



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000870066J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI Hearing Date: 12/30/2025 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
000870066J	Sustained	06/17/2024	ON E 10TH ST BTWN SZOLD PL / AVE D Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner appeared through Inspector Antwan Gibbs. Respondent appeared through registered representative Ilma Babu.

Summons 000870066J 000920175L charged a violation of Administrative Code 24-163, prohibiting the idling of a motor vehicle engine for longer than 3 minutes. A citizen observed a truck with CT plate 60253A idling on 6/17/2024 from 9:22:56 am to 9:27:57 am on East 10th Street between Szold Place and Avenue D.

In support of the summons, Petitioner played a video that was viewed during the hearing, and submitted the summons with service (Exhibit 1), the citizen complaint (Exhibit 2), and photographs (Exhibit 3).

Respondent argued that the truck is very long, and the viewer cannot see all of it in frame for most of the video. She argued that there is a worker at the back taking notes and they may have been reading a meter. Petitioner argued that Respondent has not shown loading, unloading, or a processing device was in use.

Code § 24-163 prohibits idling a motor vehicle engine for longer than three minutes while parking, standing, or stopping, unless the engine is used to operate a loading, unloading or processing device.

I find that Petitioner has established the charge. Respondent has not established a defense.

Accordingly, the summons is sustained.



12/31/2025

12/31/2025

Theresa Leary, Judicial Hearing Officer

Date