

~~Bring an action therefor against the Commissioner BOARD when~~
~~serve summons or other process upon the Board as statutory agent~~
~~for such operator or owner, provided the court is satisfied upon~~
 hearing of the application, that

(1) The applicant has complied with the requirements of Section 154.

(2) The applicant was not at the time of the accident, operating or riding in any uninsured motor vehicle owned by him, nor is he the personal representative of a person who was so operating or riding in such a vehicle.

(3) The applicant has instituted a cause of action against the operator or owner, or both, of such vehicle whose whereabouts cannot be ascertained in order to effect service under the Maryland Rules and service of process in such cause of action has twice been returned non est.

(4) All reasonable efforts have been made to ascertain the whereabouts of the operator or owners, or both, of such vehicle in order to obtain personal service under the Maryland Rules and he cannot be located, and the applicant will be required to show affirmatively, to the court's satisfaction, that such efforts have been made.

(5) That the injury or damage for which the applicant has instituted the cause of action arose out of the ownership, maintenance or use of an uninsured motor vehicle or that it is impossible to ascertain, after all reasonable efforts have been made, whether the motor vehicle was insured or uninsured.

When the sheriff's return of such service of process upon the Board, as aforesaid, shall be made to the court in which such cause of action was instituted, the action shall proceed as if such operator or owner had been served personally, and the provisions of Sections 155 through 166 shall, wherever appropriate, be applicable thereto. Service of process upon the manager or assistant manager for the Board shall be deemed sufficient.

168.

(c) Which was in the possession of some person other than the owner or his agent without the consent of the owner, and the identity of the operator has not been established, —such cause shall be stated in the judgment and the plaintiff in such action may, within three months from the date of the entry of such judgment, make application for authority to bring an action upon said cause of action against the ~~Commissioner~~ Board in the manner provided in ~~Section 167~~ Sections 167, and 169 of this Article.

169.

When an action has been commenced in respect of the death or injury of any person arising out of the ownership, maintenance or use of a motor vehicle in this State on or after June 1, 1959, the plaintiff shall be entitled to make the ~~Commissioner~~ Board a party thereto if the provisions of Section 167 or 168 shall apply in any such case, and the plaintiff has made the application and the court has entered the order provided for in Section 167.