



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0220566666 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- IBRAHIM A MOHAMMED Hearing Date: 02/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
---	--

Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0220566666	Dismissed	09/30/2025	East 149 Street and 3rd Avenue Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AE51	A.C. 24-163	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The Summons alleges that the Issuing Officer (IO) observed defendant parked in the bus lane with his engine idling more than 3 minutes.

Respondent appeared via a remote hearing by MICHAEL NACMIAS, counsel for Respondent, and waived the right of the presence of the IO.

JHO notes that Affidavit of Service could not be viewed. Counselor moves to dismiss in that statute is based upon operation of a motor vehicle and the summons does not indicate that the Respondent was operating a motor vehicle. Counselor also

states there is no subsection of the law (i.e., a-g) and the mail in penalty is not \$300 and is not the correct section of law.

Code § 24-163(a) provides that: 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, except as provided in subdivision (f) of this section, while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device. When the ambient temperature is in excess of forty degrees Fahrenheit, no person shall cause or permit the engine of a bus as defined in section one hundred four of the vehicle and traffic law to idle while parking, standing, or stopping (as defined above) at any terminal point, whether or not enclosed, along an established route.

I find the Summons fails to state a prima facie case against Respondent in that it fails to state whether Respondent was operating a motor vehicle that was alleged idling, which is a necessary element of the charge.

Accordingly, the Summons is dismissed.



02/03/2026

02/03/2026

Patricia DeSalvo, Judicial Hearing Officer

Date