

(2) the medical board certifies that:

- (i) the member is mentally or physically incapacitated for the further performance of the normal duties of the member's position;
- (ii) the incapacity is likely to be permanent; and
- (iii) the member should be retired.

(C) THE BOARD OF TRUSTEES SHALL GRANT AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE TO A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF:

(1) THE MEMBER IS TOTALLY AND PERMANENTLY INCAPACITATED FOR DUTY ARISING OUT OF OR IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY WITHOUT WILLFUL NEGLIGENCE BY THE MEMBER; AND

(2) THE MEDICAL BOARD CERTIFIES THAT:

(I) THE MEMBER IS TOTALLY INCAPACITATED, EITHER MENTALLY OR PHYSICALLY, FOR THE FURTHER PERFORMANCE OF DUTY;

(II) THE INCAPACITY IS LIKELY TO BE PERMANENT; AND

(III) THE MEMBER SHOULD BE RETIRED.

29-303.

(a) This section applies only to members of:

- (1) the Employees' Pension System;
- (2) the Local Fire and Police System;
- (3) the Law Enforcement Officers' Pension System; or
- (4) the Teachers' Pension System.

(b) A member is eligible to receive a vested allowance if:

- (1) the member separated from employment other than by death or retirement; and
- (2) the member has at least 5 years of eligibility service.

(c) Except as provided in subsections (e), [and] (f), AND (G) of this section, a vested allowance:

- (1) is a deferred allowance that begins at normal retirement age;
- (2) is computed as a normal service retirement allowance on the basis of the member's average final compensation and eligibility service at separation from employment; and
- (3) may be paid in one of the optional forms of allowances under § 21-403 of this article.