J. Preemption

Section 26(a) of the CPSA, 15 U.S.C. 2075(a), provides that where a “consumer product safety standard under [the Consumer Product Safety Act (CPSA)]” is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a requirement dealing with the same risk of injury, unless the state requirement is identical to the federal standard. Section 26(c) of the CPSA also provides that states or political subdivisions of states may apply to the Commission for an exemption from this preemption under certain circumstances.

The Danny Keysar Child Product Safety Notification Act (at section 104(b)(1)(B) of the CPSIA) refers to the rules to be issued under that section as “consumer product safety standards,” thus, implying that the preemptive effect of section 26(a) of the CPSA would apply. Therefore, a rule issued under section 104 of the CPSIA will invoke the preemptive effect of section 26(a) of the CPSA when it becomes effective.

K. Effective Date

Under the procedure set forth in section 104(b)(4)(B) of the CPSIA, when a voluntary standard organization revises a standard upon which a consumer product safety standard issued under the Danny Keysar Child Product Safety Notification Act was based, the revision becomes the CPSC standard within 180 days of notification to the Commission, unless the Commission determines that the revision does not improve the safety of the product, or the Commission sets a later date in the Federal Register. The Commission has not set a different effective date. Thus, in accordance with this provision, this rule takes effect 180 days after we received notification from ASTM of revisions to these standards. As discussed in the preceding section, this is a direct final rule. Unless we receive a significant adverse comment within 30 days, the rule will become effective on September 10, 2018.

List of Subjects in 16 CFR Part 1220


For the reasons stated above, the Commission amends title 16 CFR chapter II as follows:

PART 1220—SAFETY STANDARD FOR NON-FULL-SIZE BABY CRIBS


SUPPLEMENTARY INFORMATION:

DATES: This rule is effective June 6, 2018 and is applicable beginning May 24, 2018.


DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that USS CHARLESTON (LCS 18) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

DATES: This rule is effective June 6, 2018 and is applicable beginning May 24, 2018.

For Further Information Contact:

placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 2(f)(iii), pertaining to the vertical placement of task lights; Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship, and the horizontal distance between the forward and after masthead light; Rule 27(b)(i) and Annex I, paragraph 9(b)(i), pertaining to the visibility of the middle task light. The DAJAG (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

For the reasons set forth in the preamble, the DoN amends part 706 of title 32 of the Code of Federal Regulations as follows:

PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

1. The authority citation for part 706 continues to read as follows:


2. Section 706.2 is amended by:

a. In Table One, adding, in alpha numerical order, by vessel number, an entry for USS CHARLESTON (LCS 18);

b. In Table Four:

i. Under paragraph 15, adding, in alpha numerical order, by vessel number, an entry for USS CHARLESTON (LCS 18);

ii. Under paragraph 16, adding, in alpha numerical order, by vessel number, an entry for USS CHARLESTON (LCS 18); and

iii. Under paragraph 27, adding, in alpha numerical order, by vessel number, an entry for USS CHARLESTON (LCS 18); and

c. In Table Five, adding, in alpha numerical order, by vessel number, an entry for USS CHARLESTON (LCS 18).

The additions read as follows:

§ 706.2 Certifications of the Secretary of the Navy Under Executive Order 11964 and 33 U.S.C. 1605.

<p>| TABLE ONE |
|-----------------|-----------------|-----------------|</p>
<table>
<thead>
<tr>
<th>Vessel Number</th>
<th>Distance in meters of forward masthead light below minimum required height</th>
</tr>
</thead>
<tbody>
<tr>
<td>USS CHARLESTON</td>
<td>LCS 18</td>
</tr>
</tbody>
</table>

<p>| TABLE FOUR |
|-----------------|-----------------|-----------------|</p>
<table>
<thead>
<tr>
<th>Vessel Number</th>
<th>Horizontal distances from the fore and aft centerline of the vessel in the athwartship direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>USS CHARLESTON</td>
<td>LCS 18</td>
</tr>
</tbody>
</table>

<p>| TABLE FIVE |
|-----------------|-----------------|-----------------|</p>
<table>
<thead>
<tr>
<th>Vessel Number</th>
<th>Obstruction angle relative ship's headings</th>
</tr>
</thead>
<tbody>
<tr>
<td>USS CHARLESTON</td>
<td>LCS 18</td>
</tr>
</tbody>
</table>
### Table Five

<table>
<thead>
<tr>
<th>Vessel</th>
<th>Number</th>
<th>Masthead lights not over other lights and obstructions, annex I, sec. 2(f)</th>
<th>Forward masthead light not in forward quarter of ship, annex I, sec. 3(a)</th>
<th>After masthead light less than 1/2 ship's length aft of forward masthead light, annex I, sec. 3(a)</th>
<th>Percentage horizontal separation attained</th>
</tr>
</thead>
<tbody>
<tr>
<td>USS CHARLESTON</td>
<td>LCS 18</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>15.2</td>
</tr>
</tbody>
</table>

Approved: May 24, 2018.

Christopher J. Spain,
Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), Acting.

E.K. Baldini,
Lieutenant Commander, Judge Advocate General’s Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2016–12136 Filed 6–5–18; 8:45 am]