OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 000955643N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC **Hearing Date:** 08/31/2026 **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
000955643N	Sustained	09/11/2024	66 WEST 49 STREET 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 Department of Environmental Protection, issued a summons to Respondent, Ace Travel Inc., for violating NYC Administrative Code Section 24-163, Idling of motor vehicle engine for more than 3 minutes – 1st offense. The Issuing Officer indicated on the summons that a Bus with NC Plate # LA29979 was observed idling on September 11, 2024, from 12:45 p.m. to 12:48 p.m., at 66 West 49th Street, in New York, New York.

Section 24-163 states that "No person shall or permit the engine of a motor vehicle…to idle for longer than three minutes…" Section 24-163 (f) provides for exceptions when the engine is used to operate a processing device, for mechanical work, or to maintain appropriate temperature for passenger comfort.

At the hearing, Michael Grosso appeared for the Petitioner, NYC Department of Environmental Protection. Tiffany Irizary from the Nacmias Law Firm appeared on behalf of Respondent, Ace Travel Inc., as its authorized representative.

Petitioner relied upon the sworn statement of the Issuing Officer contained in the summons. Ms. Irizary stated that Respondent denies the violation and offered no rebuttal evidence or defense.

I credit the testimony and evidence submitted by the Petitioner. I find that Petitioner established the violation of the cited Code. I also find that Respondent did not offer any evidence or assert any defenses.

Accordingly, this summons is Sustained and the 1st offense penalty is imposed.

09/15/2026

09/15/2026

Eva Marie Russo-Lane, Judicial Hearing Officer **Date**