OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No: 000890232Y et al. (1 Summons)** **DEPT OF ENVIRONMENTAL PROTECTION,** **-against-** **PENSKE TRUCK LEASING CO LP** **Hearing Date: 10/14/2026** **Hearing Location: Remote** **Type of Hearing: By Telephone**

Total Penalty Amount:**$350.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000890232Y	Sustained	06/10/2024	204 BOWERY Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	$350.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Environmental Protection, appeared by Senior Inspector Joyce. Respondent appeared by TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC.

This hearing was conducted *via* telephone on October 14, 2026.

Respondent is charged with Code § 24-163, in that there was a citizen-complainant that observed Respondent's vehicle, idling for longer than three minutes.

Respondent acknowledged that they viewed the agency's evidence.

Code § 24-163(a) provides in pertinent part:

(a) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes . . . while parking as defined in section one hundred twenty-nine of the vehicle and traffic law [VTL], *standing* as defined in section one hundred forty-five of the [VTL], or stopping as defined in section one hundred forty-seven of the [VTL], unless *the engine is used to operate a loading, unloading or processing device*. [Emphasis added.]

Respondent asserted it had received and reviewed petitioner's evidence, denied the violation but offered no rebuttal evidence.

I credit the summons. The summons is for violating Code § 24-163 is sustained and the standard civil penalty is imposed for a 1st offense.



10/14/2026

10/14/2026

Rebecca Kramer, Judicial Hearing Officer **Date**