



March 2, 1999

Mr. Frank M. Crull
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR99-0610

Dear Mr. Crull:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code, (the "act"). Your request was assigned ID# 122363.

The Department of Public Safety (the "department") received a request to view the brake shoes of the tractor truck involved in an accident with Tad Estes on June 19, 1998. You claim that the requested information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Physical evidence and items of tangible property, such as a set of brake shoes, tools, or keys do not fall within the categories of information defined under section 552.002 of the Government Code. *See* Attorney General Opinion JM-640 (holding that Open Records Act applies only to tangible items such as documents and other "developed materials"); Open Records Decision No. 581 (1990) (holding that source code, documentation, and computer program documentation standards of computer programs used by state university was tool for storage, manipulation, and security of other information and was not kind of information made public by statutory predecessor to section 552.021 of the Act). Therefore, you are not required under the Act to comply with the instant request. Having resolved your request for a ruling, we need not address the exceptions that you raise under sections 552.103 and 552.108 of the Government Code.

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Assistant General Counsel
Texas Department of Public Safety
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Austin, Texas 78773-0001

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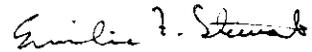
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We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Emilie F. Stewart
Assistant Attorney General
Open Records Division

EFS\nc

Ref: ID# 122363

cc: Mr. Matt Keil
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