

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. “*Financial institution*” means an institution that is all of the following:
 - a. Organized or, in the case of the office of a foreign banking organization located in the United States, licensed, under the laws of the United States or any state, and granted authority to operate with fiduciary powers.
 - b. Regulated, supervised, and examined by federal or state authorities empowered to regulate banks and trust companies.
4. “*Maintenance agreement*” means a contract of limited duration that provides for scheduled maintenance only.
5. “*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.
6. “*Motor vehicle*” means any self-propelled vehicle subject to registration under [chapter 321](#).
7. “*Premium*” means the consideration paid to an insurer for a reimbursement insurance policy.
8. “*Provider*” means a person who sells or offers to sell a service contract.
9. “*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.
10. “*Reimbursement insurance policy*” means a contractual liability insurance policy issued to a service company that either provides reimbursement to a service company under the terms of insured service contracts issued or sold by the service company or, in the event of nonperformance by the service company, pays, on behalf of the service company, all covered contractual obligations incurred by the service company under the terms of the insured service contracts issued or sold by the service company.
11. “*Service company*” means a person who issues and is obligated to perform, or arrange for the performance of, services pursuant to a service contract.
12. “*Service company fee*” means the consideration paid for a service contract.
13. “*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.
14. “*Service contract holder*” means a person who purchases a service contract.
15. “*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](#); [2006 Acts, ch 1117, §77, 78](#)

Referred to in [§163.51](#), [§322.19](#), [§523C.1](#), [§551A.1](#)