



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

## Decision

|                                                                                      |                                                                                                                                                                                                                                                                                               |
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| <b>ILMA BABU - NACMIAS LAW FIRM PLLC</b><br>592 PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons# : 000890406P et al. (1 summonses)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>PENSKE TRUCK LEASING CO LP</b><br><br><b>Hearing Date : 2/6/2026</b><br><br><b>Hearing Location : Remote</b><br><br><b>Type of Hearing : By Telephone</b> |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                               |               |                               |                       |
|-------------------------------|---------------|-------------------------------|-----------------------|
| <b>Total Penalty Amount :</b> | <b>350.00</b> | <b>Community Service(Hr):</b> | <b>Not Applicable</b> |
|-------------------------------|---------------|-------------------------------|-----------------------|

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>                    |
|------------------|----------------------------|---------------------------|-----------------------------------------------|
| 000890406P       | Sustained                  | 11/14/2024                | ON GREENE STBETWEEN<br>SPRING ST A, Manhattan |

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

**Total Penalty for Summons: 350.00**

### Findings of Facts & Conclusions of Law

Petitioner, NYC Environmental Protection, appeared by Senior Insp. Datney Parks .

Respondent appeared by representative ILMA BABU - NACMIAS LAW FIRM PLLC.

This hearing was conducted via telephone on February 6, 2026.

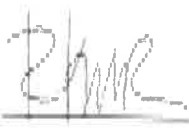
Respondent's representative acknowledged viewing the DEP video.

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 denied the violation but offered no rebuttal evidence.

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.

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|---------------------------------------------------------------------------------------------------|------------|
| <br>02/11/2026 | 02/11/2026 |
| Rebecca Kramer, Judicial Hearing Officer                                                          | Date       |