



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 1, 2014

Ms. Catelyn H. Kostbar
Administrative Technician III
Harris County Appraisal District
P.O. Box 920975
Houston, Texas 77292-0975

OR2014-11295

Dear Ms. Kostbar:

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# 527685.

The Harris County Appraisal District (the "district") received a request for the vehicle identification numbers corresponding to a specified account. You claim the submitted information is excepted from disclosure under section 552.130 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

We note portions of the submitted information are not responsive to the instant request for information because they do not consist of vehicle identification numbers. This ruling does not address the public availability of any information not responsive to the request, and the district need not release it in response to the request.

Section 552.130 of the Government Code provides information relating to a motor vehicle title or registration issued by an agency of this state or another state or country is excepted

¹You acknowledge, and we agree, the district did not comply with the requirements of section 552.301 of the Government Code. *See* Gov't Code § 552.301(b), (e). Nonetheless, section 552.130 of the Government Code is a mandatory exception that can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301. *See id.* §§ 552.007, .302. Thus, we will consider the district's claim.

from public release. Gov't Code § 552.130(a)(2). Upon review, we find the responsive information consists of motor vehicle record information. Therefore, section 552.130 of the Government Code is applicable to the submitted vehicle identification numbers. However, the requestor may represent the owner of the vehicles at issue. Section 552.023 of the Government Code provides a governmental body may not deny access to a person or a person's representative to whom the information relates on the grounds that the information is considered confidential under privacy principles. Gov't Code § 552.023(a). Thus, we must rule conditionally. If the requestor does not represent the owner of the vehicles at issue, then the district must withhold the submitted vehicle identification numbers under section 552.130 of the Government Code. However, if the requestor represents the owner of the vehicles at issue, then the district may not withhold the responsive information on that ground but, instead, must release it to the requestor. *See id.*

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Lee Seidlits
Assistant Attorney General
Open Records Division

CLS/tch

Ref: ID# 527685

Enc. Submitted documents

c: Requestor
(w/o enclosures)