



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

Overruled By:

JM-672
IN PART

January 21, 1975

The Honorable Wilson E. Speir
Director
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773

Open Records Decision No. 65

Re: Extent of responsibility
of an agency to compile data
requested under the Open
Records Act.

Dear Colonel Speir:

You have been requested to supply a magnetic tape containing the names, addresses, zip codes, dates of birth, and license expiration dates of all current Texas drivers over the age of 64 whose licenses have been issued or renewed since January 1, 1973. You have asked whether article 6252-17a, V. T. C. S. requires "the Department of Public Safety to supply large volume class type information from the basic licensing records of Texas drivers."

Your office has indicated that you believe the information requested falls within the definition of public information in article 6252-17a, and is not exempted from disclosure by any of the exceptions contained within section 3 of that statute. Rather, you object to taking the steps that would be necessary to prepare the information for disclosure.

Insofar as you raise any question concerning the specific cost to be charged to the requesting party for your compliance with the request, we must demur, because, as we have pointed out in Open Records Decisions 8 (1973) and 23(1974), initial determinations concerning cost are the responsibility of the Board of Control.

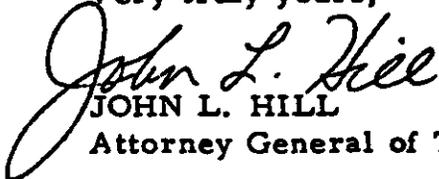
Section 3(a) of the Act provides that, subject to certain specific exceptions,

All information collected, assembled, or maintained by governmental bodies pursuant to law or ordinance or in connection with the transaction of official business is public information and available to the public during normal business hours of any governmental body

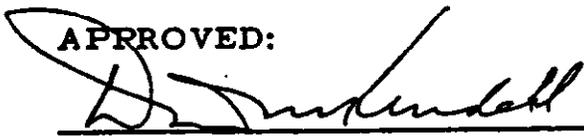
We understand that the programming effort required to comply with the instant request would not be unduly onerous, that such programming can be done without danger to your department's system or files, and that the required program can be run simultaneously with other Department of Public Safety systems without degradation of those other systems. To comply with the mandate of the Open Records Act, your department can either use a program prepared by the requestor and reviewed by DPS personnel, or prepare in-house a program to retrieve the information sought by the requestor. It is not necessary that your department build and maintain files of data which it needs in a format dictated by a requesting party. The statute's requirement that the agency supply the information requested "within a reasonable time" allows your department to utilize its computer system on a priority basis. See sections 4 and 7(a) of article 6252-17a.

The answer to your question is in the affirmative. The Open Records Act requires "the Department of Public Safety to supply large volume class type information from the basic licensing records of Texas drivers." Section 9(b) directs you to consult with the Board of Control to establish the appropriate charges to be made to the requesting party.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman
Opinion Committee