



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 28, 2009

Mr. Gregory A. Alicie
Open Records Specialist
Baytown Police Department
3200 North Main Street
Baytown, Texas 77521

OR2009-05590

Dear Mr. Alicie:

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# 341596.

The Baytown Police Department (the "department") received a request for a report of a burglary of a motor vehicle. You indicate that social security numbers will be redacted from the responsive report pursuant to section 552.147 of the Government Code.¹ You claim that other responsive information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle title or registration issued by an agency of this state. *See* Gov't Code § 552.130(a)(2). We agree that the Texas license plate number that you have highlighted in pink falls within the scope of this exception. You also inform us, however, that the requestor is the daughter of the owners of the vehicle involved. Thus, because section 552.130 protects personal privacy, the requestor would have a right of access to the license plate number if she is the authorized representative of the owners of the vehicle. *See id.* § 552.023(a); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated

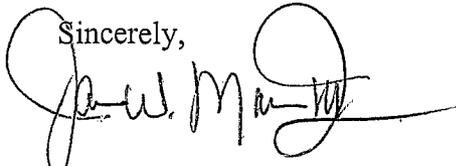
¹Section 552.147(b) authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act.

when individual requests information concerning himself).² Therefore, the license plate number must be released to the requestor pursuant to section 552.023 of the Government Code if she is the owners' authorized representative. If the requestor is not the owners' authorized representative, then the department must withhold the license plate number under section 552.130 of the Government Code. In either event, the rest of the submitted information must be released.

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, 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,



James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/eb

Ref: ID# 341596

Enc: Submitted documents

c: Requestor
(w/o enclosures)

²Section 552.023(a) provides that "[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." Gov't Code § 552.023(a).