



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Chia-Han Lin - Nacmias Law Firm, PLLC 592 Pacific Street Brooklyn, NY 11217	Summons No: 000821991X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING AND RENTAL COMPANY Hearing Date: 11/21/2024 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
000821991X	Sustained	12/06/2023	ON E 2ND ST BETWEEN 2ND AVE AND 1ST AVE Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Chia Han Lin, authorized representative, appeared to represent Respondent Penske Leasing and Rental Co. at the hearing. Inspector Antwan Gibbs appeared for Petitioner.

On 12/6/2023 at 2:47pm, the Respondent was observed causing or permitting the idling of a motor vehicle while parked, standing or stopped – 1st offense.

Code § 24-163(f) prohibits the idling of a motor vehicle engine for longer than one minute while parking, standing, or stopping adjacent to a school.

Respondent's representative reviewed the video and offered no rebuttal.

I credit Petitioner's submissions. I find Respondent's vehicle was idling for more than 1 minute while parking, standing, or stopping adjacent to a school and Respondent did not present a legal defense to the violation. Accordingly, the violation is sustained with the standard penalty of \$350 imposed.



11/26/2024

11/26/2024

Malik Pearson, Hearing Officer

Date