the previous constitutions and by-laws of the Rating Users Group and the Design Users Group. Elections shall be immediately held to fill the offices of President and Secretary of the Users Group. Elections to fill the office of Vice President for the Sub Groups shall be held at the Sub Group meetings. All contracts and agreements in place prior to the adoption of this constitution shall be considered as valid against the Users Group under this constitution as under previous constitutions.

Section 2 - Amendments

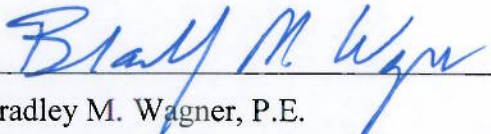
This constitution may be amended during a Users Group meeting that is held as part of the Annual Meeting. To be eligible for consideration at the meeting, the proposed

amendment shall be submitted in writing to the Board of Directors prior to the start of the Annual Meeting and shall be distributed either ahead of time to all of the members or as part of the registration materials for that meeting. The amendment shall be included in the agenda and presented for discussion and voting at that Users Group meeting. A 2/3-majority vote of the members present at that meeting shall constitute approval.


Section 3 - Bylaws

The Sub Groups may pass bylaws that apply specifically to that group. These bylaws may be amended at a Sub Group meeting that is held as part of the Annual Meeting. To be eligible for consideration at the meeting, the bylaws or proposed changes to those bylaws shall be submitted in writing to the Vice President of that Sub Group by a member prior to the start of the Annual Meeting and shall be distributed either ahead of time to all of the members of that Sub Group or as part of the registration material for that meeting. The bylaws or proposed changes shall be included in the agenda and presented for discussion and voting at that Sub Group meeting. A simple majority vote of the members present at that meeting shall constitute approval.

Agreed upon and submitted by the following members on the 7th day of August, 2013 in Virginia Beach, Virginia.



Bradley M. Wagner, P.E.
Vice President of the Rating User Group

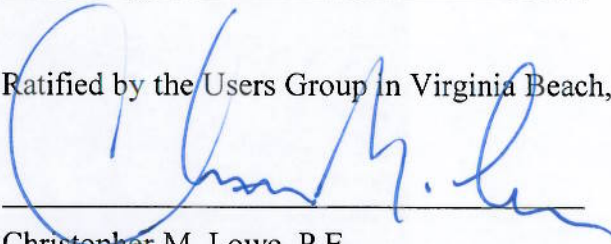


Date

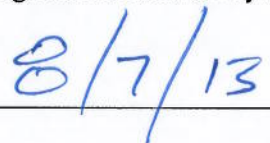
Vacant
Vice President of the Design User Group

Date

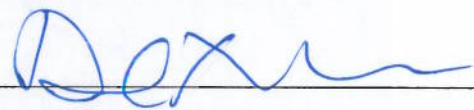
Ratified by the Users Group in Virginia Beach, Virginia and signed into action by:



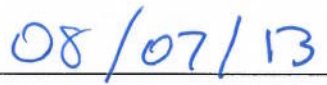
Christopher M. Lowe, P.E.
President of the
AASHTOWare™ Bridge User Group



Date



David Warner, P.E.
Secretary of the
AASHTOWare™ Bridge User Group



Date