

License #11000123429 Ferrari Express Inc 580 Fifth Avenue, Suite 509 New York, NY 10036 May 5th, 2025

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VIA EMAIL & USPS TO: MARKPA@DEP.NYC.GOV ALYSSAP@DEP.NYC.GOV

Mark Page, Jr.

Executive Director Bureau of Environmental Compliance Department of Environmental Protection 59-17 Junction Blvd., 8th Floor Flushing, NY 11373

Alyssa Preston

Bureau of Environmental Compliance Department of Environmental Protection 59-17 Junction Blvd., 8th Floor Flushing, NY 11373

Dear Executive Director Mark Page:

On behalf of Ferrari Express Inc., I am writing to request a variance from Section 24-163 of the Air Code. I am enclosing our completed Air Code Variance Application and including an explanation to item II in the Attached Materials. Ferrari Express Inc. is currently considering ZeroRPM units for the armored vehicles that would supply power to the internal units plus a heater/cooling units that would be installed in the cabs. This technology is currently being evaluated and gradually being incorporated. Where feasible electric armored vehicles are being incorporated into our fleet to reduce transportation carbon emissions. We believe the actions outlined in our application and the supporting materials demonstrate our desire to assist the City of New York in reducing emissions associated with vehicle idling.

Thank you for your consideration in this matter. Should you have any questions, please feel free to contact me.

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NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION Bureau of Environmental Compliance 59-17 Junction Boulevard, 9th Floor, Flushing, NY 11373

AIR CODE VARIANCE APPLICATION

APPLICANT INFORMATION

Tel #: 212-764-0676 ext.101 Name: Ferrari Express Inc Address: 580 Fifth Avenue, Suite 509 City: New York State: NY Zip: 10036

Capacity: For itself

Client(s): Our client list is confidential, but we service multiple NYC businesses and public sector customers.

What section of the Air Code are you asking for a variance from? 24-163 (Vehicle Idling)

II. Please explain why complying with the Air Code section specified above would impose unreasonable hardship. Attach any documentation that will assist the department in reviewing your application.

Please see attached materials.

III. I hereby declare that the information provided herein and in any and all accompanying attachments is true and complete to the best of my knowledge. I understand that failure to comply with the conditions set forth by the Department in an approval of the application shall render the variance null and void.

Robert Rodriguez for Ferrari Express Inc 05/05/25 Print Name of Applicant Date

Signature of Applicant Date

Please complete the form and include a cover page listing the supporting documentation that is being submitted and mail:



Submit this form on your company's letterhead. A hearing shall be scheduled only after all accompanying documentation as requested below is provided.

I. Details of the Vehicle or Description of the fleet: Make....., Model....., Year.....

Ferrari Express Inc. fleet service is comprised of armored vehicles. A list of our fleet operating in New York is attached (refer to appendix # 1). Ferrari Express Inc. armored vehicles are comprised of gas consumption and electrical armored vehicle. The passenger compartment: vertical surfaces (such as doors, roof pillars, ballistic overlaps) to provide protection against the following ammunition in accordance with EN1063 Level BR4.

II. Does this vehicle or fleet run on gasoline or diesel?

Ferrari Express Inc. armored vehicles are comprised of gas consumption and an electrical armored vehicle, only 3 vehicles are diesel and as of this date they have been decommissioned. Ferrari Express will replace the diesel trucks with electrical vehicles. Ferrari Express Inc. currently has an electrical vehicle # 51 (refer to Appendix # 2).

III. What is vehicle's weight rating (GVWR) and registered weight for the vehicle? If the vehicles are identical, please provide just one weight of the vehicle. GVWR___________lbs. Registered weight ________lbs.

Refer to list below, same as appendix #1.

						<u>Body</u>			
<u>Veh's</u>	<u>State</u>	<u>Veh's #</u>	Year	<u>Make</u>	Model	<u>Type</u>	armored	<u>Plate #</u>	<u>Weight</u>
1	NY	18	2021	Ford	250 Transit	Van	yes	97771NB	9500
2	NY	34	2021	Ford	250 Transit	Van	yes	45542NC	9500
3	NY	35	2021	Ford	250 Transit	Van	yes	45541NC	9500
4	NY	36	2021	Ford	E 350	Van	yes	17058NC	12500
5	NY	37	2021	Ford	Connect	Van	yes	22759NC	4500
6	NY	38	2021	Mitsubishi	FE 180	Truck	yes	88216NA	17995
7	NY	40	2021	Ford	250 Transit	Van	yes	97768NB	9500
8	NY	41	2021	Ford	250 Transit	Van	yes	97771NB	9500
9	NY	51	2023	Ford	350 Transit	EV Van	Yes	65971ND	9500

IV. How much power is required to power all the required units in the vehicle or the fleet? a. List all the equipment that requires external power.

- Air Conditioner and heating system [widows do not open (roll down)]
- Netradyne Camera System 4 to 6 cameras; continuous recording, panic button
- IntelliShift GPS
- Electrical locks
- Security System (Vehicle Alarm)
- Handheld Scanners
- Onboard Cell Phone
- All other accessories installed by manufacture is to keep the vehicle operational

b. How many hours are required for each piece of equipment to run on external power?

All equipment mentioned above (IV a) requires continuous power while the vehicle is transporting valuables.

V. If no, list the reasons why not.....

2. Explain in detail why we should approve your waiver, including a cost analysis, undue hardship burdens, and improvements to your fleet to reduce engine idling.

Ferrari Express Inc. and its affiliates are committed to preserving the environment. Ferrari Express Inc. has taken the appropriate steps and procedures to minimize greenhouse emission¹. Ferrari Express Inc. is committed to reducing the company's carbon footprint.

Ferrari Express Inc. purchased the first EV- armored van last year that is currently in operation within New York City. Ferrari Express Inc. is constantly evaluating the routes to determine if more EV-armored vans can be added to the fleet.

The Ferrari Express Inc. Lawrence location has gone green with the installation of electrical solar panels on the roof currently producing up to 110% of required energy needs.

Ferrari Express Inc. has diligently reviewed various idling technologies in an attempt to find the one that would be a good fit for our armored vehicles. On April 15, 2024, Ferrari Express Inc. committed to the first installation of the **solution of the solution of the**

¹ Greenhouse gas emissions include carbon dioxide, methane and nitrous oxide from all sources, including agriculture and land-use change. They are measured in carbon dioxide-equivalents over a 100-year timescale.





The installation was completed for armored vehicle # 34 on 04/30/24. The testing phase was 3 to 6 months.

The testing phase consisted of the following data:

- Tracking and recording idling times
- Length of travel per day
- Ability of the solar panels to charge in cloudy days
- Ability of the solar panels to charge in areas that the sun is covered by buildings
- The amount of stops the truck makes in a day
- The sustainability of the batteries to hold a charge on multiple stops
- The sustainability of the batteries to hold a charge during stop-n-go traffic
- The efficiency of heater/cooling unit
- Comparison of gas consumption before and after installation of the unit
- Maintenance/servicing of the unit

The testing phase concluded in October 2024. After reviewing all the data gathered in the 6 months of the testing phase it was concluded that this idling technology was not a good fit to meet Ferrari Express Inc. operational needs. Truck # 34 is currently being retro fitted with an updated idling technology unit and will be completed by the end of April 2025.

Ferrari Express has explored various idling technologies and has concluded that ZeroRPM, A Mission Critical Electronics Brand, would be a good fit for the armored vehicles in the Ferrari Express Fleet. ZeroRPM has 5 concepts in their idling technology: Idle, Mitigation, Power, Automation and Control. These concepts are essential to what is referred to as IMPAC. This system would be retro fitted to the Ferrari Express Inc Armored vehicles operating in New York City (5 boroughs).

The Idle Mitigation Power Automation Control (IMPAC)² system is a vehicle energy management system that provides power to the electrical systems and heating/cooling equipment in an armored vehicle. The IMPAC system includes 4kWh of energy storage capable of delivering high power for 12VDC loads.

When the state of charge (SOC) of the IMPAC batteries is low, the vehicle is in Park, and the equipment has been activated, the IMPAC system automatically turns on the engine to recharge the IMPAC batteries using the vehicle alternator and while driving. The IMPAC batteries can also be recharged via an integrated charger when the vehicle is connected to 120VAC external power. The IMPAC system monitors the vehicle's 12VDC lead-acid battery and keeps it charged during driving and repair operations.

The Basic IMPAC System Operation. The IMPAC system reduces worksite fuel consumption and eliminates fumes, noise, and wear and tear on vehicle auxiliary equipment. When the vehicle is in Park, the parking brake is engaged, and all system safety and operational criteria have been met, the driver will activate the equipment and remove the key from the ignition. Once this has occurred, the IMPAC system will automatically stop the engine following a 10-second countdown and provide power to the onboard electrical systems and heating/cooling equipment from the IMPAC batteries while the engine is off. The IMPAC system will automatically start and stop the engine as necessary to recharge the IMPAC batteries. When the driver is set to leave the delivery site and drive the vehicle, starting the engine with the ignition key will disable the IMPAC system's on/off control of the engine and disconnect power from all onboard electrical equipment.



² Lithium Iron TM is the trade name for the LiFePO4 (lithium iron phosphate) batteries used in the IMPAC system; they will be referred to as "IMPAC batteries" from this point onward. This type of battery is generally considered the safest type of lithium-ion battery available on the market. The IMPAC battery cells include a patented, built-in pressure relief valve that greatly reduces the risk when compared to other chemistries and mechanical cell designs.

IMPAC Battery Management: The IMPAC system includes batteries which provide power to all onboard electrical systems and heating/cooling equipment when the IMPAC system is in Equipment Active mode. When the equipment has been activated and the battery SOC is 25% or below, the IMPAC system automatically starts the engine to recharge the IMPAC batteries.

When the IMPAC batteries reach 60% SOC, the IMPAC system automatically stops the engine and resumes delivery of power to all onboard electrical equipment from the IMPAC batteries. The IMPAC batteries can be charged to 100% SOC via the 12VDC alternator output during driving, or the inverter/battery charger when the vehicle is connected to external power. The IMPAC system manages the IMPAC batteries at the cell level via voltage and temperature monitoring to ensure maximum safety and battery life.

Equipment Activation Button: The Equipment Activation button is a momentary push button switch with a built-in green light mounted on the dashboard in the front cab. It is used by the operator to activate the equipment (indicated by the light turning solid green). In this state, the IMPAC batteries are connected to provide 12VDC and 120VAC power to the electrical equipment in the repair module and to support the Jump Start Customer Vehicle feature (refer to appendix 3).

Ferrari Express Inc. to date has paid \$ 145,620.00 in NYC Dep Idling Violations (refer to Appendix # 4 – year 2025 paid to date \$ 54,550.00 / Appendix # 5 – year 2024 paid \$ 66,340.00 / Appendix # 6 – year 2023 – paid \$ 24,730.00). Ferrari Express Inc. has currently over 150 outstanding NYC Dep Idling Violations.

Ferrari Express Inc. has purchased an electric armored vehicle, ZeroRPM idling unit, which is currently being installed and will be in the testing phase and has installed solar panels at the Lawrence location. Ferrari Express Inc. is respectfully requesting leniency due to satisfying the pending NYC Dep Violations, purchasing electric vehicles, idling technology units, building solar panels, will cause an undue financial burden that will impede Ferrari Express Inc. forward momentum in going green.



Documents In Support of Ferrari Express Variance Request From The Requirements for Limiting Idling to Three (3) Minutes [or One (1) Minute if Next To A School] as Set Forth in §24-163 of the New York City Administrative Code

Ferrari Express Inc. is a leading freight forwarding company in the service of secure transportation and storage of jewelry, gems, and valuable cargo. The Ferrari Group operates secure vaulting facilities and an armored vehicle transportation fleet, both controlled by the most advanced safety features and qualified armed personnel. These services are performed by dispatching specialized armored vehicles on daily predetermined routes and according to strict time schedules, all of which are based on security needs and customer requirements. The specialization in valuables and commodities rewards Ferrari's Customers with expeditious custom clearances and immediate availability of the goods. Depending on various factors, such as the type of shipment and number of valuables on board the armored vehicle, the crew in the armored vehicles can be from 2 to 3 Guards and additional Guards with an escort vehicle if required. Ferrari insurance services have been established to accommodate all insurance needs and offer tailor-made insurance policies that include "All Risks" and "Door to Door" protection against any loss and/or damages at any stage of the transportation of storage 365 days a year, 24 hours a day.

<u>Vehicle Configuration, Employee Safety & Servicing NYC Clients.</u> Due to the unique nature of armored vehicles and the dangers to life and property they are designed to protect against, Ferrari Express Inc. respectfully requests a commonsense variance from New York City Administrative Code Sec. 24-163 to allow its' armored vehicles to idle for greater than three (3) minutes. Permitting greater idling will allow the armored vehicle to instantly move to escape an imminent attack, thus avoiding potential danger to our crew, the public, and property. Ferrari Express Inc. armored vehicles are all outfitted with equipment designed to promote the safety of our vehicle crew and the public, including but not limited to bullet resistant windows (sealed armored vehicle's windows do not roll down), cameras installed by Netradyne, GPS installed by IntelliShift and panic buttons. These equipment and systems require a significant draw on the vehicle's power and necessitates the continuous operation of the vehicle.

Ferrari Express Inc. security protocols, health and safety is why we are requesting the ability to idle; the sealed armored vehicle windows do not roll down, thus requiring the use of heat or air conditioning for ventilation and climate control³.

Typically, while making a delivery or picking up valuables, the Guard, who may at times be accompanied by another Guard, exits from the passenger side compartment of the armored vehicle. The Guard/Driver remains in the front cab of the vehicle, guarding the property contained within the vehicle, while staying vigilant and observing the surrounding area for potential danger or attacks.

³ Danielle Kaye, "Delivery drivers want protection against heat. But it's an uphill battle," NPR-WNYC, Thursday, July 20, 2023, reposted online at https://www.npr.org/2023/07/20/1188282961/delivery-drivers-want-protection-against-heat-but-its-an-uphill-battle.

For security reasons, and as mentioned above, the armored vehicle has windows that cannot roll down and the Guard/Driver can only open his/her door under certain controlled circumstances, and the Guard/Driver needs to be able to operate the vehicle's air conditioner/heater for both comfort and a safe level of airflow.

There are also three systems for security and safety reasons they need to be powered while operating: Netradyne cameras and panic buttons (refer to appendix 7), Intellishift-GPS (refer to appendix 8). All three systems are crucial in the security and safety of our guards. These intensive security systems are designed to protect the guards as well as the public and all law enforcement personnel's during the client's valuable pickups and deliveries.

The GPS system does alert when any traffic infractions and/or prolong stops. We have personnel on staff monitoring the movements of our armored vehicles while they are in service. When there is an alert, the staff immediately goes to the video to ascertain the reason for the alert. The 3rd system which is incorporated in the Netradyne system is the emergency panic button system. When this is depressed it sends out an emergency alert and our staff is immediately notified and again the staff immediately goes to the video to ascertain the reason for the emergency and ascertain if the Police should be contacted. However, these systems solely depend on power from the vehicle running. If the armored vehicle is turned off and there is an emergency, the GPS, cameras and panic buttons are inoperable, the location of the armored vehicle is lost, thus making it difficult to send emergency personnel to the armored vehicle's location. To maintain the safety of the Guards and the public in the area, the cameras must be operating for the Guard(s) to be vigilant of the threats and be ready to relocate immediately to a safe area in the event of a robbery attempt.

<u>Anti-Idling Technology & More Sustainable Vehicles.</u> In addition to the IntelliShift system, Jans Corporation did a case study on fuel consumption utilizing IntelliShift system. Jans Corporation case study is enclosed as appendix # 9.

Ferrari Express Inc. is currently working to identify alternatives to idling its vehicles. Regarding advances of anti-idling technology systems for regular fuel vehicles. Ferrari Express Inc., as previously mentioned, did install the second power unit on armored vehicle # 34 that would supply power to the internal units plus a heater/cooling unit that would be installed in the cab. This unit was not a good fit and it is currently undergoing a unit update which will be completed by end of April 2025.

Ferrari Express Inc. will be installing the ZeroRPM unit in Ferrari Express vehicle #35, 36 & 40 (refer to appendix #3).

Ferrari Express Inc. will continue to keep apprised of any current anti-idling technologies. Ferrari Express Inc. is currently evaluating and investing in more sustainable electric armored vehicles. Presently, we have one electric vehicle (vehicle # 51 ref appendix 1 & 2).

Conclusion.

The Company has submitted a Variance Application along with Ferrari Express Inc. Fleet inventory as required by NYC DEP. NYC DEP should consider that Ferrari's fleet not only services clients in NYC but outside of NYC including Long Island, Connecticut and as far as Massachusetts. Ferrari Express Inc. has, on any given day, approximately 87 stops between pickups and deliveries in the New York City boroughs. The onboard security system is vital to the security of the Guards, public and local law enforcement. As mentioned previously the armored vehicles windows do not roll down and the armored vehicle cab temperature is crucial to the health and safety of the Guards. Ferrari Express Inc. is committed to following the rules and regulations of the State including OSHA section 5(a)(1) which states in sum and substance "is free from recognized hazards that are causing or likely to cause death or serious harm to employees"⁴.

Ferrari Express Inc. is currently evaluating and gradually incorporating electrical armored vehicles into our fleet in order to reduce transportation carbon emissions. As mentioned, Ferrari Express Inc. and its affiliates are committed to preserving the environment.

Requested Relief:

- 1. Ferrari Express Inc. respectfully requests that the NYC Department of Environmental Protection grant a variance with the exception to the Idling Prohibition for Armored Vehicles under the New York City Administrative Code 24-163.
- 2. Enclosure is a list of paid violations to date in the sum of \$ 145,620.00. Ferrari Express Inc. is committed to continuing payments towards violations as they are received until the day Ferrari Express Inc. receives approval from the city. (refer to appendix # 4, 5 & 6).
- 3. Ferrari Express Inc. invested in electrical vehicles, solar panels and Idling technology units (potentially to be installed on 3 more armored vehicles). Satisfying these NYC DEP idling violations will put a financial burden on the company which can impede the progress of going green. Enclosed is the Ferrari Express Solar Panel project for its' Lawrence location (refer to appendix # 10).
- 4. At the present time our research has revealed that there aren't any companies that offer hybrid armored vehicles.

⁴⁴ Under the <u>General Duty Clause</u>, Section 5(a)(1) of the Occupational Safety and Health Act of 1970, employers are required to provide their employees with a place of employment that "is free from recognized hazards that are causing or likely to cause death or serious harm to employees." The courts have interpreted OSHA's general duty clause to mean that an employer has a legal obligation to provide a workplace free of conditions or activities that either the employer or industry recognizes as hazardous and that cause, or are likely to cause, death or serious physical harm to employees when there is a feasible method to abate the hazard. This includes heat-related hazards that are likely to cause death or serious bodily harm.

Ferrari Express Inc Commitment:

Ferrari Express Inc. commits to installing 4 more idling reduction equipment (as in vehicle # 34 previously mentioned). Ferrari Express Inc. will commit to having 5 out of our 9 fleet fully equipped with idling reduction technology by end December 2025.

- Vehicle #34-will continue to have the idling technology but will be retro fitted with an updated unit.
- Vehicle #36 will have ZeroRPM unit installed in May of 2025.
- Vehicle #35 will have ZeroRPM unit installed in July of 2025.
- Vehicle #40 will have ZeroRPM unit installed in September of 2025.
- Vehicle # 38 will have ZeroRPM unit installed in December of 2025

Ferrari Express Inc. will continue to keep apprised of any current anti-idling technologies.

Ferrari Express Inc. will also commit to purchasing electric armored vehicles. Presently, we have one electric vehicle (vehicle # 51 ref appendix 1 & 2). The following timeline for purchasing electric armored vehicles:

- A cyber truck was purchased and is currently being armored and will be in our fleet by the end of April 2025.
- Two more electric vehicles will be purchased, one in May 2025 and the other in July 2025. Both vehicles will be sent for armoring and anticipate having the 1st EV van in service fully armored by July 2025 and the 2nd EV van in service fully armored by September 2025.
- Vehicles 18, 37 & 41 will be replaced by the 3 Electric Vehicles previously mentioned that would be purchased in 2025.
- In 2025 Ferrari Express Inc will have a total of 4 Electrical Vehicles, including vehicle # 51 Electrical Vehicle currently operating in the fleet.

Ferrari Express Inc. is currently evaluating and investing in more sustainable electric armored vehicles. We anticipate adding electric vehicles to our fleet servicing the New York City boroughs. Electric armored vehicles have a limited range before they need to be charged, so we recognize that technological advances are necessary to fully staff Ferrari Express Inc. with electric armored vehicles.

Ferrari Express Inc. is committed to reducing emissions. Ferrari Express Inc. has started to purchase EV-vans and is committed to having 4 out of the 9 vehicles fleet operated as armored EV-vans by the end of December 2025.