



**Office of Administrative Trials and Hearings**  
*Hearings Division*

**DECISION**

|                                                                                      |                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ILMA BABU - NACMIAS LAW FIRM PLLC</b><br>592 PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons No: 000890408Z et al. (1 Summons)</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: 02/06/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
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|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$350.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>                |
|------------------|----------------------------|---------------------------|-------------------------------------------|
| 000890408Z       | Sustained                  | 08/19/2024                | ON HORACE HARDING EXWY SR<br>SBETW Queens |

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

**Findings of Fact & Conclusions of Law**

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

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

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.



02/11/2026

02/11/2026

Rebecca Kramer, Judicial Hearing Officer

Date