

CONNECTICUT APPELLATE COURT

Bouchard v. Commissioner of Motor Vehicles

Bouchard · No. AC 48061 · Decided April 14, 2026

SUMMARY

The Connecticut Appellate Court affirmed the dismissal of Lisette Bouchard’s administrative appeal from the suspension of her motor vehicle operator’s license. The court held that her claim concerning the untimely transmittal of an A-44 form under General Statutes § 14-227b (c) was unpreserved and, alternatively, that the record was inadequate to review the claim because the hearing officer made no findings on the transmittal issue.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	Elgo, J.; Cradle, C. J.; Westbrook, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	April 14, 2026
DOCKET	AC 48061
DISPOSITION	affirmed
PROCEDURAL POSTURE	The plaintiff appealed to the Connecticut Appellate Court from the Superior Court's dismissal of her administrative appeal challenging the suspension of her driver's license.
STANDARD OF REVIEW	Judicial review under the Uniform Administrative Procedure Act is highly restricted. The reviewing court determines whether substantial evidence supports the agency's factual findings and whether the agency acted unreasonably, arbitrarily, illegally, or in abuse of its discretion; it may not retry the case, substitute its judgment for the agency's on factual questions, or assume the role of fact finder.
PRECEDENTIAL VALUE	Published Connecticut Appellate Court opinion
PARTIES	Lisette Bouchard v. Commissioner of Motor Vehicles

TOPICS

- preservation of error
- judicial review of agency action
- administrative procedure act
- standard of review
- evidence

PRACTICE AREAS

administrative law

motor vehicle license suspension

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether the plaintiff could obtain appellate review of her claim that the A-44 form was inadmissible because the arresting officer allegedly failed to transmit it to the Department of Motor Vehicles within three business days as required by General Statutes § 14-227b (c).
2. Whether the claim could be reviewed despite preservation, given that the hearing officer made no factual findings concerning when or how the A-44 form was transmitted.

HOLDINGS

1. The plaintiff failed to preserve the claim because she did not distinctly raise the statutory transmittal issue before the administrative hearing officer.
2. Even if the plaintiff had preserved the claim, the record was inadequate to review it because the hearing officer made no findings concerning whether or when the A-44 form was transmitted.
3. The Appellate Court could affirm the Superior Court's correct disposition on the alternative ground that the plaintiff's transmittal claim was unpreserved.

KEY QUOTATIONS

“The requirement that the claim be raised distinctly means that it must be so stated as to bring to the attention of the [administrative hearing officer] the precise matter on which its decision is being asked.”

“Because the factual question of whether Blanchette complied with the transmittal requirement of § 14-227b (c) was neither presented to nor decided by the hearing officer, the record before us is inadequate to review the substance of the plaintiff’s claim.”

FACTUAL BACKGROUND

On July 31, 2023, State Trooper Noah Blanchette stopped the plaintiff after observing her vehicle abruptly stop on Route 85. He observed signs of intoxication, administered field sobriety tests that the plaintiff failed, arrested her for operating under the influence, and reported that she refused a chemical alcohol test. The A-44 form was signed two business days after the arrest and marked received by the Department of Motor Vehicles six business days after the arrest, but the administrative record contained no evidence showing when or how the form was transmitted. The plaintiff challenged the A-44 form at the administrative hearing on three grounds but did not challenge compliance with the statutory three-business-day transmittal requirement.

PROCEDURAL HISTORY

The Commissioner of Motor Vehicles suspended the plaintiff's license for forty-five days and required an ignition interlock device after a hearing under General Statutes § 14-227b. The plaintiff appealed to the Superior Court, which dismissed the administrative appeal after rejecting her challenges to the admission of the A-44 form. The Appellate Court affirmed, concluding that the plaintiff's claim concerning timely transmittal of the A-44 form was unpreserved and, alternatively, that the record was inadequate for review.

DISPOSITION

affirmed

CASES CITED

- Roy v. Commissioner of Motor Vehicles, 67 Conn. App. 394, 396 n.3, 786 A.2d 1279 (2001)
- Do v. Commissioner of Motor Vehicles, 330 Conn. 651, 658–59, 663, 668, 200 A.3d 681 (2019)
- Fishbein v. Kozlowski, 252 Conn. 38, 46, 743 A.2d 1110 (1999)
- Winsor v. Commissioner of Motor Vehicles, 101 Conn. App. 674, 679–80, 922 A.2d 330 (2007)
- Direct Energy Services, LLC v. Public Utilities Regulatory Authority, 347 Conn. 101, 147, 296 A.3d 795 (2023)
- Ferraro v. Ridgefield European Motors, Inc., 313 Conn. 735, 759, 99 A.3d 1114 (2014)
- Dragan v. Connecticut Medical Examining Board, 223 Conn. 618, 632, 613 A.2d 739 (1992)
- Finkenstein v. Administrator, Unemployment Compensation Act, 192 Conn. 104, 114, 470 A.2d 1196 (1984)
- O’Rourke v. Dept. of Labor, 210 Conn. App. 836, 854, 271 A.3d 700 (2022)
- Ives v. Commissioner of Motor Vehicles, 192 Conn. App. 587, 605, 218 A.3d 72 (2019)
- State v. Carter, 198 Conn. 386, 396, 503 A.2d 576 (1986)
- Connecticut Fine Wine & Spirits, LLC v. Dept. of Consumer Protection, Liquor Control Commission, 237 Conn. App. 1, 20, 350 A.3d 1142 (2025)
- J.E. Robert Co. v. Signature Properties, LLC, 309 Conn. 307, 328 n.20, 71 A.3d 492 (2013)
- Marshall v. Commissioner of Motor Vehicles, 348 Conn. 778, 781 n.2, 784, 794–95, 311 A.3d 704 (2024)
- Grant v. Commissioner of Correction, 345 Conn. 683, 701, 287 A.3d 124 (2022)
- State v. Jorge P., 308 Conn. 740, 753, 66 A.3d 869 (2013)
- State v. Bennett, 324 Conn. 744, 761, 155 A.3d 188 (2017)
- State v. Ramon A. G., 336 Conn. 386, 395, 246 A.3d 481 (2020)
- State v. Qayyum, 344 Conn. 302, 310, 279 A.3d 172 (2022)
- Suffield Bank v. Berman, 228 Conn. 766, 785, 639 A.2d 1033 (1994)
- Prendergast v. Commissioner of Motor Vehicles, 172 Conn. App. 545, 554–56, 160 A.3d 1087 (2017)
- Wakefield v. Commissioner of Motor Vehicles, 90 Conn. App. 441, 443, 877 A.2d 1, cert. denied, 275 Conn. 931, 883 A.2d 1253 (2005)
- Modzelewski’s Towing & Storage, Inc. v. Commissioner of Motor Vehicles, 353 Conn. 486, 494, 342 A.3d 224 (2025)
- Schallenkamp v. DelPonte, 229 Conn. 31, 41, 639 A.2d 1018 (1994)
- Wolf v. Commissioner of Motor Vehicles, 70 Conn. App. 76, 85, 797 A.2d 567 (2002)
- Pizzo v. Commissioner of Motor Vehicles, 62 Conn. App. 571, 578, 771 A.2d 273 (2001)
- Stevens v. Khalily, 220 Conn. App. 634, 644, 298 A.3d 1254, cert. denied, 348 Conn. 915, 303 A.3d 260 (2023)

- South Windsor v. South Windsor Police Union, Local 1480, Council 15, AFSCME, AFL-CIO, 41 Conn. App. 649, 656, 677 A.2d 464, cert. denied, 239 Conn. 926, 683 A.2d 22 (1996)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/connecticut-appellate-court-connecticut-appellate-court/2026/bouchard-v-commissioner-of-motor-vehicles-wr4ds1o0>