



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC
592PACIFIC STREET
BROOKLYN,NY 11217

Summons# : 000931993R et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE TRUCK LEASING CO LP

Hearing Date : 12/5/2025

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
000931993R	Sustained	02/14/2025	ON FLATBUSH AVE EXTBETWEEN FULT,

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

Petitioner, NYC Environmental Protection, did not appear. Respondent appeared by ILMA BABU, authorized representative .

This hearing was conducted via telephone on December 5, 2025.

Respondent is charged with Code § 24-163, in that there was a citizen-complainant that observed Respondent's vehicle, idling for longer than three minutes.

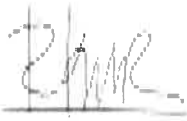
Respondent denied the violation but offered no rebuttal evidence.

Code § 24-163(a) provides in pertinent part:

(a) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes . . . while

parking as defined in section one hundred twenty-nine of the vehicle and traffic law [VTL], standing as defined in section one hundred forty-five of the [VTL], or stopping as defined in section one hundred forty-seven of the [VTL], unless the engine is used to operate a loading, unloading or processing device. [Emphasis added.]

Respondent asserted it had received and reviewed petitioner's evidence, and would deny, but not rebut, the allegations in the summons. I credit the summons. The summons is for violating Code § 24-163 is sustained and the standard civil penalty is imposed for the 1st offense.

 12/05/2025	12/05/2025
Rebecca Kramer, Judicial Hearing Officer	Date