

(i) The claimant is not a spouse or a member of the family residing in the household of the uninsured operator or the personal representative of such a spouse;

(ii) The claimant was not, at the time of the accident, operating or riding in an uninsured motor vehicle owned by him or a member of his family residing in his household and is not the personal representative of a person who was operating or riding in such a vehicle;

(iii) 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 or a member of the family residing in the household of a person so operating;

(iv) The claim is not being made for damage to or destruction of an uninsured motor vehicle owned wholly or partly by him;

(v) The claim is not made by or on behalf of any insurer by reason of the existence of a policy of insurance whereby the insurer is liable to pay, in whole or in part, the amount of the claim or by or on behalf of any insurer for any amount sought or claimed for damages to or destruction to the claimant's or an insured's real or personal property including automobiles by reason of collision with an automobile or object or by upset of the automobile, or by reason of coverage afforded the insured providing indemnification from injury or damages caused by uninsured motorists, and that no part of the amount to be paid out of the Fund is sought in lieu of making a claim or receiving a payment which is payable by reason of the existence of such a policy of insurance, and that no part of the amount so sought will be paid to an insurer to reimburse or otherwise indemnify the insurer in respect of any amount paid or payable by the insurer by reason of the existence of such a policy of insurance; and

(vi) The claimant is ineligible to make a claim arising from the same accident, under Subtitle 33 of this article, against the Property and Casualty Insurance Guaranty Corporation.

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(b) There shall be deducted from the applicable maximum amount set forth in subsection (a) of this section or from the amount of the judgment, whichever is smaller, the total of the following:

(1) From any judgment or portion thereof representing damages to real or personal property, [one hundred dollars (\$100.00)] \$250;

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(c) (1) In this subsection "uninsured motor vehicle" means a motor vehicle whose ownership, maintenance, or use has resulted in the bodily injury or death of an insured, and for which the sum of the limits of liability under all valid and collectible liability insurance policies, bonds, and securities applicable to the bodily injury or death is less than the amount of coverage provided under this subsection.