



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 5, 2013

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

OR2013-05484

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# 483387.

The Mesquite Police Department (the "department") received a request for three specified calls sheets. You state the department will release some of the requested information. You state the department will redact portions of the submitted information, which you have marked, pursuant to Open Records Letter No. 2012-01375 (2012).¹ You claim portions of the submitted information are excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You state the department will redact any Texas license plate numbers from the submitted information pursuant to Open Records Decision No. 684 (2009).² You also raise section 552.130 of the Government Code for the information you have marked. Section 552.130 provides, in part, information relating to a motor vehicle title or registration issued by an agency of Texas or another state or country is excepted from public release.

¹Open Records Letter No. 2012-01375 authorizes the department to withhold motor vehicle lien information in a call sheet under section 552.101 of the Government Code in conjunction with common-law privacy without the necessity of requesting a decision under section 552.301 of the Government Code.

²Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information without the necessity of requesting an attorney general decision, including Texas license plate numbers under section 552.130 of the Government Code.

Gov't Code § 552.130(a)(2). However, we note the requestor has a right of access to her own motor vehicle record information pursuant to section 552.023 of the Government Code; thus, the department may not withhold the requestor's Texas license plate number on this basis. *See id.* § 552.023(b) (governmental body may not deny access to person to whom information relates or person's agent on grounds that information is considered confidential by privacy principles); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves). Upon our review, we conclude the department must withhold the motor vehicle record information you have marked under section 552.130 of the Government Code. As no further exceptions are raised, the department must release the remaining information.³

You also ask this office to issue a previous determination that would permit the department to withhold motor vehicle record information under section 552.130(a)(2) of the Government Code without the necessity of requesting a decision under section 552.301 of the Government Code. *See* Gov't Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) 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.

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,



Lindsay E. Hale
Assistant Attorney General
Open Records Division

LEH/tch

³The information being released in this instance includes information that is confidential with respect to the general public. *See* Gov't Code § 552.023(a); ORD 481 at 4. Accordingly, if the department receives another request for this information from an individual other than this requestor, the department must again seek a ruling from this office.

Ref: ID# 483387

Enc. Submitted documents

c: Requestor
(w/o enclosures)