



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 8, 2010

Ms. J. Middlebrooks
Assistant City Attorney
Criminal Law and Police Station
City of Dallas
1400 South Lamar
Dallas, Texas 75215

OR2010-16927

Dear Ms. Middlebrooks:

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# 403956 (DPD PIR No. 2010-9231).

The Dallas Police Department (the "department") received a request for information pertaining to a specified service number. You claim portions of the submitted information are excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.¹

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision," and encompasses information made confidential by other statutes. Gov't Code § 552.101. You

¹We assume that the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach and, therefore, does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

have marked a telephone number in the submitted information that you seek to withhold under section 552.101 in conjunction with section 772.318 of the Health and Safety Code. Chapter 772 of the Health and Safety Code relates to local emergency communications districts. Section 772.318 applies to an emergency 9-1-1 district established in accordance with chapter 772, and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a service supplier. *See* Open Records Decision No. 649 (1996). The City of Dallas is part of an emergency communication district that was established under section 772.318.² Provided that the information you have marked consists of an originating telephone number furnished by a 9-1-1 service supplier, we agree that the department must withhold the marked information under section 552.101 in conjunction with section 772.318 of the Health and Safety Code.

You assert portions of the remaining information are subject to section 552.130 of the Government Code. Section 552.130 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). The department must withhold the Texas motor vehicle information you have marked under section 552.130 of the Government Code.³

In summary, provided that the information you have marked consists of an originating telephone number furnished by a 9-1-1 service supplier, we agree that the department must withhold the marked information under section 552.101 in conjunction with section 772.318 of the Health and Safety Code. The department must withhold the Texas motor vehicle information you have marked under section 552.130 of the Government Code. 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

²Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

³We note this office recently issued Open Records Decision No. 684 (2009), a previous determination to all governmental bodies authorizing them to withhold ten categories of information, including Texas license plate numbers under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision.

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,

A handwritten signature in cursive script that reads "Paige Lay". The signature is written in black ink and is positioned above the typed name.

Paige Lay
Assistant Attorney General
Open Records Division

PL/eeg

Ref: ID# 403956

Enc. Submitted documents

cc: Requestor
(w/o enclosures)