



Office of Administrative Trials and Hearings
Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 000869036K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- RAPID ARMORED CORP Hearing Date: 10/09/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$600.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000869036K	Sustained	06/12/2024	ON HORACE HARDING EXP BET SPRINGFIELD BLVD AND 224 ST Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

John McLaughlin appeared for the Petitioner. Nora Brown appeared for the named Respondent charged with two violations of NYC Adm code §24-163 for idling a vehicle for more than three minutes, as a third offense.

The Petitioner submitted a video showing the truck idling for more than three minutes and several other documents and then rested on the sworn details of violation. (Pet. exhs.1-7).

Respondent did not challenge the repeat status.

Respondent moved to dismiss the charge arguing that they had a city issued variance (Resp. exh. A) which allowed them to idle their vehicles.

Petitioner argued that the variance did not apply because the video failed to show any active work, and no evidence that money was being transferred. The video showed workers inside the truck eating lunch.

I credit the Petitioner and find that they have established that the variance was not valid at the during the time the video was recorded as the truck was not being used to transport money.

The summons is upheld and the approved penalty is imposed.

	
10/14/2025	10/14/2025
Susan Kippins, Hearing Officer	Date