

## 154 (a).

Any qualified person, who suffers damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle in this State on or after the first day of June 1959, and ~~whose~~ WHOSE damages may be satisfied in whole or in part from the fund or the personal representative of such person, shall, within [90] *one hundred and eighty (180)* days after the accident, as a condition precedent to the right thereafter to apply for the payment from the fund, give notice to the Board, as prescribed by it, of his intention to make a claim thereon for such damages, if otherwise uncollectible, and shall otherwise comply with the provisions of this section; provided, any such qualified person may, in lieu of giving said notice within said time, make proof to the court on the hearing of the application for the payment of a judgment, or during the hearing of an application to sue the Commissioner under Section 167, either (1) that he was physically incapable of giving said notice within said period and that he gave said notice within 30 days after he became physically capable to do so or, in the event that he did not become so capable that a notice was given on his behalf within a reasonable period; or (2) that he gave notice to the Board within 30 days of receiving notice that an insurer had disclaimed on a policy of insurance so as to remove or withdraw liability insurance coverage for his claim against a person or persons who allegedly caused him to suffer damages. In either said notice he shall describe the manner in which the accident occurred, specifying the time and place of occurrence, identify the operators and vehicles involved therein and such witnesses to said accident as are then known to him and describe the injuries then known to him and the damage to property sustained. Said notice shall be accompanied by

(1) Certification by a physician of the injuries sustained so far as they can then be anticipated and of the treatment afforded by him.

(2) Itemized estimates of an automobile repairman or itemized bill, of the cost of repairs if the damage is to an automobile.

(3) Such information as is known to him with regard to liability insurance in effect with respect to the motor vehicles involved in the accident, and

(4) A copy of the complaint if an action has theretofore been brought for the enforcement of such claim. Such person shall also notify the Board of any action thereafter instituted for the enforcement of such claim within 15 days after the institution thereof, and such notice shall be accompanied by a copy of the complaint. The Board shall be authorized to extend the period of filing any of the documents to accompany the said notice upon proper cause.

SEC. 2. AND BE IT FURTHER ENACTED, THAT IT IS THE LEGISLATIVE INTENT THAT THE PROVISIONS OF THIS ACT FOR GIVING NOTICE TO THE BOARD OF AN INTENTION TO FILE A CLAIM, WITHIN ONE HUNDRED AND EIGHTY (180) DAYS AFTER AN ACCIDENT, SHALL APPLY TO ACCIDENTS OCCURRING ON AND AFTER MARCH 1, 1961.

SEC. 2 3. *And be it further enacted,* That this Act shall take effect June 1, 1961.

Approved May 3, 1961.