



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

June 8, 2011

Mr. Joseph J. Gorfida, Jr.
Assistant City Attorney
City of Richardson Police Department
P.O. Box 831078
Richardson, Texas 75083-1078

OR2011-08122

Dear Mr. Gorfida:

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# 419872 (ORR# 11-224).

The Richardson Police Department (the "department") received a request for the audio recording and written log pertaining to a specified 9-1-1 call made by the requestor and audio, video, photographic, and written materials pertaining to the requestor's car being towed on a specified date. You state the department has provided some of the requested information to the requestor. You claim portions of the submitted audio recordings and towing log are excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

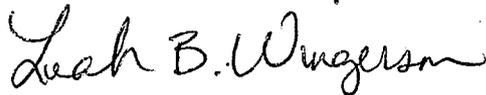
Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency is excepted from public release. Gov't Code § 552.130(a)(1), (2). You seek to withhold a Texas license plate number, vehicle identification number, and driver's license number in one of the submitted audio recordings and the same vehicle identification number and driver's license number in the submitted tow log. Section 552.130, however, protects privacy interests. In this instance, the license plate number and vehicle identification number you seek to withhold belong to the requestor, who has a right of access under section 552.023 of the Government Code to his own Texas motor vehicle record information. *Id.* § 552.023(b) (governmental body may not deny access to person or person's representative to whom information relates on grounds information is considered confidential under privacy

principles). Consequently, the department may not withhold the requestor's license plate number and vehicle identification number in the audio recording or tow log under section 552.130 of the Government Code. The Texas driver's license number you seek to withhold, however, does not belong to the requestor. Therefore, the department must withhold the driver's license number at issue in the audio recording and tow log under section 552.130 of the Government Code.¹ The department must release the remaining information.

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,



Leah B. Wingerson
Assistant Attorney General
Open Records Division

LBW/dls

Ref: ID# 419872

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹This 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 driver's license numbers under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision.