

ownership, maintenance or use of a motor vehicle in this State and caused by an operator or owner whose whereabouts cannot be ascertained, provided that

(i) the claimant was not, at the time of the accident, operating or riding in an uninsured motor vehicle owned by him and is not the personal representative of a person who was operating or riding in such a vehicle;

(ii) the claimant was not, at the time of the accident, operating a motor vehicle in violation of an order of suspension, cancellation, or revocation with respect to a certificate of registration or an operator's license, and is not the personal representative of a person so operating;

(iii) the claimant has instituted a cause of action against the operator or owner, or both, of the motor vehicle whose whereabouts cannot be ascertained in order to effect service under the Maryland Rules of Procedure and service of process in the cause of action has twice been returned non est;

(iv) all reasonable efforts have been made to ascertain the whereabouts of the operator or owner, or both, of the vehicle in order to obtain personal service under the Maryland Rules of Procedure and he cannot be located; and

(v) the motor vehicle was, at the time of the accident, uninsured or it is impossible to ascertain, after all reasonable efforts have been made, whether the motor vehicle was insured or uninsured.

(3) *Claims based upon a valid unsatisfied judgment recovered by a qualified person or the personal representative of a qualified person for an amount in excess of \$100.00, exclusive of costs and interest, in any court of competent jurisdiction in this State, against any other person who was the operator or owner of a motor vehicle, for injury to or death of, any person or persons or for damages to property, except property of others in charge of the operator or owner or the operator's or owner's employees, arising out of the ownership, maintenance, or use of the motor vehicle in this State, to the extent that any amount in excess of \$100 remains unpaid thereon; provided that CLAIMS FOR THE DEATH OF OR PERSONAL INJURY TO A QUALIFIED PERSON OR FOR DAMAGE TO PROPERTY IN EXCESS OF \$100.00 ARISING OUT OF THE OWNERSHIP, MAINTENANCE OR USE OF A MOTOR VEHICLE IN THE STATE AND CAUSED BY AN UNINSURED OPERATOR OR OWNER WHOSE WHEREABOUTS ARE ASCERTAINABLE FOR THE PURPOSE OF SERVING PROCESS; PROVIDED THAT*

(i) *the judgment is a final one and all proceedings related thereto, including reviews and appeals, have been terminated or the time for seeking review or appeal has lapsed;*

(ii I) *the claimant is not a spouse of the judgment debtor UNINSURED OPERATOR or the personal representative of such a spouse;*

(iii II) *the claimant was not, at the time of the accident, operating or riding in an uninsured motor vehicle owned by him and is not the personal representative of a person who was operating or riding in such a vehicle;*