ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 12, 2013

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

OR2013-05932

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# 483989.

The Mesquite Police Department (the "department") received two requests from different requestors for two specified incident reports. You state the department will redact some information pursuant to Open Records Letter Nos. 2012-06459 (2012), 2012-01375 (2012), 2011-15761 (2011) and 2011-15075 (2011) and the previous determination issued in Open Records Decision No. 684 (2009).[1] You claim some of the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or a personal

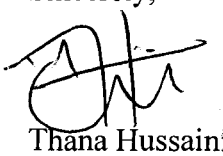
[1]Open Records Letter No. 2012-06459 authorizes the department to withhold the price of a motor vehicle in a call sheet under section 552.101 of the Government Code in conjunction with common-law privacy without the necessity of requesting a decision under section 552.301 of the Government Code. Open Records Letter No. 2012-01375 authorizes the department to withhold motor vehicle lien information in a call sheet under section 552.101 in conjunction with common-law privacy without requesting a decision. Open Records Letter Nos. 2011-15761 and 2011-15075 authorizes the department to withhold the originating addresses and telephone numbers, respectively, 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 Decision No. 684 is a previous determination authorizing all governmental bodies to withhold specified categories of information, including a Texas license plate number under section 552.130 of the Government Code, without requesting a decision.

identification document issued by an agency of this state or another state or country is excepted from public release. Gov't Code § 552.130. Upon review, we find the department must withhold the motor vehicle record information you have under section 552.130 of the Government Code. As you raise no further exceptions to disclosure, the department must release the remaining information.[2]

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. 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,



Thana Hussaini
Assistant Attorney General
Open Records Division

TH/som

Ref: ID# 483989

Enc. Submitted documents

c: 2 Requestors
(w/o enclosures)

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[2]We note the requestor has a special right of access to some of the information being released in this instance. Gov't Code § 552.023 (person or person's authorized representative has special right of access to records that contain information relating to the person that are protected from public disclosure by laws intended to protect that person's privacy interests). Because such information may be confidential with respect to the general public, if the department receives another request for this information from a different requestor, the department must again seek a ruling from this office.