



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 14, 2013

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

OR2013-08013

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# 487377.

The Mesquite Police Department (the "department") received a request for information pertaining to a specified call number. You indicate the department has released some of the requested information. You state the department will redact some of the information you have marked in accordance with section 552.130(c) of the Government Code, the Texas license plate numbers you have marked pursuant to Open Records Decision No. 684 (2009), and the information you have marked pursuant to Open Records Letter Nos. 2011-15075 (2011), 2012-01375 (2012), and 2012-06459 (2012).¹ You claim portions of the submitted information are excepted from disclosure under section 552.130 of the

¹Section 552.130(c) of the Government Code authorizes a governmental body to redact, without the necessity of requesting a decision from this office, the motor vehicle record information described in subsections 552.130(a)(1) and (a)(3). Gov't Code § 552.130(c); *see also id.* § 552.130(d)-(e) (requestor may appeal governmental body's decision to withhold information under section 552.130(c) to attorney general and governmental body withholding information pursuant to section 552.130(c) must provide certain notice to requestor). Open 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 a decision from this office, including Texas license plate numbers under section 552.130(a)(2) of the Government Code. Open Records Letter No. 2011-15075 authorizes the department to withhold the originating telephone numbers 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 Letter Nos. 2012-01375 and 2012-06459 authorize the department to withhold motor vehicle lien information in a call sheet and the price of a motor vehicle in a call sheet, respectively, under section 552.101 of the Government Code in conjunction with common-law privacy without the necessity of requesting a decision from this office.

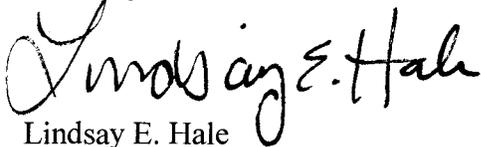
Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130(a)(2) of the Government Code provides 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. Gov't Code § 552.130(a)(2). Upon our review, we conclude the department must withhold the motor vehicle record information you have marked under section 552.130(a)(2) of the Government Code. The department must release the remaining information.

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 id.* § 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

Ref: ID# 487377

Enc. Submitted documents

c: Requestor
(w/o enclosures)