



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 0217536890 et al. (1 summonses)

NEW YORK CITY POLICE DEPT,

-against-

XIANG ZENG QUI

Hearing Date : 11/7/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 50.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0217536890	Sustained	09/14/2025	40-05 12 STREET, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AD6B	A.C. 1 9-136(b)	Sustained	50.00

Total Penalty for Summons: 50.00

Findings of Facts & Conclusions of Law

Attorney Mr. Nacmais appeared for Respondent. Petitioner did not appear.

Respondent is charged with a violation of NYCAC 19-136(b) which states, It shall be unlawful for any person, directly or indirectly, to use any portion of a sidewalk or courtyard, established by law, between the building line and the curb line for the parking, storage, display or sale of motor vehicles.

Respondent moved to dismiss since the cited code section refers to motor vehicles while Respondent was cited for using a moped, not a motor vehicle.

I do not credit Respondent's argument VTL section 125 defines a motor vehicle as " Every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power..." with certain listed exceptions. A moped is propelled by power and is not a listed exception. I credit the officers' observations and find that the noted motor vehicle was using a portion of the noted sidewalk for his moped.

Accordingly, this summons is sustained.

	
11/07/2025	11/07/2025
Christine Delince, Judicial Hearing Officer	Date