

1 SUBDIVISION, INCLUDING EXAMINATIONS PURSUANT TO SECTION 363 OR 363-C OF
2 THE NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW, SHALL BE DEEMED
3 TO HAVE WAIVED HIS OR HER RIGHTS UNDER THIS ARTICLE IN RESPECT TO
4 EXPENSES FOR MEDICAL TREATMENT OR HOSPITAL CARE RENDERED AND FOR SALARY
5 OR WAGES PAYABLE AFTER SUCH REFUSAL.

6 2. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, A PROVIDER OF
7 MEDICAL TREATMENT OR HOSPITAL CARE FURNISHED PURSUANT TO THE PROVISIONS
8 OF THIS ARTICLE SHALL NOT COLLECT OR ATTEMPT TO COLLECT REIMBURSEMENT
9 FOR SUCH TREATMENT OR CARE FROM ANY SUCH MEMBER OF THE PORT AUTHORITY
10 POLICE.

11 3. PAYMENT OF THE FULL AMOUNT OF REGULAR SALARY OR WAGES, AS PROVIDED
12 BY SUBDIVISION ONE OF THIS ARTICLE SHALL BE DISCONTINUED WITH RESPECT TO
13 ANY MEMBER OF THE PORT AUTHORITY POLICE WHO IS PERMANENTLY DISABLED AS A
14 RESULT OF AN INJURY OR SICKNESS INCURRED OR RESULTING FROM THE PERFORM-
15 ANCE OF HIS OR HER DUTIES IF SUCH MEMBER IS GRANTED AN ACCIDENTAL DISA-
16 BILITY RETIREMENT ALLOWANCE PURSUANT TO SECTION 363 OF THE NEW YORK
17 STATE RETIREMENT AND SOCIAL SECURITY LAW, OR PERFORMANCE OF DUTY DISA-
18 BILITY ALLOWANCE PURSUANT TO SECTION 363-C OF THE NEW YORK STATE RETIRE-
19 MENT AND SOCIAL SECURITY LAW OR SIMILAR ACCIDENTAL DISABILITY PENSION
20 PROVIDED BY THE PENSION FUND OF WHICH HE OR SHE IS A MEMBER. IF APPLICA-
21 TION FOR SUCH RETIREMENT ALLOWANCE OR PENSION IS NOT MADE BY SUCH
22 MEMBER, APPLICATION THEREFOR MAY BE MADE BY THE CHIEF OF THE PORT
23 AUTHORITY POLICE DEPARTMENT.

24 4. IF SUCH A MEMBER IS NOT ELIGIBLE FOR OR IS NOT GRANTED SUCH ACCI-
25 DENTAL OR PERFORMANCE OF DUTY DISABILITY RETIREMENT PROVIDED FROM THE
26 PENSION FUND AND IS NEVERTHELESS, IN THE OPINION OF SUCH HEALTH AUTHORI-
27 TIES OR PHYSICIAN, UNABLE TO PERFORM HIS OR HER REGULAR DUTIES AS A
28 RESULT OF SUCH INJURY OR SICKNESS BUT IS ABLE, IN THEIR OPINION, TO
29 PERFORM SPECIFIED TYPES OF LIGHT POLICE DUTY, PAYMENT OF THE FULL AMOUNT
30 OF REGULAR SALARY OR WAGES, AS PROVIDED BY SUBDIVISION ONE OF THIS ARTI-
31 CLE, SHALL BE DISCONTINUED WITH RESPECT TO SUCH MEMBER IF HE OR SHE
32 SHALL REFUSE TO PERFORM SUCH LIGHT POLICE DUTY IF THE SAME IS AVAILABLE
33 AND OFFERED TO HIM OR HER, PROVIDED, HOWEVER, THAT SUCH LIGHT DUTY SHALL
34 BE CONSISTENT WITH HIS OR HER STATUS AS A MEMBER OF THE PORT AUTHORITY
35 POLICE AND SHALL ENABLE HIM OR HER TO CONTINUE TO BE ENTITLED TO HIS OR
36 HER REGULAR SALARY OR WAGES, INCLUDING INCREASES IF HE OR SHE WERE ABLE
37 TO PERFORM HIS OR HER REGULAR DUTIES.

38 5. IF SUCH A MEMBER IS NOT ELIGIBLE FOR OR IS NOT GRANTED AN ACCI-
39 DENTAL DISABILITY RETIREMENT ALLOWANCE OR PERFORMANCE OF DUTY DISABILITY
40 ALLOWANCE, HE OR SHE SHALL NOT BE ENTITLED TO FURTHER PAYMENT OF THE
41 FULL AMOUNT OF REGULAR SALARY OR WAGES, AS PROVIDED BY SUBDIVISION ONE
42 OF THIS ARTICLE, AFTER HE OR SHE SHALL HAVE ATTAINED THE MANDATORY
43 SERVICE RETIREMENT AGE APPLICABLE TO HIM OR HER OR SHALL HAVE SUFFICIENT
44 CREDIBLE POLICE EMPLOYMENT TO QUALIFY FOR A SERVICE RETIREMENT.

45 6. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY OR CONTAINED
46 IN THIS ARTICLE, A CAUSE OF ACTION SHALL ACCRUE TO THE PORT AUTHORITY
47 POLICE FOR REIMBURSEMENT IN SUCH SUM OR SUMS ACTUALLY PAID AS SALARY OR
48 WAGES AND/OR FOR MEDICAL TREATMENT AND HOSPITAL CARE AS AGAINST ANY
49 THIRD PARTY AGAINST WHOM THE MEMBER SHALL HAVE A CAUSE OF ACTION FOR THE
50 INJURY SUSTAINED OR SICKNESS CAUSED BY SUCH THIRD PARTY.

51 S 2. This act shall take effect upon the enactment into law by the
52 state of New Jersey of legislation having an identical effect with this
53 act, but if the state of New Jersey shall have already enacted such
54 legislation, this act shall take effect immediately; provided that the
55 chair of the port authority of New York and New Jersey shall notify the
56 legislative bill drafting commission upon the occurrence of the enact-

1 ment of the legislation provided for in section one of this act in order
2 that the commission may maintain an accurate and timely effective data
3 base of the official text of the laws of the state of New York in furth-
4 erance of effectuating the provisions of section 44 of the legislative
5 law and section 70-b of the public officers law.