

Polluting Buses Gaming NYC OATH Hearing Process to Avoid Millions in Idling Fines

One Scofflaw Company Ducked at Least \$900k in Idling Violations

Introduction

This analysis is part of Reinvent Albany's new [Encouraging Government Innovation](#) project. We are initially getting behind three innovative programs and policies across the State that we believe other parts of government can learn from and emulate. We began this specific research because one of our favorite initiatives, the [New York City Civilian Air Complaint Program](#), is under a sustained political attack by bus and trucking companies who think it works too well after little to no enforcement against idling for decades. The program is supported by a wide array of groups who have opposed changes undermining it, including New York Clean Air Collective, Transportation Alternatives, Open Plans, Food & Water Watch, among environmental and other groups.

The Analysis

Research by Reinvent Albany found that companies whose buses, trucks, and vans received idling violations are abusing the due process proceedings administered by the NYC Office of Administrative Trials and Hearings (OATH) by repeatedly rescheduling hearings in different ways to avoid accountability. OATH's willingness to grant lengthy delays means many companies have avoided paying large fines for polluting for years, if they pay them at all. OATH can curtail this abuse by changing its rules and telling hearing officers when they have discretion not to grant endless postponements to companies abusing the process.

Key Findings

- 19% of hearings during the period surveyed were rescheduled hearings (2,563 of 13,837)
 - 61% of the rescheduled hearings (1,568 of 2,563) were due to companies failing to show up ([called defaults](#)).
 - 22% of rescheduled hearings (572 of 2,563) were rescheduled at a previous hearing itself ([called adjournments](#)).

Methodology

We surveyed hearings scheduled from 6/29/26 to 7/29/26 using the [Open Data idling dataset](#) from 6/26/26 to determine the total number and type of reschedulings. Tallies of companies' rescheduled hearings in this analysis include any hearing at any time with a rescheduled hearing status as of 6/26/26. Because the status of hearings changes as they are completed and subsequent actions are taken, the number of total reschedulings

and reschedulings due to companies not showing up (defaults) is significantly underestimated in the available data and the lists below.

Reinvent Albany Recommendations

- The law should be changed to hold scofflaw companies accountable. Any company that has rescheduled more than 10% of its total hearings and has not paid for more than 25% of violations it has been convicted of should not be able to reschedule any more hearings; and
- OATH should require companies to provide a reason for rescheduling all hearings under penalty of perjury and strictly scrutinize requests to reopen after default; and
- OATH should set all rescheduled hearings, including vacated defaults, within 90 days of a request and the City should provide adequate funding and staffing to fulfill this requirement; and
- The Mayor's Office of Data Analytics (MODA) should examine violations beyond idling for other infractions to determine if other respondents are abusing the adjudication process.

Gaming the System

There are 3 main ways in which companies postpone hearings to avoid accountability:

1. [Reschedule a hearing at least 3 days before the hearing is held, which is granted without cause or reason.](#) The only limitation is one rescheduling per summons issued for this type of rescheduling.
2. [Request an adjournment at the hearing itself.](#) The hearing officer makes the determination based upon a showing of good cause. Multiple adjournments can be granted for the same violation.
3. [Don't show up at a scheduled hearing and reschedule it for up to a year later \(called "vacating a default"\)](#) and, in "exceptional circumstances", more than one year later. Companies may request to vacate a default determination for up to 75 days after receiving the default decision for a hearing they did not show up at, and it will be granted if requested information is provided. For requests after 75 days and up to one year, OATH requires a reasonable excuse for the company's failure to appear at the initial hearing, albeit OATH appears to routinely accept any excuse. Even after one year after a company fails to show up at a hearing, a company can still get another hearing if there are exceptional circumstances.

When OATH does have a hearing on idling summonses, which include video evidence submitted by citizens, they uphold the violation in more than 90% of cases. Cases are typically not adjudicated until at least 15 months after a complaint is made even without hearing reschedulings.

Three Examples of Rescheduling Scofflaws

- Go New York Tours had 1,492 hearings with a rescheduling status as of 6/26/26, more than any other company, while paying just 19% of the violations it was found guilty of.
- Corporate Express had 60% of its idling violation hearings labeled as rescheduled as of 6/26/26 while paying just 2 of 84 idling convictions.
- D-J Ambulette (aka Citicare) had 346 hearings rescheduled as of 6/26/26, at least 98 of which it did not initially show up at, of its 411 total violations. At least 60 of these were violations first issued in 2022 or earlier, meaning it was granted multiple reschedulings for the same violation.

Companies Rescheduling the Most OATH Hearings for Idling Violations

Three of the top seven companies with the most rescheduled OATH hearings are bus companies. [The bus industry has advocated relentlessly to gut the civilian idling program by any means necessary to avoid paying fines for polluting the air](#), which [causes asthma in 909,000 New Yorkers](#) and [10 million premature deaths a year globally](#). The following 10 companies have the most currently rescheduled hearings for idling violations as of June 26th:

COMPANY	# OF HEARINGS WITH A RESCHEDULED STATUS AS OF 6/26/26	ESTIMATED AMOUNT DUE FOR RESCHEDULED VIOLATIONS
GO NEW YORK TOURS INC	1429	\$946,982
ACADEMY EXPRESS LLC	704	\$385,315
PENSKE TRUCK LEASING CORPORATION	475	\$343,056
D-J AMBULETTE SERVICE INC	346	\$526,507
HYLAN DATACOM LLC	321	\$261,229
NEW YORK PAVING INC	317	\$176,483
CORPORATE EXPRESS INC	180	\$92,082

MILEA LEASING CORP	175	\$183,862
HUB TRUCK RENTAL CORP	166	\$199,319
A L CESSPOOL SERVICE CORP	153	\$160,126

The data in the chart above includes similarly spelled names, doing business names and known related businesses for each company. Any company's rescheduled violations and fine amounts due can be looked up at the bottom of this webpage, but the webpage reflects current hearings with a rescheduled status (and not all rescheduled hearings historically) and amounts currently due rather than the open data accessed on 6/27/26 for this analysis.

Go New York Tours, a bus company that offers sightseeing tours in New York City, had 1,429 hearings currently rescheduled as of 6/26/26 – far more than any other company. At least 74 of those (and likely many more) were for hearings it did not show up at and received default penalties. Go New York Tours had received 4,268 violations, rescheduling at least 33% of them. Meanwhile, Go New York had paid its fines for just 351 of its 1,827 violations it had been found guilty of. The company had 984 judgments docketed against it in civil court for nonpayment.

Corporate Express, a private bus company based in Manalapan, New Jersey that shuttles New Yorkers from luxury buildings to transport hubs among other services, had currently rescheduled hearings for 180 of its 298, or 60%, of its idling violations as of 6/26/26. OATH has allowed those rescheduled hearings to be granted even while Corporate Express had paid just 2 of 84 idling convictions. The Law Department had 30 judgments docketed in civil court against the company because of its unpaid violations. Despite the City being owed \$53,324, Corporate Express routinely rescheduled its hearings for violations totaling \$92,000 with impunity.

Companies Rescheduling the Most No-Show Hearings for Idling Violations

Below are the top reschedulers who did not show up to their initial hearing (called a default) but rescheduled, postponing their hearings for up to a year or more. *Reinvent Albany believes rescheduling hearings at which companies “defaulted” is the primary cause for rescheduling. However, “defaults” are only partially reflected in available data because the status of hearings changes as hearings are completed and subsequent actions are taken. Thus, the number of reschedulings due to companies not showing up is vastly underestimated in the available data and the list below.*

COMPANY	# OF HEARINGS WITH A RESCHEDULED STATUS AS OF 6/26/26 AFTER DEFAULTING AT A PREVIOUS HEARING
PENSKE TRUCK LEASING CORPORATION	222
HUB TRUCK RENTAL CORP	157
GARDA CL ATLANTIC INC	101
D-J AMBULETTE SERVICE INC.	98
MILEA LEASING CORP	94
HUGH O'KANE ELECTRIC CO INC	84
GO NEW YORK TOURS INC	74
GUNTHER CHARTERS INC	69
CENTURY WASTE SERVICES LLC	57
HYLAN DATACOM LLC	56

The data in the chart includes similarly spelled names, doing business names and known related businesses for each company.

D-J Ambulette Service Inc. (aka Citicare) had at least 98 default hearings that were vacated and rescheduled of its 348 hearings rescheduled as of 6/26/26. The company had received 411 total violations and only paid for 11. Its rescheduled violations totaled \$513,790 in fines, penalties, and fees. [Reinvent Albany identified 60 idling violations from 2022 or earlier of D-J Ambulette Service Inc. \(aka Citicare\) that had still not been adjudicated as of July 17, 2026 because of multiple reschedulings. Fifty-five of those were defaults.](#)