



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

July 16, 2009

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

OR2009-09820

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# 349275.

The Baytown Police Department (the "department") received a request for a specified offense report. You claim that portions of the submitted information are excepted from disclosure under sections 552.130 and 552.147 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note you have marked a portion of the submitted information as not responsive to the present request. This ruling does not address the public availability of the information marked as non-responsive, and you need not release such information in response to the request.

You claim the information you have highlighted in pink is excepted from disclosure under section 552.130 of the Government Code, which excepts from disclosure information relating to a Texas motor vehicle title or registration. Gov't Code § 552.130(a)(2). We agree the information you have highlighted in pink falls within the scope of this exception. We note in the submitted offense report the requestor states he is the owner of the vehicle at issue. Generally, because section 552.130 protects personal privacy, a person has a right of access to his own Texas motor vehicle record information pursuant to section 552.023 of the Government Code. *Id.* § 552.023(a) ("[a] person or a person's authorized representative has

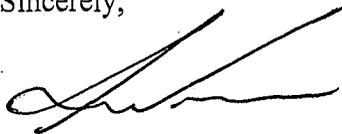
a special right of access, beyond the right of the general public, to information held by a governmental body that relates to the person and that is protected from public disclosure by laws intended to protect that person's privacy interests."); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information concerning herself). However, the department has provided documentation showing another individual, and not the requestor, is the registered owner of the vehicle at issue. Therefore, based on the department's representation, we conclude the requestor does not have a right of access to the Texas motor vehicle record information in the submitted report, and the department must withhold the information it has highlighted in pink under section 552.130 of the Government Code.

You also claim that the social security number you have highlighted in green is excepted from disclosure under section 552.147 of the Government Code. This section provides that "[t]he social security number of a living person is excepted from" required public disclosure under the Act. Gov't Code § 552.147. Therefore, the department may withhold the green-highlighted social security number under section 552.147 of the Government Code.<sup>1</sup> 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](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,



Ana Carolina Vieira  
Assistant Attorney General  
Open Records Division

ACV/eeg

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<sup>1</sup>We note that section 552.147(b) 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.

Ref: ID# 349275

Enc. Submitted documents

c: Requestor  
(w/o enclosures)