



Ohio Administrative Code

Rule 109:4-4-01 Authority, construction and purposes of rules; severability; and definitions.

Effective: November 29, 1987

(A) Authority, rules of construction, purposes

(1) This chapter is adopted by the office of the attorney general of Ohio pursuant to division (A) of section 1345.77 and Chapter 119. of the Revised Code.

(2) Without limiting the scope of any section of the Revised Code or any other rule, this chapter shall be liberally construed and applied to promote their purposes and policies.

(3) The purposes and policies of this chapter are to:

(a) Define with reasonable specificity the qualifications for the certification of informal dispute settlement programs for the resolution of new motor vehicle warranty disputes between the consumer and the manufacturer or its agents.

(b) Encourage the establishment and qualification of dispute resolution programs for settlement of new motor vehicle warranty disputes.

(B) Severability

Each substantive rule and every part of each substantive rule is an independent rule and part of a rule, and the holding of any rule or part of a rule to be unconstitutional, void, or ineffective for any cause does not affect the validity or constitutionality of any other rule or part of a rule, and, to this end, each and every rule, paragraph, sentence, clause, phrase, or provision of this chapter is hereby declared severable.

(C) Definitions

(1) For purposes of this chapter, the definitions found in section 1345.71 of the Revised Code,



including any amendments, shall apply.

(2) "The act" means sections 1345.71 to 1345.77 of the Revised Code, including any amendments.

(3) "Board" means the organization, person, or entity which conducts the dispute-settlement processes, including but not limited to conciliation, mediation, or arbitration procedures by which a warrantor has agreed to be bound.

(4) "Arbitrators" means the person or persons within a board actually deciding disputes.

(5) "On the face of the warranty" means the page on which the warranty text begins or on the first page of an alternative document issued by the warrantor for the purpose of complying with this chapter.

(6) "Warrantor" means the manufacturer or distributor of a new motor vehicle which provides a warranty for that motor vehicle.

(7) "Warranty disputes" means any unresolved complaint initiated by a consumer which alleges a nonconformity in a motor vehicle relating to a written warranty.

(8) "Attorney general" means the attorney general of Ohio, or his or her representative.