



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4590**

Introduced 02/04/04, by Robert Rita

**SYNOPSIS AS INTRODUCED:**

70 ILCS 3605/41

from Ch. 111 2/3, par. 341

Amends the Metropolitan Transit Authority Act. Provides that no civil action shall be commenced against the Chicago Transit Authority by any person for any injury to his person unless it is commenced within 5 years (now, one year) from the date that the injury was received. Provides that, within 30 months (now, 10 months) from the date of the injury or the accrual of the cause of action, a person who is about to commence a civil action against the Authority for damages resulting from an injury must file a written statement with the Chicago Transit Board and the Authority.

LRB093 14879 MKM 40445 b

1 AN ACT concerning transportation.

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 5 years ~~one year~~ from the  
10 date that the injury was received or the cause of action  
11 accrued. Within 30 ~~six (6)~~ months from the date that such an  
12 injury was received or such cause of action accrued, any person  
13 who is about to commence any civil action in any court against  
14 the Authority for damages on account of any injury to his  
15 person shall file in the office of the secretary of the Board  
16 and also in the office of the General Counsel for the Authority  
17 either by himself, his agent, or attorney, a statement, in  
18 writing, signed by himself, his agent, or attorney, giving the  
19 name of the person to whom the cause of action has accrued, the  
20 name and residence of the person injured, the date and about  
21 the hour of the accident, the place or location where the  
22 accident occurred and the name and address of the attending  
23 physician, if any. If the notice provided for by this section  
24 is not filed as provided, any such civil action commenced  
25 against the Authority shall be dismissed and the person to whom  
26 any such cause of action accrued for any personal injury shall  
27 be forever barred from further suing.

28 Any person who notifies the Authority that he or she was  
29 injured or has a cause of action shall be furnished a copy of  
30 Section 41 of this Act. Within 10 days after being notified in  
31 writing, the Authority shall either send a copy by certified  
32 mail to the person at his or her last known address or hand

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

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