



**ATTORNEY GENERAL OF TEXAS**  
**GREG ABBOTT**

January 17, 2013

Ms. Janet I. Monteros  
Assistant County Attorney  
El Paso County  
500 East San Antonio, Room 503  
El Paso, Texas 79901

OR2013-01015

Dear Ms. Monteros:

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# 477796 (El Paso County CA Op-12-553).

The El Paso County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified accident. You state the sheriff's office has released some of the requested information but 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.

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. This section encompasses information protected by other statutes, including section 550.065 of the Transportation Code, which provides in relevant part the following:

- (a) This section applies only to information that is held by the [Texas Department of Transportation ("TxDOT")] or another governmental entity and relates to a motor vehicle accident reported under this chapter or Section 601.004, including accident report information compiled under Section 201.805, as added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular Session, 2007.

(b) Except as provided by Subsection (c) or (e), the information is privileged and for the confidential use of:

- (1) [TxDOT]; and
- (2) an agency of the United States, this state, or a local government of this state that has use for the information for accident prevention purposes.

Trans. Code § 550.065(a), (b); *see id.* § 550.064 (officer's accident report). The submitted information contains a CR-3 accident report form that was completed pursuant to chapter 550 of the Transportation Code. *See id.* § 550.064. The requestor has not provided the sheriff's office with two of the three pieces of information. Thus, the sheriff's office must withhold the accident report, which you have marked, under section 552.101 of the Government Code in conjunction with section 550.065(b) of the Transportation Code.

Section 552.130(a) of the Government Code provides the following:

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.

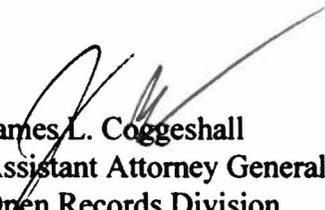
Gov't Code § 552.130(a). The sheriff's office must withhold the motor vehicle record information we have marked under section 552.130. The remaining information you seek to withhold under section 552.130 does not relate to motor vehicle record information or a personal identification document issued by a Texas agency or another state or country or a local agency authorized to issue an identification document, and the sheriff's office may not withhold it on that ground.

To conclude, the sheriff's office must withhold the information you have marked under section 552.101 of the Government Code in conjunction with section 550.065(b) of the Transportation Code. The sheriff's office must also withhold the information we have marked under section 552.130 of the Government Code. The sheriff's office 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](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# 477796

Enc. Submitted documents

c: Requestor  
(w/o enclosures)