

Article - Insurance

§20-603.

(a) (1) Except as provided in paragraph (2) of this subsection, notice of a claim for damages must be filed with the Fund within 180 days after the accident out of which the cause of action arises before a person may apply or sue for payment from the Fund under this subtitle.

(2) If notice of a claim is not filed within the time required under paragraph (1) of this subsection, a claim or suit may not be filed or maintained unless the claimant provides proof:

(i) that the claimant was physically incapable of filing notice within the time required and filed notice within 30 days after becoming physically capable of doing so or, if the claimant did not become capable of filing notice, that a notice was filed for the claimant within a reasonable period;

(ii) that the claimant filed notice within 30 days after having received notice that an insurer had disclaimed on a policy and thus removed or withdrew liability insurance coverage for the claim against a defendant; or

(iii) that the claimant gave the notice required under paragraph (1) of this subsection within 30 days after receiving notice that the insurer of the defendant was insolvent if:

1. the insurer of the defendant is not authorized to transact insurance business in the State; and

2. the claimant is not eligible to make a claim against the Property and Casualty Insurance Guaranty Corporation.

(b) The notice of a claim shall contain:

(1) evidence that the claimant:

(i) has fulfilled all requirements to file a claim; and

(ii) is not eligible for uninsured motorist coverage benefits from a policy issued to the claimant or a family member who resides in the claimant's household;

(2) certification by the claimant's employer of all lost wages incurred up to the filing of notice of a claim;

(3) evidence of all medical expenses incurred up to the filing of notice of a claim;

(4) all reports of medical treatment and consultation for injuries

sustained;

(5) evidence of all other damages claimed up to the filing of the notice of claim;

(6) all available police or other accident reports; and

(7) additional information that the Executive Director requires by regulation.

(c) To the extent practicable, information required in notice of a claim shall be submitted in one filing.