

(3) *The applicant has instituted a cause of action against the operator or owner, or both, of the vehicle whose whereabouts cannot be ascertained in order to effect service under the Maryland Rules and service of process in the 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 the 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; and*

(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.*

§ 7-622. *Other "hit-and-run" cases.*

(a) *When in an action for a sum in excess of one hundred dollars (\$100.00) in respect to the death of, or personal injury to, any person, arising out of the ownership, maintenance or use of a motor vehicle in this State on or after June 1, 1959, judgment is rendered for the defendant on the sole ground that the death or personal injury was occasioned by a motor vehicle—*

(b) *The identity of which, and of the owner and operator of which, has not been established, or*

(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 the action, within three months from the date of the entry of such judgment, may make application for authority to bring an action upon the cause of action against the Board in the manner provided in Sections 7-620 and 7-623 of this Article.*

§ 7-623. *Impleading the Board in "hit-and-run" cases.*

*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 Board a party thereto if the provisions of Section 7-620 or Section 7-622 shall apply in the case, and the plaintiff has made the application and the court has entered the order provided for in Section 7-620.*

§ 7-624. *Defense of such actions by the Board.*

*In any action brought under Sections 7-620, 7-622, or 7-623 of this subtitle, the Board may appear by counsel for the insurer to whom the action has been assigned. It shall for all purposes of the action be deemed to be the defendant. It shall have available to it any and all defenses which would have been available to the operator or owner or both if the action had been brought against them or either of them and process upon them or either of them had been duly served within this State, but it shall be entitled to defend in all cases without disclosing to anyone its specific grounds for defense.*