



Office of Administrative Trials and Hearings
Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 000605521P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- RAPID ARMORED CORPORATION Hearing Date: 09/30/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$400.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000605521P	Sustained	03/22/2025	554 Court Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA08	24 -112	Sustained	\$400.00

Findings of Fact & Conclusions of Law

The hearing was conducted by telephone on Court Call on September 30, 2025. Senior Inspector Martin Joyce appeared for Petitioner. Authorized representative Nora Brown appeared for Respondent.

The summons charged a violation of § 24-112 of the Administrative Code of the City of New York (Code) for making/filing false or misleading statements/documents. Specifically, the issuing officer (IO) stated that "per citizens complaint- Respondent attached an unauthorized placard "Armored truck exempt from NYC Idling regulations" to their vehicle in order to avoid 24-163 idling violations."

Inspector Joyce submitted an evidence package (Petitioner's Exhibit A) that included the citizen's complaint, proof of service, the variance, and three photographs showing the placard cited in the summons. He noted that Respondent's variance expired on July 15, 2024, and there was no variance in effect on the violation date. He contended that the placard contained a false or misleading statement because it implied that the vehicle was exempt.

Ms. Brown contended that there were no false or misleading statements. She stated that the vehicle was entitled to idle from the previous variance. She submitted an evidence package that included a copy of the variance and documents explaining why the vehicle needed to idle (Respondent's Exhibit A). She noted that the variance was issued for only a 3-year-period because there might be advances in technology, but there had been no such advances.

Inspector Joyce maintained that Respondent was not legally exempt from the law because there was no variance at the time.

Code § 24-112(b) provides: "No person shall make, reproduce or alter or cause to be made, reproduced or altered a work permit, certificate of operation or other document issued by the commissioner or required by this code if the purpose of such reproduction or alteration is to evade or violate any provision of this code or any other law."

I credit the evidence and testimony provided by Petitioner. It is undisputed that Respondent's variance expired on July 15, 2024. The July 29, 2021 letter from Petitioner granting the variance noted that Respondent could renew the waiver. Respondent did not allege that it renewed the waiver or that any variance was in effect on the violation date. As a result, at the time of violation, it was misleading for Respondent to make and post a placard stating it was exempt from idling regulations. The summons is sustained.



10/07/2025

10/07/2025

Melissa Koven, Hearing Officer

Date