



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 31, 2011

Ms. Michelle L. Villarreal
Assistant City Attorney
City of Waco
P.O. Box 2570
Waco, Texas 76702-2570

OR2011-07604

Dear Ms. Villarreal:

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# 424049 (LGL 11-632).

The Waco Police Department (the "department") received a request for information pertaining to disturbances at two addresses involving either of two named individuals during a specified time period. You claim portions 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.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information protected by other statutes, such as section 772.318 of the Health and Safety Code. You contend portions of the submitted information are excepted from disclosure 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). Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000. You state the city is part of an emergency communication district established under chapter 772. You seek to withhold a telephone number, an address, and the location of the incident under section 772.318. We note the location of the incident does not constitute an originating telephone number or address for the purposes of section 772.318. This information, which we have marked for release, is not confidential under section 772.318,

and may not be withheld under section 552.101 on that basis. Upon review, we find to the extent the marked telephone number and address are the originating telephone number and address supplied by a 9-1-1 service supplier, the city must withhold this information under section 552.101 in conjunction with section 772.318. However, to the extent the marked telephone number and address were not supplied by a 9-1-1 service supplier, section 772.318 is not applicable to this information, and it must be released to the requestor.

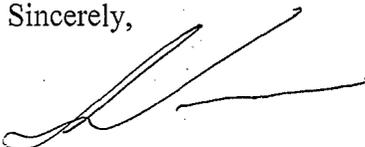
Section 552.130 of the Government Code excepts from disclosure information that relates to a motor vehicle title or registration issued by an agency of this state. Gov't Code § 552.130(a)(2). Accordingly, the city must withhold the Texas license plate numbers you have marked pursuant to section 552.130.¹

In summary, to the extent the marked telephone number and address are the originating telephone number and address supplied by a 9-1-1 service supplier, the city must withhold this information under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. The city must withhold the Texas license plate numbers you have marked under section 552.130 of the Government Code.

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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/bs

¹We note this office 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.

Ref: ID# 424049

Enc. Submitted documents

c: Requestor
(w/o enclosures)