



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 18, 2014

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

OR2014-20976

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# 544423 (HCAD Ref. No. 14-3155).

The Harris County Appraisal District (the "district") received a request for the vehicle identification numbers and associated years of a specified account for a specified time period. You claim some of 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 the requestor only seeks the vehicle identification numbers and associated years for the specified account, which we have marked. Accordingly, any other information is not responsive to the request for information. This ruling does not address the availability of non-responsive information, and the district need not release non-responsive information to the requestor.

¹You acknowledge, and we agree, the district did not comply with the procedural requirements of section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(b), (e). However, because the district's claims under sections 552.101 and 552.130 of the Government Code can provide compelling reasons for non-disclosure under section 552.302, we will address your arguments under those exceptions. *See* Open Records Decision No. 150 at 2 (1977).

Section 552.130 of the Government Code excepts from disclosure information that relates to a motor vehicle title or registration issued by an agency of this state or another state or country. Gov't Code § 552.130(a)(2). Upon review, we find the responsive information contains vehicle identification numbers that are subject to section 552.130. However, the requestor may represent the owner of the vehicle at issue and have a right of access to the information under section 552.023 of the Government Code. *See id.* § 552.023(a) (person or person's authorized representative has special right of access, beyond right of general public, to information held by governmental body that relates to person and is protected from public disclosure by laws intended to protect person's privacy interests). Thus, we must rule conditionally. If the requestor represents the owner of the vehicles at issue, the district may not withhold the responsive vehicle identification numbers under section 552.130 and must release them to the requestor. If, however, the requestor does not represent the owner of the vehicles at issue, the district must withhold the responsive vehicle identification numbers under section 552.130 of the Government Code. In either instance, the district must release the remaining responsive 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.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,



Britni Fabian
Assistant Attorney General
Open Records Division

BF/bhf

Ref: ID# 544423

Enc. Submitted documents

c: Requestor
(w/o enclosures)