



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 28, 2009

Ms. Cara Leahy White
Taylor Olson Adkins Sralla Elam L.L.P.
600 Western Place, Suite 200
I-30 at Bryant-Irvin Road
Fort Worth, Texas 76107

OR2009-05600

Dear Ms. White:

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# 341130.

The City of Haltom (the "city"), which you represent, received a request for any information related to a specified administrative hearing. You state that some information will be released to the requestor. You claim that the submitted information is excepted from disclosure under sections 552.117, 552.130, and 552.136 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You first assert that some of the submitted information is excepted under section 552.117 of the Government Code. Section 552.117(a)(1) excepts from disclosure the current and former home addresses and telephone numbers, social security numbers, and family member information of current or former officials or employees of a governmental body who request that this information be kept confidential under section 552.024 of the Government Code. Whether a particular piece of information is protected by section 552.117(a)(1) must be determined at the time the request for it is made. *See* Open Records Decision No. 530 at 5 (1989). You have provided documentation showing that the employee at issue timely elected to keep his home address and telephone numbers confidential; therefore, the city must withhold this information, which you have marked, pursuant to section 552.117(a)(1).

Next, you assert that some of the remaining submitted information is excepted under section 552.130 of the Government Code, which 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

agree that the city must withhold the Texas motor vehicle record information we have marked under section 552.130.

Finally, you assert that some of the remaining information is excepted from disclosure under section 552.136 of the Government Code. Section 552.136(b) provides that “[n]otwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential.” Accordingly, the city must withhold the account numbers you have marked under section 552.136.

In summary, the city must withhold the information you have marked pursuant to section 552.117(a)(1). The city must also withhold the information we have marked under section 552.130. Finally, the city must withhold the account numbers you have marked under section 552.136. As you raise no other exceptions to disclosure, the remaining 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,



Bob Davis
Assistant Attorney General
Open Records Division

RSD/dls

Ref: ID# 341130

Enc. Submitted documents

c: Requestor
(w/o enclosures)