§ 374. Traffic prosecutor selection and oversight. (a) The executive director of the Nassau county traffic and parking violations agency, and the executive director of the Suffolk county traffic and parking violations agency, appointed pursuant to subdivision (b) of this section, shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York state for the prosecution of any traffic and parking infraction, except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of this article, to be heard, tried or otherwise disposed of by the district court of Nassau county in the case of an attorney selected by the Nassau county executive director, or by the district court of Suffolk county, in the case of an attorney selected by the Suffolk county executive director. Such persons shall be known as "traffic prosecutors", as that term is defined in section three hundred seventy-a of this article. Traffic prosecutors shall have the same power as a district attorney would otherwise have in the prosecution of any traffic or parking infraction which may, pursuant to the jurisdictional provisions of section three hundred seventy-one of this article, be prosecuted before the district court of Nassau county or the district court of Suffolk county, if the traffic violation occurred in Suffolk county. The executive director shall give active consideration to requiring that such traffic prosecutors serve on a full-time basis. Traffic prosecutors are prohibited from appearing in any capacity other than as a traffic prosecutor in any part of the Nassau county district court or the Suffolk county district court, if the traffic violation occurred in Suffolk county on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a traffic prosecutor in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(b) The county executive of the county of Nassau shall appoint a person to serve as the executive director of the Nassau county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Nassau. The county executive of the county of Suffolk shall appoint a person to serve as the executive director of the Suffolk county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Suffolk. The

executive director shall be responsible for the oversight and administration of the agency. The executive director of Nassau county is prohibited from appearing in any capacity in any part of the Nassau county district court and the executive director of Suffolk county is prohibited from appearing in any capacity in any part of the Suffolk county district court on any matter relating to traffic or parking violations and is further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(c) It shall be a misdemeanor for the executive director, any traffic prosecutor or any judicial hearing officer assigned to hear traffic or parking violations cases pursuant to section one thousand six hundred ninety of the vehicle and traffic law to establish any quota of traffic violation convictions which must be obtained by any traffic prosecutor or judicial hearing officer. Nothing contained herein shall prohibit the taking of any job action against a traffic prosecutor or judicial hearing officer for failure to satisfactorily perform such prosecutor's or officer's job assignment except that the employment productivity of such prosecutor or officer shall not be measured by the attainment or nonattainment of any conviction quota. For the purposes of this section a conviction quota shall mean a specific number of convictions which must be obtained within a specific time period.

(d) The legislature of the county of Nassau may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Nassau county traffic and parking violations agency.

(e) The legislature of the county of Suffolk may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Suffolk county traffic and parking violations agency.