



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 20, 2012

Mr. Keith R. Bradford
Assistant County Attorney
Nacogdoches County
101 West Main Street, Room 230
Nacogdoches, Texas 75961

OR2012-15029

Dear Mr. Bradford:

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# 465599.

The Nacogdoches District Attorney's Office (the "district attorney's office") received a request for information pertaining to a specified accident. You state the district attorney's office has released some of the requested information. You do not take a position as to whether the submitted information is excepted from disclosure under the Act. However, you state, and provide documentation showing, you notified the Texas Department of Public Safety of the district attorney's office's receipt of the request for information and of its right to submit arguments to this office as to why the requested information should not be released to the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

Initially, we note, as of the date of this letter, this office has not received any correspondence from the Texas Department of Public Safety objecting to the release of the submitted information. Thus, the district attorney's office may not withhold any of the submitted information on behalf of the Texas Department of Public Safety. *See id.*

Some of the submitted information is excepted from disclosure under section 552.130 of the Government Code.¹ Section 552.130(a) provides the following:

¹The Office of the Attorney General will raise mandatory exceptions on behalf of a governmental body. *See* Open Records Decision Nos. 481 at 2 (1987), 480 at 5 (1987); *see, e.g.*, Open Records Decision No. 470 at 2 (1987) (because release of confidential information could impair rights of third parties and because improper release constitutes a misdemeanor, attorney general will raise predecessor statute of section 552.101 on behalf of governmental bodies).

Information is excepted from the requirements of Section 552.021 if the information relates to:

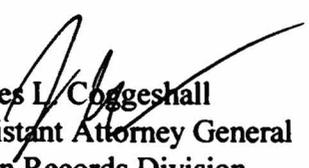
- (1) a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country;
- (2) a motor vehicle title or registration issued by an agency of this state or another state or country; or
- (3) a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document.

Id. § 552.130(a). The district attorney's office must withhold the motor vehicle record information we have marked under section 552.130. The district attorney's office must release the remaining information to the requestor.

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/tch

Ref: ID# 465599

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Ms. Michele Freeland
Office of General Counsel
Texas Department of Public Safety
5805 North Lamar
Austin, Texas 78752
(w/o enclosures)