

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Metropolitan Transit Authority Act is  
5 amended by changing Section 41 as follows:

6 (70 ILCS 3605/41) (from Ch. 111 2/3, par. 341)

7 Sec. 41. No civil action shall be commenced in any court  
8 against the Authority by any person for any injury to his  
9 person unless it is commenced within one year from the date  
10 that the injury was received or the cause of action accrued.  
11 Within six (6) months from the date that such an injury was  
12 received or such cause of action accrued, any person who is  
13 about to commence any civil action in any court against the  
14 Authority for damages on account of any injury to his person  
15 shall file in the office of the secretary of the Board and also  
16 in the office of the General Counsel for the Authority either  
17 by himself, his agent, or attorney, a statement, in writing,  
18 signed by himself, his agent, or attorney, giving the name of  
19 the person to whom the cause of action has accrued, the name  
20 and residence of the person injured, the date and about the  
21 hour of the accident, the place or location where the accident  
22 occurred and the name and address of the attending physician,  
23 if any. If the notice provided for by this section is not filed

1 within the 6-month period as provided, any such civil action  
2 commenced against the Authority shall be dismissed and the  
3 person to whom any such cause of action accrued for any  
4 personal injury shall be forever barred from further suing. If  
5 a statement is filed within the 6-month period, then the  
6 Authority is barred from asserting that the statement is  
7 insufficient unless the Authority notifies the person who  
8 signed the statement, in writing and served by United States  
9 mail with postage prepaid, of the specific nature of any  
10 alleged insufficiencies and allows the person to correct the  
11 alleged insufficiencies by filing an amended statement within  
12 60 days after the date the notice of insufficiency was mailed.  
13 Insufficiencies may include the name of the person to whom the  
14 cause of action has accrued, the name and residence of the  
15 person injured, the date and about the hour of the accident,  
16 the place or location where the accident occurred, and the name  
17 and address of the attending physician, if any. Compliance with  
18 this Section shall be liberally construed in favor of the  
19 person required to file a written statement.

20 Any person who notifies the Authority that he or she was  
21 injured or has a cause of action shall be furnished a copy of  
22 Section 41 of this Act. Within 10 days after being notified in  
23 writing, the Authority shall either send a copy by certified  
24 mail to the person at his or her last known address or hand  
25 deliver a copy to the person who shall acknowledge receipt by  
26 his or her signature. When the Authority is notified later than

1 6 months from the date the injury occurred or the cause of  
2 action arose, the Authority is not obligated to furnish a copy  
3 of Section 41 to the person. In the event the Authority fails  
4 to furnish a copy of Section 41 as provided in this Section,  
5 any action commenced against the Authority shall not be  
6 dismissed for failure to file a written notice as provided in  
7 this Section. Compliance with this Section shall be liberally  
8 construed in favor of the person required to file a written  
9 statement.

10 (Source: P.A. 90-451, eff. 7-1-98.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.