



Office of Administrative Trials and Hearings
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000858625P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date: 07/01/2025 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
000858625P	Sustained	03/21/2024	77 Myrtle Avenue Brooklyn

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

Findings of Fact & Conclusions of Law

On July 1, 2025, Joshua Santis, a registered representative, appeared on behalf of Respondent, Penske Truck Leasing Corporation, for a remote hearing by telephone. Petitioner did not appear, relying 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 March 21, 2024, "Respondent caused or permitted the idling of a motor

vehicle while parked, standing or stopped. As per DEP records, citizen observed TRUCK with NJ license plate # XMYG35 idling for longer than three minutes from 3/21/2024 10:49:50 AM to 3/21/2024 10:53:10 AM at 77 Myrtle Avenue."

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.



07/11/2025

07/11/2025

Sooyung Lee, Hearing Officer

Date