

accordance with § 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) All persons affected by this directive may examine information related to this AD at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment supersedes AD 98-04-27, Amendment 39-10339.

(g) This amendment becomes effective on August 17, 1999.

Issued in Kansas City, Missouri, on June 18, 1999.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-16278 Filed 6-25-99; 8:45 am]

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 901

#### Procedures for State Application for Exemption From the Provisions of the Fair Debt Collection Practices Act

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** This document amends the procedures by which a State may request that the Commission exempt certain debt collection practices within that State from the provisions of the Fair Debt Collection Practices Act. The amendments are intended to make the procedures more convenient and less burdensome by permitting supporting documents to be submitted in either paper or electronic form, and by eliminating the requirement that States submit certain information.

**EFFECTIVE DATE:** June 28, 1999.

**FOR FURTHER INFORMATION CONTACT:** Thomas E. Kane, Attorney, Division of Financial Practices, Federal Trade Commission, 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580, (202) 326-3224, E-mail [tkane@ftc.gov].

**SUPPLEMENTARY INFORMATION:** The Fair Debt Collection Practices Act, 15 U.S.C. 1692 ("FDCPA"), prohibits the use of deceptive, unfair and unfair and abusive practices by third-party debt collectors. Section 817 of the FDCPA, 15 U.S.C. 1692o, requires that the Commission, by regulation, exempt from its requirements "any class of debt collection practices within any State if the Commission determines that under the law of that State, the class of debt collection practices is subject to requirements substantially similar to those imposed by [the FDCPA], and that there is adequate provision for enforcement." Pursuant to that requirement, the Commission promulgated procedures for State applications for exemption from the provisions of the FDCPA ("Procedures"), 44 FR 21005 (Apr. 9, 1979). The Procedures, codified in 16 CFR Part 901, provide that any State may apply to the Commission for a determination that, under the laws of that State: (1) a class of debt collection practices within that State is subject to requirements that are substantially similar to, or provide greater protection for consumers than, those imposed under sections 803 through 812 of the FDCPA; and (2) there is adequate provision for State enforcement of such requirements. Since the adoption of these Procedures, the Commission has received one application for exemption, from the State of Maine, and granted that exemption.<sup>1</sup>

In accordance with the FDCPA and the Commission's plan for Periodic Review of Commission Rules,<sup>2</sup> the Commission published a document in the **Federal Register** on April 22, 1998, requesting public comments regarding the overall costs and benefits and continuing need for the Procedures.<sup>3</sup> The Commission received comments from the Maine Department of Professional and Financial Regulation ("Maine"), the Massachusetts Commission of Banks ("Massachusetts"), and the Credit Union National Association, Inc. ("CUNA").

#### Comments Received and Amendments Adopted

Maine urged the Commission to maintain the Procedures in their current form. Massachusetts suggested that the Commission streamline the Procedures to make them less burdensome for states applying for an exemption. As noted

below, the Commission has adopted several amendments that serve to streamline the Procedures.

CUNA recommended that the Procedures be amended to permit electronic applications over the Internet. The Commission agrees that the Procedures can be made more convenient for States by incorporating the use of current technology in the application process to the extent possible. Accordingly, the Commission is amending § 901.3 to clarify that States may submit documents supporting their applications in either paper or electronic form, thus allowing States to submit supporting documents, for example, by electronic mail over the Internet or on a floppy disk if they prefer that method to mailing paper copies of the documents. The Commission, however, has determined not to amend § 901.2 of the Procedures to permit States to file the exemption application itself electronically because that document must be signed, and the Commission's Rules of Practice require a hand signed signature. See 16 CFR 4.2(e) (filing requirements).

The Commission is also amending the Procedures to correct a technical inconsistency and eliminate the need for States to submit information not essential to the Commission in determining, for purposes of an exemption application, that State law and administrative enforcement offers at least as much protection as the FDCPA does. Specifically, § 901.3(d)(2) and (3) require States to submit documents showing that civil liabilities for a failure to comply with their State law are substantially similar to, or more extensive than, civil liabilities provided for under section 813 of the FDCPA. Section 901.4(b)(2) and (3) of the Procedures require that the Commission then compare the State civil liability provisions to the section 813 provisions. At the same time, however, § 901.6(d) provides that no exemption, if any, granted by the Commission shall extend to the civil liability provisions of section 813. This prohibition renders the results of the § 901.3(d)(2)-(3) and section 813 comparison superfluous. Although the Commission received no response to its request for comments on this issue,<sup>4</sup> it has deleted §§ 901.3(d)(2) and (3) and 901.4(b)(2) and (3) because they serve no critical purpose in light of the paragraph 901.6(d) limitation. Moreover, removing these paragraphs will benefit States that apply for FDCPA exemptions as well as the Commission by reducing the number of documents that the states must produce and the

<sup>1</sup> Notice of Maine Exemption from the Fair Debt Collection Practices Act, 60 FR 68173 (Dec. 27, 1995).

<sup>2</sup> 46 FR 35118 (July 7, 1981).

<sup>3</sup> 63 FR 19859.

<sup>4</sup> 63 FR at 19860 n.7.

number of statutory comparisons that the Commission must conduct.

Consistent with the Administrative Procedure Act, the Commission is adopting these amendments as final without further notice or public comment. See 5 U.S.C. 553(A), (B). To the extent these Procedures involve a "collection of information" within the meaning of the Paperwork Reduction Act, 44 U.S.C. 3501-3520, that collection has already been approved by the Office of Management and Budget (OMB) and assigned control number 3084-0047. The present amendments do not modify the existing requirements to require any new or additional collection of information. Furthermore, the requirements of the Regulatory Flexibility Act also do not apply to these amendments, which will not have a significant economic impact on a substantial number of small entities within the meaning of that Act. See 5 U.S.C. 601, 605(b).

#### List of Subjects in 16 CFR Part 901

Administrative practice and procedure, Consumer protection, Credit, Intergovernmental relations.

For the reasons set forth in the preamble, Part 901 of Chapter I of Title 16 of the Code of Federal Regulations is amended as follows:

#### PART 901—PROCEDURES FOR STATE APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF THE ACT

1. The authority citation for part 901 continues to read as follows:

**Authority:** Pub. L. 95-109, 91 Stat. 874, 15 U.S.C. 1692o; 5 U.S.C. 552.

2. Section 901.3 is amended by revising the introductory text and paragraph (d) to read as follows:

##### § 901.3 Supporting documents.

The application shall be accompanied by the following, which may be submitted in paper or electronic form:

\* \* \* \* \*

(d) A comparison of the provisions of the State law that provides for enforcement with the provisions of section 814 of the Act, together with reasons supporting the claim that such State law provides for administrative enforcement of the State law referred to in paragraph (a) of this section that is substantially similar to, or more extensive than, the enforcement provided under section 814 of the Act.

\* \* \* \* \*

3. Section 901.4 is amended by revising paragraph (b) to read as follows:

##### § 901.4 Criteria for determination.

\* \* \* \* \*

(b) In determining whether provisions for enforcement of the State law referred to in § 901.3(a) are adequate, consideration will be given to the extent to which, under State law, provision is made for administrative enforcement, including necessary facilities, personnel, and funding.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

[FR Doc. 99-15841 Filed 6-25-99; 8:45 am]  
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#### CONSUMER PRODUCT SAFETY COMMISSION

##### 16 CFR Part 1615

##### Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Correction

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** The Commission is amending the standard for the flammability of children's sleepwear sizes 0 through 6X to correct several references to a paragraph that was redesignated when the Commission amended the standard in 1996. In this document, the Commission is also clarifying the definition of infant garments.

**DATES:** The corrections become effective on June 28, 1999.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Borsari, Office of Compliance, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0400, extension 1370.

**SUPPLEMENTARY INFORMATION:** This document corrects several references in the children's sleepwear standard for sizes 0 through 6X that were not changed when the Commission amended the standard in 1996.<sup>1</sup> When the standard was amended to exempt infant garments, paragraph 1615.1(c), which defined "item," was changed to 1615.1(d). Several references to this paragraph elsewhere in the standard were not changed to refer to the redesignated paragraph. This notice corrects those references. This notice also corrects the definition of infant garments in paragraph 1615.1(c). As currently worded, the language seems to apply to children aged 9 months or younger, rather than garments sized 9 months or smaller. Garments sized 9 months are typically worn by children

<sup>1</sup> Commissioners Mary Gall and Thomas Moore voted to issue this correction notice. Chairman Ann Brown abstained.

who are actually 5 or 6 months old. This notice clarifies the definition by defining an infant garment as "a garment that is sized nine months or smaller," rather than by defining it as "a garment that is sized for a child nine months of age or younger." Because these are technical corrections rather than substantive rules, there is no need to delay the effective date. 5 U.S.C. 553(d).

#### List of Subjects in 16 CFR Part 1615

Clothing, Consumer protection, Flammable materials, Infants and children, Labeling, Reporting and recordkeeping requirements, Sleepwear, Textiles, Warranties.

Accordingly, 16 CFR part 1615 is corrected by making the following correcting amendments:

#### PART 1615—STANDARD FOR THE FLAMMABILITY OF CHILDREN'S SLEEPWEAR: SIZES 0 THROUGH 6X

1. The authority citation for part 1615 continues to read as follows:

**Authority:** Sec. 4, 67 Stat. 112, as amended, 81 Stat. 569-570; 15 U.S.C. 1193.

##### § 1615.1 [Corrected]

2. In § 1615.1(c)(1) remove the words "Is sized for a child nine months of age or younger" and add, in their place "Is sized nine months or smaller".

##### § 1615.2 [Corrected]

3. In § 1615.2(a), (b) and (c) remove the words "§ 1615.1(c)" and add, in their place "§ 1615.1(d)".

##### § 1615.64 [Corrected]

4. In § 1615.64(a)(1) and (b) remove the words "§ 1615.1(c)" and add, in their place "§ 1615.1(d)".

Dated: June 22, 1999.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 99-16321 Filed 6-25-99; 8:45 am]

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#### CONSUMER PRODUCT SAFETY COMMISSION

##### 16 CFR Parts 1615 and 1616

##### Final Rule; Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.