



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 18, 2010

Mr. R. Brooks Moore
Assistant General Counsel
The Texas A&M University System
200 Technology Way, Suite 2079
College Station, Texas 77845-3424

OR2010-12500

Dear Mr. Moore:

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# 390847 (TAMU 10-267).

Texas A&M University (the "university") received a request for a specified auto accident report. You claim that some of the requested 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.

You have marked information that you claim is subject to section 552.130 of the Government Code, some of which you state will be redacted pursuant to Open Records Decision No. 684 (2009). 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). Open Records Decision No. 684 authorizes the withholding of ten categories of information, including Texas driver's license and license plate numbers and the portion of a photograph that depicts a Texas license plate number under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision. We note that section 552.130 protects personal privacy. In this instance, one of the individuals whose privacy interests are implicated is the requestor's insured. Thus, the requestor has a right of access to its insured's Texas motor vehicle information, and the university may not withhold that information under section 552.130. *See id.* § 552.023(a) (person or person's authorized representative has special right of access, beyond right of general public, to information held by governmental body that relates to person and is protected from public disclosure by laws

intended to protect person's privacy interests). Accordingly, we agree that, with the exception of the requestor's insured's motor vehicle information, which we have marked for release, the university may withhold the Texas driver's license and license plate numbers, as well as the portions of the submitted photographs that depict Texas license plate numbers, you have redacted pursuant to Open Records Decision No. 684. You acknowledge that the vehicle identification numbers you have marked are not subject to Open Records Decision No. 684. We note that the requestor also has a right to its insured's vehicle identification number, which we have marked for release. The other vehicle identification number you have marked must be withheld under section 552.130 of the Government Code.

In summary, with the exception of the requestor's insured's motor vehicle information, the university may withhold the Texas driver's license and license plate numbers, as well as the portions of the submitted photographs that depict Texas license plate numbers, you have redacted pursuant to Open Records Decision No. 684. In addition, except where marked for release, the university must withhold the vehicle identification numbers you have marked under section 552.130 of the Government Code. As you raise no additional exceptions to disclosure, the remaining information must be released.¹

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, toll free, at (888) 672-6787.

Sincerely,



Tamara Wilcox
Assistant Attorney General
Open Records Division

TW/dls

¹We note that because the requestor has a special right of access to information that would otherwise be confidential in this instance, the university must again seek a decision from this office if it receives another request for the same information from another requestor. See Gov't Code § 552.023.

Ref: ID# 390847

Enc. Submitted documents

c: Requestor
(w/o enclosures)