



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 29, 2009

Ms. Nicole B. Webster  
Assistant City Attorney  
City of Waco, Legal Services Department  
P.O. Box 2570  
Waco, Texas 76702-2570

OR2009-08950

Dear Ms. Webster:

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# 347386 (City of Waco # LGL-09-361).

The Waco Police Department (the "department") received a request for a specified incident report. You indicate that you have released some of the requested information. You claim that portions of the submitted information are excepted from disclosure under sections 552.130 and 552.136 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.130 of the Government Code excepts from disclosure information that "relates to . . . a motor vehicle operator's or driver's license or permit issued by an agency of this state [or] a motor vehicle title or registration issued by an agency of this state." Gov't Code § 552.130. Accordingly, the department must withhold the Texas motor vehicle record information you have marked under section 552.130 of the Government Code.

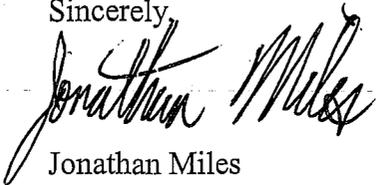
Section 552.136 of the Government Code states that "[n]otwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." *Id.* § 552.136. We agree that the bank account number you have marked is an access device for the purposes of section 552.136. Thus, the department must withhold the information you have marked under section 552.136 of the Government Code.

In summary, the department must withhold the Texas motor vehicle record information you have marked under section 552.130 of the Government Code and the department must withhold the information you have marked under section 552.136 of the Government Code. The remaining 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,



Jonathan Miles  
Assistant Attorney General  
Open Records Division

JM/cc

Ref: ID# 347386

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>We note you have highlighted a social security number in the remaining information. Section 552.147 of the Government Code 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. *See* Gov't Code § 552.147(b). We also note that the requestor has a special right of access to some of the information being released in this instance. *See id* 552.023.