§ 374-a. Traffic prosecutor selection and oversight. (a) The executive director of the Buffalo traffic 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 infraction, except those described in paragraphs (a), (b), (c), (d), (e), (f) and (g) of subdivision two-a of section three hundred seventy-one of this article, to be heard, tried or otherwise disposed of by the Buffalo city court. 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 infraction which may, pursuant to the jurisdictional provisions of section three hundred seventy-one of this article, be prosecuted before the Buffalo city court if the traffic violation occurred in the city of Buffalo. 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 Buffalo city court on any matter relating to traffic 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 violations.

(b) The mayor of the city of Buffalo shall appoint a person to serve as the executive director of the Buffalo traffic violations agency subject to the confirmation of the common council of the city of Buffalo. The executive director shall be responsible for the oversight and administration of the agency. The executive director is prohibited from appearing in any capacity in any part of the Buffalo city court on any matter relating to traffic violations and is further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic violations.

(c) It shall be a misdemeanor for the executive director, any traffic prosecutor or any judicial hearing officer assigned to hear traffic violations cases pursuant to section sixteen 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) Pursuant to article 20 of the Buffalo City Charter, the city of Buffalo may appropriate those monies which, in its 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 Buffalo traffic violations agency.