STATE OF RHODE ISLAND

RHODE ISLAND TRAFFIC TRIBUNAL

STATE OF RHODE ISLAND	**:**	
	:	
v.	**:**	**C.A. No. M25-0013**
	:	**2025MC00002**
	:	**(054.0007228011)**
ROBERT COULTER	**:**	

DECISION

PER CURIAM: Before this Panel on January 28, 2026—Magistrate Welch (Chair), Chief Magistrate DiSandro, and Magistrate Landroche—is the appeal of Robert Coulter (Appellant) from a decision of Judge William Maaia of the East Providence Municipal Court, sustaining the charged violation of G.L. 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016." Appellant appeared *pro se* before this Panel. Jurisdiction is pursuant to G.L. 1956 § 31-41.1-8. For the reasons set forth in this Decision, Appellant's appeal is granted.

I

Facts and Travel

On May 7, 2025, an automated video traffic camera photographed a vehicle owned by Robert Coulter traveling at 32 MPH in a 20 MPH zone on Pawtucket Avenue in East Providence, Rhode Island.

Thereafter, the East Providence Police Department sent a traffic summons to Appellant, the registered owner of the photographed vehicle. The summons charged Appellant with G.L. 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016." The summons was received by Appellant on May 27, 2025. Appellant contested the charge, and the matter proceeded to trial on November 13, 2025.

At trial, the Trial Judge heard testimony from the Appellant, Chris Lambert (Mr. Lambert) an employee of Sensys Gatso[1], and the citing officer, Sergeant Sandra Bonvehi (Sergeant Bonvehi).

Sergeant Bonvehi of the East Providence Police Department was called to testify to her work in camera ticketing detail. Tr. 13: 15-17. The Sergeant testified that she reviews camera videos from the cameras and determines if violations occurred. She further testified that a gray Jeep bearing Rhode Island registration plate, 1RN329, drove over the posted limit, going 32 miles per hour in a 20 miles per hour zone on Pawtucket Avenue. *Id.* She further testified to the existence of proper speed signage in the subject area, known as St. Margaret's on Pawtucket Avenue. *Id.* The Sergeant also testified that she investigated the registered owner of the plate number, IRN329 and determined the Appellant, Robert Coulter, was the registered owner. *Id.* Appellant did not dispute that was his vehicle. *Id.*

Appellant testified on his behalf and was the only one to do so. *Id.* Appellant presented the mailed citation at trial, showing that it was received by him on May 27, 2025. Appellant cited to the statute, which requires a summons to be issued no later than 14 days after the alleged violation. *Id.* Appellant continued to argue that the city failed to put forth evidence of the date in which the summons was mailed to him. *Id.* The prosecution conceded at trial that the date of postmark was missing from the envelope that the summons was mailed in and argued that that was the fault of the postal service. *Id.*

After hearing all the evidence, the Court sustained the charged violation of G.L. 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016."

[1] Sensys Gatso is the company responsible for maintaining the school zone cameras in Providence, Rhode Island. Mr. Lambert testified that the cameras are calibrated and a certification of calibration of the radar was admitted into evidence. *See* Tr. 11: 24-26.

Aggrieved by the decision, Appellant filed this timely appeal.

II

Standard of Review

Pursuant to § 31-41.1-8, the Appeals Panel of the Rhode Island Traffic Tribunal possesses appellate jurisdiction to review an order of a judge or magistrate. Section 31-41.1-8(f) provides in pertinent part:

> "The appeals panel shall not substitute its judgment for that of the judge or magistrate as to the weight of the evidence on questions of fact. The appeals panel may affirm the decision of the judge or magistrate, or it may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the judge's findings, inferences, conclusions or decisions are:
>
> (1) In violation of constitutional or statutory provisions;
> (2) In excess of the statutory authority of the judge or magistrate;
> (3) Made upon unlawful procedure;
> (4) Affected by other error of law;
> (5) Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
> (6) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion."

In reviewing a hearing judge or magistrate's decision pursuant to § 31-41.1-8, this Panel "lacks the authority to assess witness credibility or to substitute its judgment for that of the hearing judge [or magistrate] concerning the weight of the evidence on questions of fact." *Link v. State*, 633 A.2d 1345, 1348 (R.I. 1993) (citing *Liberty Mutual Insurance Co. v. Janes*, 586 A.2d 536, 537 (R.I. 1991)). "The review of the appeals panel is confined to a reading of the record to determine whether the judge's [or magistrate's] decision is supported by legally competent evidence or is affected by an error of law." *Id.* (citing *Environmental Scientific Corp. v. Durfee*, 621 A.2d 200, 208 (R.I. 1993)). "In circumstances in which the appeals panel determines that the decision is '[c]learly erroneous in view of the reliable, probative, and substantial evidence on the

whole record,' or is affected by 'error of law,' it may remand, reverse, or modify the decision." *Id.* "Otherwise, it must affirm the hearing judge's [or magistrate's] conclusions" on appeal. *Id.*; *see Janes*, 586 A.2d at 537.

III

Analysis

On appeal, Appellant argues that the Trial Judge erred by sustaining the violation of G.L. 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016." *See generally* App.'s Mem. In Supp. Of Appeal. Appellant asserts that the Trial Judge's decision was clearly erroneous in view of the reliable, probative, and substantial evidence on the record. *See* § 31-41.1- 8(5). Specifically, Appellant asserts that the Trial Judge erred in acting as part of the prosecution, and incorrectly instructing him to put forward a "compelling defense." *See* App.'s Mem. In Supp. Of Appeal.

This citation was brought against Appellant under Rhode Island General Laws 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016." Appellant relies on the statute, arguing that the citation was improperly issued. The statue states:

> Except as expressly provided in this chapter, all prosecutions based on evidence produced by an automated school-zone-speed-enforcement system shall follow the procedures established in chapter 41.1 of this title, chapter 18 of title 8, and the rules promulgated by the chief magistrate of the traffic tribunal for the hearing of civil traffic violations. Citations may be issued by an officer solely based on evidence obtained by use of an automated school-zone-speed-enforcement system. All citations issued based on evidence obtained from an automated school-zone-speed-enforcement system shall be issued within fourteen (14) days of the violation.

At trial, the prosecution failed to show that the Appellant's citation conformed with the above requirements. The city conceded that the mailing presented by Appellant lacked a postmark date. The prosecution argued that because the citation was "generated" on May 15, 2025, that the citation was within the 14-day mark from May 7, 2025. *See* Tr. 20: 13-17. Under this statute, the date of issuance is the date of *mailing,* not the date the violation was issued. *See* G.L. 1956 § 31-

41.3-8(b) (emphasis added).

During trial, the prosecution presented evidence that proved the cameras were properly calibrated and that the vehicle being operated in excess of the 20 MPH speed limit on May 7, 2025 was registered to Appellant. Appellant does not deny that he was the owner of the vehicle on said date. Rather, Appellant raises the argument that the violation should be dismissed because its issuance violates G.L. 1956 § 31-41.3-8(b).

Regarding evidence, the Rhode Island Rules of Evidence governs "all proceedings before the Traffic Tribunal." *See* Traff. Trib. R. P. 15(b), Rhode Island Rule of Evidence 402 states that "all relevant evidence is admissible, except as otherwise provided by the Constitution of the United States, by the constitution of Rhode Island, by act of [C]ongress, by the [G]eneral [L]aws of Rhode Island, by these rules, or by other rules applicable in the courts of this state." R.I. R. Evid. 402. Relevant evidence is defined as evidence "having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence." R.I. R. Evid. 401. It is well settled that "'decisions about the admissibility of evidence on relevancy grounds are left to the sound discretion of the trial justice; [a court] will not disturb those decisions on appeal absent an abuse of discretion.'" *State v. Carvalho*, 892 A.2d 140, 148 (R.I. 2006) (quoting *State v. Grayhurst*, 852 A.2d 491, 505 (R.I.2004)).

Here, the issue lies with the fact that the mailing was left to speak for itself during trial. The Trial Judge failed to make any findings of fact as to the East Providence Police Department's compliance with G.L. 1956 § 31-41-8 with regard to the mailing of the summons. The Trial Judge further failed to acknowledge that the East Providence Police Department, through its witnesses, failed to provide any testimony or evidence related to the mailing requirement of § 31-41-8.

In this matter, this Appeals Panel finds that there has been an abuse of discretion during Appellant's trial. Chapter 41.1, title 31 governs hearings held at the Rhode Island Traffic Tribunal and it provides:

> After due consideration of the evidence and arguments, the judge or magistrate shall determine whether the charges have been established, and appropriate findings of fact shall be made on the record. If the charges are not established, an order dismissing the charges shall be entered. If a determination is made that a charge has been established or if an answer admitting the charge has been received, an appropriate order shall be entered in the records of the traffic tribunal.

Upon review of the record, this Appeal panel finds that the Trial Judge erred in failing to make the aforementioned findings of fact. When a trial judge sits as the fact finder, he or she must make findings of fact and conclusions of law on the record so that a reviewing court may "pass upon the appropriateness of the order and the grounds upon which it rests." *Now Courier, LLC v. Better Carrier Corp.*, 965 A.2d 429, 434 (R.I. 2009) (quoting *Chiaradio v. Falck*, 794 A.2d 494, 496 (R.I. 2002)).

A trial judge does not need to "'categorically accept or reject each piece of evidence in his [or her] decision [to be] [upheld] [] because implicit in the trial justice's decision are sufficient findings of fact to support his rulings.'" *Notarantonio v. Notarantonio*, 941 A.2d 138, 147 (R.I. 2008) (quoting *Narragansett Electric Co. v. Carbone*, 898 A.2d 87, 102 (R.I. 2006)). A trial judge's findings "must contain . . . a factual finding and a conclusion of law on each cause of action adjudicated." *Cathay Cathay, Inc. v. Vindalu, LLC*, 136 A.3d 1113, 1119 (R.I. 2016) (citing *Cathay Cathay, Inc. v. Vindalu, LLC,* 962 A.2d 740, 747-48 (R.I. 2009)).

The record is wholly devoid of any factual findings, credibility determinations, or evidentiary considerations. The Trial Judge did not exercise his judgment in passing on the weight of the testimony and the credibility of the witnesses by acknowledging the testimony that he found credible in his ruling. *See* Tr. 22: 7-16. Without any indication as to the facts or testimony that the Trial Judge relied upon to render a decision, this Panel finds that the Trial Judge's decision is

erroneous. *See* Sec. 31- 41.1-8(f)(5).

IV

Conclusion

This Panel has reviewed the entire record in this matter. Having done so, the members of this Panel determine that the Trial Judge's decision is clearly erroneous in view of the whole record and a clearly unwarranted exercise of discretion. Accordingly, Appellant's appeal to the violation of G.L. 1956 § 31-41-8, "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016" is granted.

ENTERED:

/S/
Magistrate Welch (Chair)

/S/
Chief Magistrate DiSandro

/S/
Magistrate Landroche

DATE: March 18, 2026