

accordance with LET Mandatory Bulletin Number L33/008a, dated January 20, 1998. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from LET Aeronautical Works, 686 04 Kunovice, Czech Republic. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

Note 4: The subject of this AD is addressed in Czech Republic AD CCA-T-AD-1-024/98, dated March 23, 1998.

(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. 99-16279 Filed 6-25-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-77-AD; Amendment 39-11209; AD 99-14-01]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. PA-23, PA-30, PA-31, PA-34, PA-39, PA-40, and PA-42 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 98-04-27, which currently requires incorporating certain icing information into the FAA-approved airplane flight manual (AFM) of The New Piper Aircraft, Inc. (Piper) PA-23, PA-30, PA-31, PA-34, PA-39, PA-40, and PA-42 series airplanes. The Federal Aviation Administration (FAA) inadvertently omitted Piper Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes from the Applicability section of AD 98-04-27. This AD retains the requirement of incorporating the icing information into the AFM for all airplanes affected by AD 98-04-27, and adds Piper Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes to the Applicability section of the AD. The actions specified by this AD are intended to minimize the potential hazards associated with operating these airplanes in severe icing conditions by

providing more clearly defined procedures and limitations associated with such conditions.

DATES: Effective August 17, 1999.

ADDRESSES: This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-77-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. John P. Dow, Sr., Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper PA-23, PA-30, PA-31, PA-34, PA-39, PA-40, and PA-42 series airplanes was published in the **Federal Register** on September 24, 1998 (63 FR 51045). The NPRM proposed to supersede AD 98-04-27, Amendment 39-10339 (63 FR 7668, February 17, 1998). AD 98-04-27 currently requires revising the Limitations Section of the FAA-approved airplane flight manual (AFM) to specify procedures that would specify the following for PA-23, PA-30, PA-31, PA-34, PA-39, PA-40, and PA-42 series airplanes:

- Require flight crews to immediately request priority handling from Air Traffic Control to exit severe icing conditions (as determined by certain visual cues);
- Prohibit flight in severe icing conditions (as determined by certain visual cues);
- Prohibit use of the autopilot when ice is formed aft of the protected surfaces of the wing, or when an unusual lateral trim condition exists; and
- Require that all icing wing inspection lights be operative prior to flight into known or forecast icing conditions at night.

AD 98-04-27 also required revising the Normal Procedures Section of the FAA-approved AFM to specify procedures that would:

- Limit the use of the flaps and prohibit the use of the autopilot when ice is observed forming aft of the protected surfaces of the wing, or if unusual lateral trim requirements or autopilot trim warnings are encountered; and
- Provide the flight crew with recognition cues for, and procedures for exiting from, severe icing conditions.

The NPRM proposed to retain from AD 98-04-27 the requirement of incorporating certain icing information into the FAA-approved AFM for the affected airplanes, and would add Piper Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes to the Applicability section of the AD.

The NPRM was the result of the FAA inadvertently omitting Piper Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes from the Applicability section of AD 98-04-27.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 5,265 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Since an owner/operator who holds at least a private pilot's certificate as authorized by §§ 43.7 and 43.9 of the Federal Aviation Regulations (14 CFR 47.7 and 43.9) can accomplish this action, the only cost impact upon the public is the time it will take the affected airplane owners/operators to incorporate the AFM revisions.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator will accomplish these actions in the future if this AD were not adopted.

In addition, the FAA recognizes that this action may impose operational costs. However, these costs are incalculable because the frequency of occurrence of the specified conditions and the associated additional flight time cannot be determined. Nevertheless, because of the severity of the unsafe condition, the FAA has determined that continued operational safety necessitates the imposition of the costs.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 98-04-27, Amendment 39-10339 (63 FR 7668, February 17, 1998), and by adding a new AD to read as follows:

99-14-01 The New Piper Aircraft, Inc.:

Amendment 39-11209; Docket No. 98-CE-77-AD; Supersedes AD 98-04-27, Amendment 39-10339.

Applicability: Models PA-23, PA-23-160, PA-23-235, PA-23-250, PA-E23-250, PA-30, PA-39, PA-40, PA-31, PA-31-300, PA-31-325, PA-31-350, PA-31P, PA-31T, PA-31T1, PA-31T2, PA-31P-350, PA-34-200, PA-34-200T, PA-34-220T, PA-42, PA-42-720, and PA-42-1000 airplanes, all serial numbers, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability

provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as follows, unless already accomplished:

1. *For all affected airplanes, except for Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes:* Within 30 days after March 13, 1997 (the effective date of AD 98-04-27).

2. *For all Models PA-31P, PA-31T, PA-31T1, PA-31T2, and PA-31P-350 airplanes:* Within the next 30 days after the effective date of this AD.

To minimize the potential hazards associated with operating the airplane in severe icing conditions by providing more clearly defined procedures and limitations associated with such conditions, accomplish the following:

(a) At the applicable compliance time presented in the Compliance section of this AD, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD.

Note 2: Operators should initiate action to notify and ensure that flight crewmembers are apprised of this change.

(1) Revise the FAA-approved Airplane Flight Manual (AFM) by incorporating the following into the Limitations Section of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

WARNING

Severe icing may result from environmental conditions outside of those for which the airplane is certificated. Flight in freezing rain, freezing drizzle, or mixed icing conditions (supercooled liquid water and ice crystals) may result in ice build-up on protected surfaces exceeding the capability of the ice protection system, or may result in ice forming aft of the protected surfaces. This ice may not be shed using the ice protection systems, and may seriously degrade the performance and controllability of the airplane.

- During flight, severe icing conditions that exceed those for which the airplane is certificated shall be determined by the following visual cues. If one or more of these visual cues exists, immediately request priority handling from Air Traffic Control to facilitate a route or an altitude change to exit the icing conditions.

- Unusually extensive ice accumulation on the airframe and windshield in areas not normally observed to collect ice.

- Accumulation of ice on the upper surface of the wing, aft of the protected area.

- Accumulation of ice on the engine nacelles and propeller spinners farther aft than normally observed.

- Since the autopilot, when installed and operating, may mask tactile cues that indicate adverse changes in handling characteristics, use of the autopilot is prohibited when any of the visual cues specified above exist, or when unusual lateral trim requirements or autopilot trim warnings are encountered while the airplane is in icing conditions.

- All wing icing inspection lights must be operative prior to flight into known or forecast icing conditions at night. [**Note:** This supersedes any relief provided by the Master Minimum Equipment List (M MEL).]

(2) Revise the FAA-approved AFM by incorporating the following into the Normal Procedures Section of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

THE FOLLOWING WEATHER CONDITIONS MAY BE CONDUCTIVE TO SEVERE IN-FLIGHT ICING

- Visible rain at temperatures below 0 degrees Celsius ambient air temperature.
- Droplets that splash or splatter on impact at temperatures below 0 degrees Celsius ambient air temperature.

Procedures for Exiting the Severe Icing Environment

These procedures are applicable to all flight phases from takeoff to landing. Monitor the ambient air temperature. While severe icing may form at temperatures as cold as -18 degrees Celsius, increased vigilance is warranted at temperatures around freezing with visible moisture present. If the visual cues specified in the Limitations Section of the AFM for identifying severe icing conditions are observed, accomplish the following:

- Immediately request priority handling from Air Traffic Control to facilitate a route or an altitude change to exit the severe icing conditions in order to avoid extended exposure to flight conditions more severe than those for which the airplane has been certificated.

- Avoid abrupt and excessive maneuvering that may exacerbate control difficulties.

- Do not engage the autopilot.

- If the autopilot is engaged, hold the control wheel firmly and disengage the autopilot.

- If an unusual roll response or uncommanded roll control movement is observed, reduce the angle-of-attack.

- Do not extend flaps when holding in icing conditions. Operation with flaps extended can result in a reduced wing angle-of-attack, with the possibility of ice forming on the upper surface further aft on the wing than normal, possibly aft of the protected area.

- If the flaps are extended, do not retract them until the airframe is clear of ice.

- Report these weather conditions to Air Traffic Control.

(b) Incorporating the AFM revisions, as required by this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by § 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in

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.¹

In accordance with the FDCPA and the Commission's plan for Periodic Review of Commission Rules,² 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.³ 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,⁴ 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

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

² 46 FR 35118 (July 7, 1981).

³ 63 FR 19859.

⁴ 63 FR at 19860 n.7.