



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000840697Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 04/15/2025 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
000840697Z	Sustained	12/20/2023	ON BROADWAY BETWEEN CEDAR ST AND Thames St Manhattan

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

Findings of Fact & Conclusions of Law

On April 15, 2025, Lance Chebin, a registered representative, appeared on behalf of Respondent, Penske Truck Leasing Co LP, for a remote hearing by telephone. Michael Grosso appeared for Petitioner and relied on the Issuing Officer's affirmed statements in the summons.

Respondent was charged with violation of §24-163 of the Administrative Code of the City of New York for idling of motor vehicle engine for more than three minutes.

The Issuing Officer affirmed in the summons that on December 20, 2023, "Respondent caused or permitted the idling of a

motor vehicle while parked, standing or stopped. As per DEP records, citizen observed TRUCK with IN license plate # 2748875 idling for longer than three minutes from 12/20/2023 5:38:37 PM to 12/20/2023 5:42:34 PM at on Broadway Between Cedar St and Thames St."

Respondent's representative denied the charge without rebuttal.

I credit the Issuing Officer's statements in the summons, which establish that the vehicle's engine had been idling for longer than three minutes in violation of Code § 24-163. Respondent submitted no credible evidence to refute the charge.

Based upon the foregoing hereinabove, the preponderance of the evidence establishes that the vehicle's engine had been idling impermissibly for more than three minutes, and I impose a standard penalty of \$350.00.

Wherefore, the summons is hereby sustained accordingly.



04/22/2025

04/22/2025

Sooyung Lee, Hearing Officer

Date