



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 28, 2016

Ms. Jennifer Burnett
Office of the General Counsel
University of Texas System
201 West Seventh Street, Suite 600
Austin, Texas 78701-2901

OR2016-17025

Dear Ms. Burnett:

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# 618483 (OGC# 169431).

The University of Texas at Arlington (the "university") received a request for a specified incident report. You state the university will release some information to the requestor. You claim some of the submitted information is not subject the Act. You also claim some of the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered your arguments and reviewed the submitted information.

The university asserts the University of Texas Electronic Identification Numbers ("UTEIDs") contained in the submitted information are not subject to the Act. The Act applies only to "public information." *See* Gov't Code § 552.021. Section 552.002(a) defines "public information" as

[I]nformation that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

(1) by a governmental body;

(2) for a governmental body and the governmental body:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or

(3) by an individual officer or employee of a governmental body in the officer's or employee's official capacity and the information pertains to official business of the governmental body.

Id. § 552.002(a). In Open Records Decision No. 581 (1990), this office determined certain computer information, such as source codes, documentation information, and other computer programming, that has no significance other than its use as a tool for the maintenance, manipulation, or protection of public property is not the kind of information made public under section 552.021 of the Government Code. We understand an individual's UTEID provides employees and students access to the university's computer system, but does not consist of log-on information. We understand the UTEID is part of a two-part log in protocol that could access secure and sensitive employment and student records, as well as the potential to compromise high level functions. Accordingly, we find the UTEIDs contained in the submitted information do not constitute public information under section 552.002 of the Government Code, are not subject to the Act, and the university is not required to release them.

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 personal identification document issued by an agency of this state or another state or country is excepted from public release. *See id.* § 552.130. Upon review, we find portions of the submitted information consist of motor vehicle record information. We note, the requestor has a right of access to her client's motor vehicle record information pursuant to section 552.023 of the Government Code and it may not be withheld from her under section 552.130. *See id.* § 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); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information concerning himself). Accordingly, the university must withhold the information you have marked in the submitted document and all discernible motor vehicle

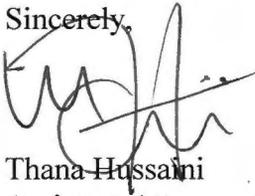
record information not pertaining to the requestor's client within the submitted video recording under section 552.130 of the Government Code.¹

In summary, the UTEIDs contained in the submitted information do not constitute public information under section 552.002 of the Government Code, are not subject to the Act, and the university is not required to release them. The university must withhold the motor vehicle record information you have marked and all discernible motor vehicle record information not pertaining to the requestor's client under section 552.130 of the Government Code. The university must release the remaining information.²

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,



Thana Hussaini
Assistant Attorney General
Open Records Division

TH/bw

¹The university originally asserted it lacked the technological capability to redact information from the submitted recording. However, we understand the university has the capability to produce a copy of only the non-confidential portions of the video recording.

²We note the requestor has a special right of access to her client's motor vehicle record information being released. Gov't Code § 552.023. If the university receives another request for this information from a different requestor, section 552.130(c) of the Government Code allows a governmental body to redact the information described in section 552.130(a) without the necessity of seeking a decision from the attorney general. *See id.* § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

Ref: ID# 618483

Enc. Submitted documents

c: Requestor
(w/o enclosures)