

(II) THE MEMBER HAS BEEN TOTALLY AND PERMANENTLY INCAPACITATED FOR DUTY AS THE NATURAL AND PROXIMATE RESULT OF AN ACCIDENT THAT OCCURS WHILE IN THE ACTUAL PERFORMANCE OF DUTY AT SOME DEFINITE TIME AND PLACE WITHOUT WILLFUL NEGLIGENCE ON THE PART OF THE MEMBER; AND

(III) THE MEDICAL BOARD CERTIFIES THAT:

1. THE MEMBER IS MENTALLY OR PHYSICALLY INCAPACITATED FOR THE FURTHER PERFORMANCE OF THE NORMAL DUTIES OF THE MEMBER'S POSITION;

2. THE INCAPACITY IS LIKELY TO BE PERMANENT;
AND

3. THE MEMBER SHOULD BE RETIRED.

(2) A MEMBER WHO IS ENTITLED TO AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE MAY NOT RECEIVE ANY ALLOWANCE ON ACCOUNT OF ORDINARY DISABILITY.

(3) A MEMBER MAY NOT RECEIVE AN ACCIDENTAL DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THIS PENSION SYSTEM, EXCEPT TO THE EXTENT THAT A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE EMPLOYEES' RETIREMENT SYSTEM OR THE PENSION SYSTEM FOR EMPLOYEES SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE SYSTEM FROM WHICH THE MEMBER TRANSFERRED.

(4) ON RETIREMENT FOR ACCIDENTAL DISABILITY, A MEMBER SHALL RECEIVE AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE THAT SHALL BE THE LESSER OF:

(I) THE MEMBER'S AVERAGE FINAL COMPENSATION; OR

(II) THE SUM OF:

1. AN ANNUITY THAT SHALL BE THE ACTUARIAL EQUIVALENT OF THE MEMBER'S ACCUMULATED CONTRIBUTIONS AT THE TIME OF THE MEMBER'S RETIREMENT; AND

2. A PENSION OF 66 2/3 PERCENT OF THE MEMBER'S AVERAGE FINAL COMPENSATION.

(C) (1) ONCE EACH YEAR THE BOARD OF TRUSTEES MAY REQUIRE ANY DISABILITY RETIREE WHO IS UNDER THE AGE OF 50 TO UNDERGO A MEDICAL EXAMINATION. THE EXAMINATION SHALL BE MADE AT THE RESIDENCE OF THE RETIREE, OR ANY OTHER PLACE MUTUALLY AGREED ON, BY THE PHYSICIAN DESIGNATED BY THE BOARD OF TRUSTEES. IF A DISABILITY RETIREE WHO IS UNDER THE AGE OF 50 REFUSES TO SUBMIT