



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000849825P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC Hearing Date: 06/06/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000849825P	Sustained	04/14/2024	Allen and Hester Streets Manhattan

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

Findings of Fact & Conclusions of Law

The summons was issued by the NYC Department of Environmental Protection for idling of motor vehicle engine for more than three minutes, at a Terminal point.

Petitioner, DEP, appeared by Monica Dawson.

Respondent appeared by Lance Chebin, authorized Representative.

Petitioner submitted into evidence four photographs, a redacted affidavit and video of the alleged violation, without objection.

Mr. Chebin argued that the video shows that the bus moves before three minutes and thus the violation should be dismissed.

Petitioner argued that since the vehicle was at a Terminal Point, the idling can be less than three minutes to trigger the violation.

NYC Administrative Code Section 24-163, states that a vehicle idling at a Terminal Point can be summonsed, and that the three minutes of idling. is not required by the statute.

As such, based on the record before me, the violation is sustained and the standard penalty is hereby imposed.



06/11/2025

06/11/2025

John Ciafone, Hearing Officer

Date