



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000838685Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 03/24/2025 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
000838685Z	Sustained	03/19/2024	ON E 14TH ST BETWEEN 5TH AVE AND UNIVERSITY PL Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC Department of Environmental Protection (DEP) appeared and was represented by Antwan Gibbs. Respondent, PENSKE TRUCK LEASING CO LP, appeared and was represented by LANCE CHEBIN.

The summons alleges a violation of Administrative Code section 24-163 for idling of a motor vehicle for more than three minutes, first offense.

Mr. Gibbs submitted an evidence packet including a video. After viewing the video, Mr. Chebin said Respondent denies the allegations with no evidence in rebuttal.

Pursuant to Administrative Code section 24-163, "no person shall cause or permit" the engine of a motor vehicle to idle for longer than three minutes, unless the engine is used to operate a loading, unloading or processing device.

I find Petitioner established a prima facie case. I credit the summons Petitioner's evidence and find it establishes a violation. I find Respondent did not establish a defense.

Accordingly, the summons is sustained.

	03/24/2025
Rachel Berger, Hearing Officer	Date