

both persons for the amount of the damage sustained by the claimant when and if the identity of either or both persons is established, and the whereabouts of either or both persons is established, AND (ii) entitled to recover the same out of any funds which would be payable in respect to the death or injury under any policy of insurance which was in force at the time of the accident. If more is recovered and collected in any such action than the amount paid out of the Fund the Fund shall, [pay the balance] after reimbursing itself[, to the claimant.] AS PROVIDED IN § 243H, EITHER COLLECT AND PAY THE UNPAID BALANCE TO THE CLAIMANT OR ASSIGN AND TRANSFER TO THE CLAIMANT ANY JUDGMENT, NOTE, OR OTHER RIGHT, INTEREST, OR CAUSE OF ACTION WHICH THE FUND MAY HAVE AGAINST THE UNINSURED PERSON OR PERSONS. The Fund may bring such an action against either or both persons within six months after the identity of either or both persons is established or the whereabouts of either or both persons is established notwithstanding any other statute of limitations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved April 24, 1990.

CHAPTER 78

(Senate Bill 88)

AN ACT concerning

**Maryland Automobile Insurance Fund – Subrogation Against Negligent Motorists –
Recovery of Costs of Collection**

FOR the purpose of authorizing the Maryland Automobile Insurance Fund (MAIF) to subrogate against responsible negligent motorists for the costs of loss collection, in any manner provided for by law, including the Maryland Tax Refund Intercept Program law; and generally relating to the recovery of funds by MAIF.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code

Section 243F

Annotated Code of Maryland

(1986 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

243F.

(a) The executive director shall settle, compromise, or defend claims against the