

discretion of the court under this section.

In subsection (d) of this section, the present requirement that the new application be made "within 30 days after the default" is deleted as unduly restrictive, unworkable, and - in light of the court's discretionary powers - unnecessary.

The only other changes are in style.

### SUBTITLE 3. MISCELLANEOUS PROVISIONS.

#### 17-301. DISPOSITION OF DEPOSITS UNDER FORMER FINANCIAL RESPONSIBILITY LAW.

##### (A) REFUND OF DEPOSIT.

IF A PERSON MADE A SECURITY DEPOSIT OF MONEY UNDER THE FINANCIAL RESPONSIBILITY LAW AS IT EXISTED BEFORE JANUARY 1, 1973, THE PERSON OR HIS PERSONAL REPRESENTATIVE MAY APPLY TO THE MARYLAND AUTOMOBILE INSURANCE FUND FOR AND IS ENTITLED TO A REFUND OF THE DEPOSIT, WITHOUT INTEREST, IF:

(1) AN ACTION FOR DAMAGES ARISING OUT OF THE ACCIDENT FOR WHICH THE DEPOSIT WAS MADE IS NOT PENDING AGAINST THE PERSON ON WHOSE BEHALF THE DEPOSIT WAS MADE;

(2) AN UNPAID JUDGMENT DOES NOT EXIST IN FAVOR OF ANY PERSON AS A RESULT OF AN ACTION ARISING FROM THE ACCIDENT FOR WHICH THE DEPOSIT WAS MADE;

(3) A CLAIM IS NOT PENDING AGAINST THE UNSATISFIED CLAIM AND JUDGMENT FUND BOARD OR ITS SUCCESSOR FOR DAMAGES ARISING OUT OF THE ACCIDENT FOR WHICH THE DEPOSIT WAS MADE; AND

(4) THE EXECUTIVE DIRECTOR OF THE MARYLAND AUTOMOBILE INSURANCE FUND, ON THE ADVICE OF THE ATTORNEY GENERAL, IS SATISFIED BY A REASONABLE PREPONDERANCE OF THE EVIDENCE THAT THE PERSON IS LEGALLY ENTITLED TO THE DEPOSIT.

(B) CLAIM AGAINST UNSATISFIED CLAIM AND JUDGMENT FUND BOARD IS A LIEN.

IF THERE IS A CLAIM PENDING AGAINST THE UNSATISFIED CLAIM AND JUDGMENT FUND BOARD OR ITS SUCCESSOR, THAT CLAIM IS A LIEN AGAINST THE AMOUNT DEPOSITED IN FAVOR OF THE UNSATISFIED CLAIM AND JUDGMENT FUND BOARD OR ITS SUCCESSOR.

##### (C) USE OF DEPOSIT TO PAY JUDGMENT OR CLAIM.

NEITHER SUBSECTION (A) OF THIS SECTION NOR ANY OTHER PROVISION OF LAW MAY BE CONSTRUED TO PREVENT THE USE OF