



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 000886560L et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE TRUCK LEASING CO L P

Hearing Date : 1/13/2026

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
000886560L	Sustained	11/04/2024	Broadway btwn Broome St & Grand St, Manhattan

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

Total Penalty for Summons: 350.00

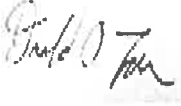
Findings of Facts & Conclusions of Law

The hearing was conducted by telephone on Court Call on January 13, 2026. Petitioner was represented by Inspector Dantney Parks. Respondent was represented by authorized representative Ilma Babu.

The summons charged a violation of 24-163 of the Administrative Code, idling a motor vehicle engine for longer than three minutes. Petitioner offered into evidence a redacted idling complaint and supporting images (Exhibit 1). Petitioner also provided a video, which was viewed during the hearing.

Respondent moved to dismiss the summons because the liftgate was up throughout the video, and material was being placed on it and manually lifted off the truck by workers. Respondent stated that although the liftgate was not in motion, the workers may have been preparing to use it.

I do not find that respondent rebutted the allegations in the summons or established an affirmative defense. I credit the summons. The summons is sustained.

 01/13/2026	01/13/2026
Donald Lash, Judicial Hearing Officer	Date