



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 000949974R et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date : 2/26/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 350.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000949974R	Sustained	02/20/2025	ON 2ND AVENUE BETWEEN 8TH STREET,

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 - NACMIAS LAW FIRM PLLC.

This hearing was conducted via telephone on February 26, 2026.

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'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.

	02/26/2026
Rebecca Kramer, Judicial Hearing Officer	Date