



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 21, 2012

Ms. Lillian Guillen Graham
Assistant City Attorney
City of Mesquite
P.O. Box 850137
Mesquite, Texas 75185-0137

OR2012-07638

Dear Ms. Graham:

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# 454266.

The Mesquite Police Department (the "department") received a request for a specified call sheet. You state the department will redact some information pursuant to Open Records Letter Nos. 2011-15075 (2011) and 2012-01375 (2012).¹ You also state the department will redact motor vehicle record information pursuant to section 552.130(c) of the Government

¹Open Records Letter No. 2011-15075 is a previous determination issued to the department authorizing the department to withhold the originating telephone numbers of 9-1-1 callers furnished to the department by a service supplier established in accordance with chapter 772 of the Health and Safety Code under section 552.101 of the Government Code in conjunction with section 772.118 of the Health and Safety Code, without requesting a decision from this office. Open Records Letter No. 2012-01375 is a previous determination issued to the department authorizing the department to withhold information in a call sheet that reveals the existence of a motor vehicle lien under section 552.101 in conjunction with common-law privacy, without requesting a decision from this office.

Code and Open Records Decision No. 684 (2009).² You claim some of the submitted information is 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.

We note you seek to withhold the price of motor vehicles under section 552.101 of the Government Code in conjunction with common-law privacy. This office recently issued Open Records Letter No. 2012-06459 (2012), which serves as a previous determination for the department to withhold this information in a call sheet without the necessity of requesting a ruling from this office. Accordingly, the department must withhold this information in accordance with the previous determination in Open Records Letter No. 2012-06459.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle title or registration issued by an agency of this state or another state or country. Gov't Code § 552.130(a)(2). Upon review, we find the department must withhold the motor vehicle record information we have marked under section 552.130 of the Government Code. However, the remaining information you have marked is not subject to section 552.130 of the Government Code and may not be withheld on that basis.

In summary, the department must withhold the price of a motor vehicle in a call sheet in accordance with the previous determination in Open Records Letter No. 2012-06459. The department must withhold the motor vehicle record information we have marked under section 552.130 of the Government Code. The remaining information must be released.

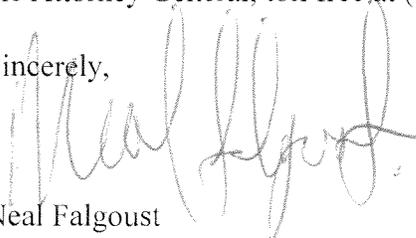
You ask this office to issue a previous determination that would permit the department to withhold information pertaining to a motor vehicle registration under section 552.130(a)(2) of the Government Code, contained in call sheets, without the necessity of requesting a decision under section 552.301 of the Government Code. We decline to issue such a previous determination at this time. Accordingly, 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.

²The Texas legislature amended section 552.130 of the Government Code effective September 1, 2011, to allow a governmental body to redact the information described in subsections 552.130(a)(1) and (a)(3) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e). Open Records Decision No. 684 permits a governmental body to redact Texas license plate numbers, which are made confidential by section 552.130(a)(2), without requesting an attorney general decision.

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,



Neal Falgoust
Assistant Attorney General
Open Records Division

NF/ag

Ref: ID# 454266

Enc. Submitted documents

c: Requestor
(w/o enclosures)