



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

## Decision

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

Summons# : 000940516Z et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE LEASING & RENTAL CO.

Hearing Date : 1/23/2026

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              |
|------------|---------------------|--------------------|----------------------------------|
| 000940516Z | Sustained           | 07/26/2024         | 225 WEST 57 STREET,<br>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

Petitioner, NYC Department of Environmental Protection, issued a summons to Respondent, Penske Leasing & Rental Co. for violating NYC Administrative Code Section 24-163, Idling of motor vehicle engine for more than 3 minutes – 1st offense, for a Truck with NJ Plate # XPDH24 observed on July 26, 2024, from 10:10 a.m. to 10:14 a.m., at 225 West 57th Street, in New York, New York.

Section 24-163 states that “No person shall or permit the engine of a motor vehicle...to idle for longer than three minutes...” Section 24-163 (f) provides for exceptions when the engine is used to operate a processing device, for mechanical work, or to maintain appropriate temperature for passenger comfort.

At the hearing Petitioner, Department of Environmental Protection, was represented by Inspector Monica Dorson. Ilma Babu appeared on behalf of Respondent, Penske Leasing & Rental Co., as the authorized representative.

Ms. Babu had previously reviewed the video evidence and stated that Respondent denies the violation and offered no rebuttal evidence or defense.

Accordingly, this summons is Sustained.

|                                                                                                 |            |
|-------------------------------------------------------------------------------------------------|------------|
| <br>01/23/2026 | 01/23/2026 |
| Eva Marie Russo-Lane, Judicial Hearing Officer                                                  | Date       |