

**STATE OF RHODE ISLAND**

**RHODE ISLAND TRAFFIC TRIBUNAL**

**STATE OF RHODE ISLAND**

v.

**NATHAN BELISLE**

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**C.A. No. T25-0018  
25406501478**

**DECISION**

**PER CURIAM:** Before this Panel on November 19, 2025—Magistrate DiChiro (Chair), Magistrate Kruse Weller, and Magistrate Welch—is the appeal of Nathan Belisle (Appellant) from a decision of Magistrate Noonan of the Rhode Island Traffic Tribunal, sustaining the charged violation of G.L. 1956 § 31-27-19 “Operating M/V on Bicycle Lane, Trail or Path.” Appellant did not appear before this Panel. Jurisdiction is pursuant to G.L. 1956 § 31-41.1-8. For reasons set forth in this Decision, Appellant’s appeal is denied.

**I**

**Facts and Travel**

On July 12, 2025, Sergeant Zachary Hubbard (Sergeant Hubbard) of the Lincoln Police Department charged Appellant with the aforementioned charge. *See* Summons No. 25406501478. Appellant contested the charges and the matter proceeded to trial on September 8, 2025.

At trial, Appellant requested a continuance until December 8, 2025, which was ultimately denied. *See* Tr. 5: 12-19; Tr. 9: 4-5. Appellant had hired a lawyer who did not appear and who allegedly informed Appellant that they “could just get a new court date [on] December 8.” *Id.* Sergeant Hubbard informed the Trial Magistrate that the same issue had occurred the week prior, resulting in Appellant’s trial being continued to September 8, 2025. *Id.*

Sergeant Hubbard testified that on July 12, 2025 at approximately 10:56 PM, he was

dispatched to 2 School Street because there were reports of vehicles racing up and down a bike path in the area. *See* Tr. 9: 21-24. On arrival to the area, he positioned his cruiser at the entrance of the bike path near New River Road. *Id.* Sergeant Hubbard testified that he observed three northbound traveling motorcycles turn around and head south on the Blackstone River Bike Pathway when they saw his cruiser. *Id.*

The Sergeant further testified that another officer, Officer Bissonnette, communicated to him that he had stopped all motorcycles on the bike path. *Id.* Upon arriving at Officer Bissonnette's location, Sergeant Hubbard saw three motorcycles pulled over facing south. *Id.* Among them there was a 2006 grey Honda CBR1000RR motorcycle bearing a Rhode Island registration plate reading, 1WN250, operated by Appellant. *Id.*

Upon speaking with the motorists, Appellant told Sergeant Hubbard that he was unaware he had been driving on a bike path and that he did not see any signage. *See* Tr. 14: 4-7. The other motorists explained to Sergeant Hubbard that "they entered the bike path by the School Street entrance and began driving up and down the bike path." *Id.* The Sergeant testified that he informed Appellant there were signs on the path, but Appellant continued to disagree. *Id.*

Sergeant Hubbard had photos of the north and southbound entrance of the bike trail showing signage saying no motor vehicles which was taken a week after citing Appellant. Tr. 14: 26-27. The photographs of the entrances were entered as Exhibits 1 and 2 for the prosecution. *Id.*

Appellant decline to cross-examine Sergeant Hubbard and testified in his own behalf. Appellant testified that he was "just following his friends" on the path, which he believed to be "just the street." Tr. 16: 16-26. Appellant presented a video of the bike path, which the Trial Magistrate watched but did not admit into evidence. *Id.*

After hearing all the evidence and reviewing the exhibits submitted by Sergeant Hubbard,

the Court sustained the violations of G.L. 1956 § 31-27-19 “Operating M/V on Bicycle Lane, Trial or Path.” 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 (RITT) 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 his violation of G.L. 1956 § 31-27-19 “Operating M/V on Bicycle Lane, Trail or Path” was committed by mistake. Appellant contends that the Trial Magistrate’s decision is affected by error of law by adopting Sergeant Hubbard’s testimony as credible in his findings of fact. Finally, Appellant requests to apply the Good Driving Statute in this matter.

First, mistake is not an adequate defense to violating G.L. 1956 § 31-27-19. G.L. 1956 § 31-27-19 “Operating M/V on Bicycle Lane, Trail or Path” states,

- (a) Except as provided in § 31-15-17, no person shall operate any motor vehicle on a bicycle lane, trail or path, as defined in § 31-1-23(a).
- (b) Any person who operates a motor vehicle upon any bicycle lane, trail or path shall be punishable by a fine of one hundred dollars (\$100).
- (c) The division of motor vehicles, upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle on a bicycle lane, trail or path, shall suspend the person’s operator’s license for a period of six (6) months.
- (d) Emergency vehicle and employees of federal, state, and local government shall be exempt from the provisions when acting in the scope of their official duties.

Per the statute, any person who operates a motor vehicle on a bicycle path violates G.L. 1956 § 31-27-19. The Trial Magistrate, after adopting the Sergeant’s credible testimony into his finding of fact, found that Appellant entered the bike path knowingly because Appellant “took off when [he] saw the police officer” on the path. Tr. 32: 26-28.

There are exceptions for “entering or leaving the roadway or a parking lane, or when required in the course of official duty. An implement of husbandry (a vehicle used exclusively

for agricultural operations or farming, such as a tractor or trailer) may momentarily cross into a bicycle lane to permit other vehicles to overtake and pass the implement of husbandry.” *See* G.L. 1956 § 31-15-17 (emphasis added). This exception does not apply to Appellant because the Trial Magistrate found that Appellant was riding a motorcycle up and down the bike path. *See* Tr. 32: 11-14.

Second, after this appeal hearing, Appellant sent an email on October 29, 2025, in which he requested to apply the Good Driving Statute, G.L. 1956 § 31-41.1-7. “Application for Dismissal based on Good Driving Record” to this matter in order to dismiss the charged violation. Appellant had not requested this relief until after his appeal was heard. Upon review of the Appellant’s driving record, the statute does not apply to him at this time. G.L. 1956 § 31-41.1-7 states that, “[a]ny person who has had a motor vehicle operator’s license for more than three (3) years, and who has been issued traffic violations which are his or her first violations within the preceding three (3) years, may request a hearing seeking a dismissal of the violations based upon the operator’s good driving record.” This panel, per the statute “may not dismiss a charge pursuant to this section after six (6) months from the date of disposition. For purposes of this section, a parking ticket shall not constitute a prior violation.” *See* G.L. 1956 § 31-41.1-7.

Appellant does not qualify for the Good Driving Statute because at the time of the charged violation, Appellant’s operator’s license had been suspended on June 30, 2022 by the Division of Motor Vehicles for “Failure to Complete Defensive Driving Course” ordered in connection with a 2017 DUI charge. Appellant’s license was not reinstated until December 16, 2022. Therefore, within the three-year period prior to the date of this instant matter the Appellant did not have a clean driving record and the Good Driving Statute cannot be utilized by this motorist.

**IV**

**Conclusion**

This Panel has reviewed the entire record in this matter. Having done so, the members of this Panel are satisfied that the Trial Magistrate's decision was neither clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record nor arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. Accordingly, Appellant's appeal is denied.

ENTERED:

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/S/  
Magistrate DiChiro (Chair)

\_\_\_\_\_  
/S/  
Magistrate Kruse Weller

\_\_\_\_\_  
/S/  
Magistrate Welch

DATE: March 30, 2026