



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 14, 1991

Mr. Marc K. Greenberg
Attorney
Law Office of George S. Henry
14850 Quorum Drive, Suite 300
Addison, Texas 75240

OR91-570

Dear Mr. Greenberg:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 14105.

The City of Addison received an open records request for "permission to peruse the Addison Police Accident reports on a daily basis." Although you suggest that the language in the request lacks sufficient specificity to allow the city to identify the specific information requested, you have submitted to this office a blank Peace Officer's Accident Report form "ST-3." You contend that the information typically contained in such forms may come under the protection of section 3(a)(8).

A previous determination of this office, Open Records Decision No. 43 (1974), a copy of which is enclosed, resolves this aspect of your request. Section 47 of article 6701d, V.T.C.S., provides that accident reports that are required to be submitted to the Department of Public Safety by peace officers as well as any supplements to those reports, including witness statements, are public records. Records specifically made public by statute may not be withheld pursuant to any of the Open Records Act's section 3(a) exceptions. Assuming that these reports are submitted to the DPS, section 3(a)(8) is inapplicable, despite the fact that they relate to criminal investigations or prosecutions. *But see* Bus. & Com. Code § 35.54 *as amended by* Acts 1991, 72nd Leg., ch. 860, § 1, at 2963 (prohibiting use of motor vehicle accident

information obtained from law enforcement agencies for purposes of soliciting business from those involved in motor vehicle accident).

This office agrees with your contention that the city need not comply with a standing request to provide information on a daily basis. See Open Records Decision No 465 (1987). The Open Records Act does not reach information prepared after the request was made. Open Records Decision No. 452 (1986).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-570.

Yours very truly,



William Walker
Assistant Attorney General
Opinion Committee

WW/RWP/lcd

Ref.: ID# 14105

Enclosures: Open Records Decision No. 43

cc: Quinn Morton
President
Auto Class Collision Repair Center
2385 Midway
Carrollton, Texas 75006
(w/o enclosures)