



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 16, 2012

Ms. Laura Garza Jimenez  
County Attorney  
Nueces County  
901 Leopard, Room 207  
Corpus Christi, Texas 78401-3680

OR2012-16498

Dear Ms. Jimenez:

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# 468061.

The Nueces County Tax Assessor-Collector's Office (the "tax assessor-collector's office") received a request for specified license renewals and vehicle title work. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the claimed exceptions 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 made confidential by other statutes, such as section 730.004 of the Transportation Code. Section 730.004 provides, "[n]otwithstanding any other provision of law to the contrary, including chapter 552, Government Code, except as provided by Sections 730.005-730.007, an agency may not disclose personal information about any person obtained by the agency in connection with a motor vehicle record." Transp. Code § 730.004. Section 730.004 applies only to an "agency" that compiles or maintains motor vehicle records. *See id.* § 730.003(1). "Personal information" for purposes of section 730.004 is "information that identifies a person, including an individual's photograph or computerized image, social security number, driver identification number, name, address, but not the zip code, telephone number, and medical or disability information." *Id.* § 730.003(6). You state the tax assessor-collector's office is responsible for receiving applications and fees for certificates of title and issuing receipts

pursuant to the Certificate of Title Act. *See id.* §§ 501.023, .024. You state that in the course of meeting these obligations, the tax assessor-collector's office compiles and maintains motor vehicle record information. Thus, the tax assessor-collector's office is an "agency" for purposes of section 730.004. You state the exceptions in sections 730.005 through 730.007 do not apply in this instance. *See id.* §§ 730.005-.007. Upon review, we find the tax assessor-collector's office must withhold the personal information we have marked under section 552.101 of the Government Code in conjunction with 730.004 of the Transportation Code. However, the tax assessor-collector's office has not demonstrated that the remaining information consists of personal information for purposes of section 730.004, and none of it may be withheld under section 552.101 on that basis.

Section 552.130 of the Government Code excepts from disclosure information that relates to a motor vehicle operator's or driver's license, title, or registration issued by an agency of this state or another state or country. Gov't Code § 552.130(a)(1)-(2). Therefore, the tax assessor-collector's office must withhold the information we have marked under section 552.130. However, we find the remaining information you have marked is not protected by section 552.130, and it may not be withheld on that basis.

In summary, the tax assessor-collector's office must withhold the information we have marked under section 552.101 of the Government Code in conjunction with section 730.004 of the Transportation Code and under section 552.130 of the Government Code. The remaining information must be released 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](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,



Misty Haberer Barham  
Assistant Attorney General  
Open Records Division

MHB/som

Ref: ID# 468061

Enc. Submitted documents

c: Requestor  
(w/o enclosures)