



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: 000869987X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- RELIABLE CARRIERS INC Hearing Date: 06/02/2025 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
000869987X	Sustained	02/14/2024	270 11 AVENUE Manhattan

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

Findings of Fact & Conclusions of Law

A hearing was conducted by telephone on June 2, 2025. Michael Nacmias, Esq. appeared for the respondent. Antwan Gibbs appeared for the petitioner. The summons alleged a violation of 24-163 in that the respondent's truck was idling for longer than three minutes while parked or standing. The petitioner presented an evidence packet, which included a video, of the respondent's truck idling for longer than three minutes while parked. The respondent argued that the video contained too much ambient noise from wind blowing to be able to hear the engine. I disagree with the respondent as the sound of the truck's engine can be heard, albeit intermittently, in the video. As such, I credit the petitioner's evidence and the summons allegations. The summons is, therefore, upheld and a penalty of \$350 is imposed.



06/02/2025

06/02/2025

Chin Ho Cheng, Hearing Officer

Date