

516E.1 Definitions.

For the purposes of this chapter:

1. "*Administrator*" means the deputy administrator appointed pursuant to section 502.601.
2. "*Commissioner*" means the commissioner of insurance as provided in section 505.1.
3. "*Maintenance agreement*" means a contract of limited duration that provides for scheduled maintenance only.
4. "*Mechanical breakdown insurance*" means a policy, contract, or agreement that undertakes to perform or provide repair or replacement service, or indemnification for that service, for the operational or structural failure of a motor vehicle due to a defect in materials or skill of work or normal wear and tear, and that is issued by an insurance company authorized to do business in this state.
5. "*Motor vehicle*" means any self-propelled vehicle subject to registration under chapter 321.
6. "*Provider*" means a person who sells or offers to sell a service contract.
7. "*Record*" means information stored or preserved in any medium, including in an electronic or paper format. A record includes but is not limited to documents, books, publications, accounts, correspondence, memoranda, agreements, computer files, film, microfilm, photographs, and audio or visual tapes.
8. "*Reimbursement insurance policy*" means a policy of insurance issued to a service company and pursuant to which the insurer agrees, for the benefit of the service contract holders, to discharge all of the obligations and liabilities of the service company under the terms of service contracts issued by the service company in the event of nonperformance by the service company. For the purposes of this definition, "*all obligations and liabilities*" include, but are not limited to, failure of the service company to perform under the service contract and the return of the unearned service company fee in the event of the service company's unwillingness or inability to reimburse the unearned service company fee in the event of termination of a service contract.
9. "*Service company*" means a person who issues and is obligated to perform, or arrange for the performance of, services pursuant to a service contract.
10. "*Service contract*" means a contract or agreement given for consideration over and above the lease or purchase price of a new or used motor vehicle having a gross vehicle weight rating of less than sixteen thousand pounds, that undertakes to perform or provide repair or replacement service, or indemnification for that service, for the operation or structural failure of a motor vehicle due to a defect in materials or skill of work or normal wear and tear, but does not include mechanical breakdown insurance or maintenance agreements.
11. "*Service contract holder*" means a person who purchases a service contract.
12. "*Third-party administrator*" means a person who contracts with a service company to be responsible for the administration of the service company's service contracts, including processing and adjudicating claims pursuant to a service contract.

85 Acts, ch 45, § 1

CS85, §321I.1

90 Acts, ch 1145, § 1; 92 Acts, ch 1163, § 77; 2000 Acts, ch 1147, §1, 2, 15

C2001, §516E.1

2005 Acts, ch 70, §25