



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 3, 2009

Mr. Paul J. Stewart  
Assistant County Attorney  
Fort Bend County  
301 Jackson Street, Suite 728  
Richmond, Texas 77469-3108

OR2009-04409

Dear Mr. Stewart:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 343451.

The Fort Bend County Sheriff's Office (the "sheriff") received a request for a specified police report. You claim that the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code provides that information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency is excepted from public release. Gov't Code § 552.130(a)(1), (2). We have marked information that is subject to section 552.130. We note, however, that section 552.130 protects personal privacy. In this instance, a portion of the Texas motor vehicle record information at issue belongs to the requestor. As such, the requestor has a right of access to her driver's license information under section 552.023 of the Government Code. *See id.* § 552.023(a) ("a person or a person's authorized representative has a special right of access, beyond the right of the general public, to information held by a governmental body that relates to the person and that is protected from public disclosure by laws intended to protect that person's privacy interests."); Open Records Decision No. 481 at 4(1987) (privacy theories not implicated when individual or authorized representative asks governmental body to provide information concerning that individual). Therefore, the

requestor's drivers license information may not be withheld in this instance under section 552.130. However, the sheriff must withhold the remaining Texas driver's license information we have marked pursuant to section 552.130. The remaining submitted information must be released.<sup>1</sup>

~~This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.~~

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Paige Savoie  
Assistant Attorney General  
Open Records Division

PS/eeg

Ref: ID# 343451

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)

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<sup>1</sup>We note that some information being released is confidential and not subject to release to the general public. However, the requestor in this instance has a special right of access to the information. Because such information may be confidential with respect to the general public, if the sheriff receives another request for this information from an individual other than this requestor, the sheriff should again seek our decision.