

STATE OF RHODE ISLAND
PROVIDENCE, Sc.

DISTRICT COURT
SIXTH DIVISION

Robert Aldrich

v.

Division of Motor Vehicles

:
:
:
:
:

6AA-2025-00093

ORDER

This matter is before the Court pursuant to § 8-8-8.1 of the General Laws for review of the Findings & Recommendations of the Magistrate.

After a de novo review of the record and the memoranda of counsel, the Court finds that the Findings & Recommendations of the Magistrate are supported by the record, and are an appropriate disposition of the facts and the applicable law.

It is, therefore, **ORDERED, ADJUDGED AND DECREED,**

that the Findings & Recommendations of the Magistrate are adopted by reference as the Decision of the Court and the decision of the Division of Motor Vehicles is AFFIRMED.

Entered as an Order of this Court at Providence on this 7th day of October, 2026.

By Order:

_____/s/_____
Jamie Hainsworth
Chief Clerk

Enter:

_____/s/_____
Jeanne E. LaFazia
Chief Judge

STATE OF RHODE ISLAND
PROVIDENCE, Sc.

DISTRICT COURT
SIXTH DIVISION

ROBERT ALDRICH

V

DIVISION OF MOTOR VEHICLES

:
:
:
:
:

A.A. No. 6AA-25-93

FINDINGS AND RECOMMENDATIONS

Goulart, M. The above-referenced Administrative Appeal of the Division of Motor Vehicles' (hereinafter DMV) decision to suspend the license of the appellant was assigned to me for decision. The appeal followed an initial determination and subsequent confirmation by the DMV that the appellant posed an immediate threat to public safety and that the appellant was no longer eligible to retain his license. R.I. Gen. Laws §31-10-3(a)(8).

This court has jurisdiction to hear the appeal pursuant to R.I. Gen. Laws §31-11-15. For the reasons stated below, after careful review of the facts, documents and pleadings in this matter, I recommend that the decision of the DMV should be AFFIRMED.

FACTS AND TRAVEL

On March 3, 2025, the appellant struck a utility pole on West Shore Road in the city of Warwick. The single vehicle crash was investigated by officer Rene Gauthier who determined that the appellant had "blacked out" immediately before striking the pole. **See** Gauthier's report and request for suspension page 8 (hereinafter Exhibit 1). Importantly, the appellant admitted that he had been suffering from blackouts for some period of time and the blackouts had increased in frequency. *Id.* On that same day, Officer Gauthier submitted a request for immediate threat

suspension/revocation to the DMV. *Id.* at pg. 1. The appellant's license was subsequently suspended by order on March 14, 2025. On March 21, 2025, a medical hearing was conducted based on the appellant's request that he retain his license privileges to operate a motor vehicle. During the telephonic hearing, hearing officer Jeremy Dorley questioned the appellant regarding concerns about the appellant's ability to safely operate a motor vehicle raised by the Warwick police. Importantly, the appellant admitted that he lost consciousness while driving "once or twice a week but [would] pull over in a parking lot to take a 10 minute nap." The appellant attributed the blackouts to new medication. **See** Medical Hearing report dated March 21, 2025 (hereinafter Exhibit 2). At the conclusion of the hearing, Mr. Dorley indicated that he would review medical questionnaires submitted by the appellant's primary care physician and psychiatrist.

On April 2, 2025, Dr. Emily Murphy submitted a letter outlining her treatment of the appellant for bipolar disorder. Most importantly, Dr. Murphy indicated that, based on her last assessment of the patient, the appellant should not operate a motor vehicle due to his symptoms of mania increasing his risk to himself or others. **See** Murphy letter dated April 2, 2025 (hereinafter Exhibit 3). Additionally, an Occupational Therapy Clinical Driver Evaluation of the appellant was conducted on October 6, 2025 as part of the medical review. While the appellant actively participated in the clinical driver evaluation, the report recommended that the appellant retire from driving. The report concluded that certain scores on the evaluation put him in the "high risk category for an accident." **See** Occupational Therapy Clinical Driver Evaluation dated October 13, 2025 (hereinafter Exhibit 4). The report also indicated that the appellant had difficulty with his reaction time both distracted and undistracted. Finally, the report expressed some concern with

the appellant's inconsistent taking of his medication for Parkinson's Disease and the progressive nature of the disease which could potentially worsen his current skill set. *Id.* at pg. 8.

Based on the medical documentation and formal driving evaluation, the appellant was informed that his driving privileges would remain suspended. **See** letter of Chief J. Darren Stewart dated October 24, 2025 (hereinafter Exhibit 5). A subsequent letter correcting a typographical error of the October 24th letter strongly recommended that the appellant retire from driving. **See** letter of Chief J. Darren Stewart dated October 30, 2025 (hereinafter Exhibit 6). He was again informed that his driving privileges remained suspended.

Undeterred, on December 1, 2025 the appellant filed this appeal contesting the continued suspension of his driver's license. The appellant indicated in his appeal that he was treating with Dr. Robert Kohn, a Geriatric Psychiatrist, in the hope of "obtaining a more favorable evaluation" of his ability to drive again. By letter dated June 9, 2026, Dr. Kohn indicated he was treating the appellant for bipolar disorder. **See** Kohn letter dated June 6, 2026 (hereinafter Exhibit 7). It was not clear from the letter the period for which Dr. Kohn had been treating the appellant. Dr. Kohn opined that from a psychiatric perspective, he believed that Mr. Aldrich was safe to drive. However, Dr. Kohn cautioned that his opinion was based only on his mental health status and "not whether other medical issues may place him at risk." *Id.* A settlement teleconference was conducted on June 17, 2026 and, after the parties were unable to reach an agreement, a briefing scheduled was set. On August 24, 2026, the matter was referred to me for decision.

STANDARD OF REVIEW

When reviewing the decision of an administrative agency, the Court "sits as an appellate court with limited scope of review." *Mine Safety Appliances Co. v. Berry*, 620 A.2d 1255, 1259

(R.I. 1993). The Court’s review is governed by the Rhode Island Administrative Procedures Act (APA), §42-35-1.1. Section §42-35-15(g) of the APA provides:

“The court shall not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceeding, or may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative finding, inferences, conclusions or decisions are:

- a. In violation of constitutional or statutory provisions;
- b. In excess of statutory authority;
- c. Made upon lawful procedure;
- d. Affected by other error of law;
- e. Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- f. Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.” R.I. Gen. Laws §42-35-15(g).

A court reviewing an agency determination is limited to consideration of questions of law. *St. Pius X Parish Corp. v. Murray*, 557 A.2d 1214, 1218 (R.I. 1989). Its duty is not to weigh the evidence but merely examine the record to determine if there is any legal evidence or reasonable inferences derived therefrom to support the findings of the agency. In conducting its review, a court cannot “substitute its judgment for that of the agency concerning the credibility of witnesses or the weight of the evidence concerning questions of fact.” *Blais v. Rhode Island Air Corporation*, 212 A.3d 619, 611 (R.I. 2019) (quoting *Beagan v. Rhode Island Department of Labor and Training*, 162 A.3d 619, 626 (R.I. 2017)). The finding of the agency should be upheld even if a reasonable mind might have reached a different conclusion. *D’Ambra v. Board of Review, Department of Employment Security*, 517 A.2d 1039, 1041 (R.I. 1986).

ANALYSIS

The appellant urges this court to reverse the finding of the DMV and order his license reinstated. As a basis for his appeal the appellant argues that “this suspension creates an extreme hardship in my every day life because I can’t drive.” See appeal dated November 23,

2025. However, the appellant fails to point the court to facts to support a claim that the decision of the DMV was inconsistent with the standard set forth under the Administrative Procedures Act.

A person is ineligible to obtain or maintain a license “when the administrator of the division of motor vehicles has good cause to believe that the operation on the highways by that person would pose an imminent safety risk to the general public as determined by objectively ascertainable standards.” R.I. Gen. Laws §31-10-3. Additionally, an individual is deemed ineligible for a license if the administrator of the DMV “has good cause based on clear and convincing evidence to believe that the person does not meet a standard or physical or mental fitness for motor vehicle licensure ... and that the person’s physical or mental condition prevents him or her from being able to operate a motor vehicle with safety upon the highway.” R.I. Gen. Laws §31-10-3 (a)(7). In this case, the DMV determined that the appellant’s continued operation of a motor vehicle created a danger to the public and ordered an immediate suspension of his license. This initial suspension was based on the appellant’s own admission that he was involved in a motor vehicle crash after he had “blacked out” and the blackouts were occurring with increased frequency. Subsequent reports and a clinical driver evaluation supported the finding that the appellant should not operate a motor vehicle due to driving posing a risk to himself and others and that he retire from driving. While Dr. Kohn opined that he believed that the appellant was safe to operate a motor vehicle, he rendered this opinion “only on his mental health status and not whether other medical issues may place him at risk.”

The DMV has the authority to regulate the issuance and retention of licenses. It is within their statutory power to suspend a license if the motorist is unable to safely operate a motor vehicle due to a physical or mental condition. In this case the DMV acted within the scope of their

