

20-608. RECOVERY OF MONEY PAID BY FUND.

(A) MANNER OF RECOVERY.

ALL MONEY PAID OUT BY THE FUND UNDER THIS SUBTITLE MAY BE RECOVERED BY THE FUND FROM THE UNINSURED PARTY AT FAULT IN ANY MANNER PROVIDED BY LAW, INCLUDING THE MARYLAND TAX REFUND INTERCEPT PROGRAM.

(B) INDEXING OF JUDGMENTS.

A JUDGMENT THAT IS ASSIGNED TO OR OBTAINED BY THE FUND:

(1) IS CONSIDERED IN ITS ENTIRETY AS TAKEN FOR THE USE OF THE STATE; AND

(2) SHALL BE INDEXED IN THE APPROPRIATE COURT RECORDS IN THE NAME OF THE STATE OF MARYLAND, MARYLAND AUTOMOBILE INSURANCE FUND.

(C) COSTS OF COLLECTION.

IF THE FUND BRINGS SUIT TO ENFORCE A JUDGMENT OBTAINED UNDER THIS SUBTITLE AGAINST AN UNINSURED PARTY AT FAULT, THE FUND MAY RECOVER THE ACTUAL COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 243H(f) through (h).

In subsection (a) of this section, the former reference to the "Unsatisfied Claim and Judgment Fund under former Article 66 1/2" is deleted as obsolete.

Also in subsection (a) of this section, the phrase "without limitation", which formerly modified "including", is deleted as unnecessary in light of Art. 1, § 30 of the Code, which provides that the term "including" is used by way of illustration and not by way of limitation.

In subsection (c) of this section, the reference to an uninsured "party at fault" is substituted for the former reference to uninsured "motorists" to conform to the terminology used in subsection (a) of this section.

Defined term: "Fund" § 20-101

20-609. SUBROGATION TO RIGHTS OF CLAIMANT.

(A) IN GENERAL.

WHENEVER THE FUND MAKES PAYMENT IN AN ACTION BROUGHT OR CLAIM MADE UNDER THIS SUBTITLE, THE FUND SHALL BE SUBROGATED TO THE CAUSE OF ACTION OF THE CLAIMANT RECEIVING THE PAYMENT AGAINST THE DRIVER OR OWNER OF THE MOTOR VEHICLE BY WHICH THE ACCIDENT WAS OCCASIONED.

(B) ACTION FOR AMOUNT OF DAMAGE.

THE FUND: