

(ii) That the defendant or uninsured party has 30 days from the date of the notice within which to engage counsel of his own selection to defend him in the claim or action and that his counsel shall enter an appearance for him in any pending action within the 30 day period or that the defendant or uninsured party may enter an appearance in his own behalf in the claim or any pending action within that period; and

(iii) That, if the provisions of subparagraph (ii) of this paragraph are not complied with, at any time after 30 days from the date of the notice and without further notice, suit may be filed or judgment may be entered against him in the amount of the settlement offer. After the expiration of any 30 day period of notice to a defendant or uninsured party, the Fund may settle the claim, file suit, or request the court to set the action for an expedited hearing. At the hearing the court may proceed in a summary manner, and if it is satisfied that this section or any other applicable provisions of this subtitle have been complied with, it may enter judgment against the defendant or uninsured party in favor of the plaintiff or Fund in the amount of the settlement offer. The defendant or uninsured party has 10 days in which to appeal from the date of the entry of the judgment. On the expiration of 10 days from the entry of any judgment entered under this section, the judgment is not subject to appeal, amendment, or other action of the court, unless there is proof of fraud, mutual mistake, or obvious irregularity.

(4) In any action which is the subject of this section in which a default judgment has been taken for want of a plea by a defendant other than the Fund, or in which the judgment was obtained with the consent of the defendant without the knowledge and approval of the Fund, the Fund shall have 30 days after receipt of actual notice of the entry of the judgment to answer or to make application for relief against the judgment and leave to answer and defend the action.

(5) The Fund may elect to intervene or defend any action brought under this section, and the Fund shall have available to it any and all defenses which would have been, or are, available to the uninsured owner or operator.

(6) In any case in which the Fund has intervened under this subsection, the defendant shall cooperate with the Fund in the defense of the action. If the defendant fails to cooperate, the Fund may apply to the court for an order directing cooperation or proceed as provided for under this subsection.

(7) Any final order, decree, or judgment of any court rendered under this section and the rules adopted by the Fund and the Court of Appeals which debars a claimant from further proceeding against the Fund or denies the claim or which awards or allows the claimant less than that to which the claimant believes he is entitled and, except as provided for in paragraph (3)(iii) of this subsection, any final order, decree, or judgment of any court by which the uninsured or the Fund or any other party is aggrieved shall be appealable to the appropriate court including the Court of Appeals in the manner provided by law and rule of court.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 30, 1991.