

APPOINTEE. THE EXECUTIVE DIRECTOR MAY NOT BE CHAIRMAN OF THE BOARD OF TRUSTEES. The board of trustees shall advise the executive director with respect to his exercise of the powers and duties conferred on him by this subtitle. The board of trustees shall formulate policy for the Fund. Each trustee who is not otherwise an officer or employee of the State shall receive per diem compensation set by the Board of Public Works for each day actually engaged in the discharge of his official duties as a trustee, and each trustee shall receive reimbursement for all necessary and proper expenses.

243F.

(b) The executive director shall establish and maintain reasonable and adequate reserves for the payment of claims against the Fund. The director shall use the same criteria as is required for use by a private insurer in determining the amount of reserves necessary. AT LEAST ANNUALLY, THE BOARD OF TRUSTEES SHALL REVIEW THE REASONABLENESS AND ADEQUACY OF RESERVES.

243H.

(a) The following types of claims arising after January 1, 1973, may be made against the Fund under this section subject to the provisions of this subtitle, and to the extent that the claim is not covered by a policy of motor vehicle liability insurance:

(3) 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

(vi) The claimant is ineligible to make a claim arising from the same accident, under [§ 482A] SUBTITLE 33 of this article, the [Motor Vehicle Security Fund Act] MARYLAND INSURANCE GUARANTY ASSOCIATION.

(b) (1) The executive director shall, with respect to the Fund, and the Court of Appeals shall, with respect to the courts, promulgate rules setting forth procedural requirements with respect to claims against the Fund filed pursuant to this section and as a condition precedent to any liability on the part of the Fund under this section, a claimant shall comply with all such rules, except that failure to comply with any rule promulgated by the executive director with respect to the Fund may not of itself result in a bar to recovery against the Fund. Prior to the effective date of such rules, as a condition precedent to any liability on the part of the Fund under this section, a claimant shall comply with the requirements set forth in §§