



November 9, 1999

Ms. Lillian Guillen Graham
Assistant City Attorney
City of Mesquite
Box 850137
Mesquite, Texas 75185-0137

OR99-3155

Dear Ms. Graham:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 129453.

The City of Mesquite (the "city") received a request for the city police department's "Repo Call Log" from August 10, 1999 to the date of the request. You claim that portions of the requested information are excepted from disclosure under section 552.130 of the Government Code.

Section 552.130 provides:

(a) Information is excepted from [disclosure] if the information relates to:

(1) a motor vehicle operator's or driver's license or permit issued by an agency of the state;

(2) a motor vehicle title or registration issued by an agency of this state; or

(3) a personal identification document issued by an agency of this state or a local agency authorized to issue an identification document.

(b) Information described by Subsection (a) may be released only if, and in the manner, authorized by Chapter 730, Transportation Code.

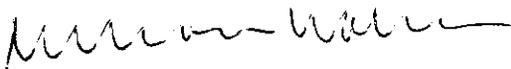
The information at issue contains license plate and VIN numbers the city must withhold under section 552.130.

We note that the requestor contends that section 730.007 of the Transportation Code authorizes release to him of the requested information. Section 730.007 authorizes the disclosure of "personal information obtained by an agency in connection with a motor vehicle record" if the requestor provides his name and address and represents that the use of the information will be limited to various purposes specified in the provision.

In our opinion, the provisions of section 730.007 does not apply in this instance because neither are the records at issue "motor vehicle records" nor are they obtained by the city in connection therewith within the meaning of that provision. In relevant part, section 730.003(4) defines "motor vehicle record" for purposes of chapter 730 as: "a record that pertains to a motor vehicle operator's or driver's license or permit, motor vehicle registration, motor vehicle title, or identification document issued by an agency of this state or a local agency authorized to issue an identification document." The fact that the "Repo Call Logs" at issue here contain license plate and VIN numbers does not, in our view, make such documents "motor vehicle records" under sections 730.003(4) or 730.007. To so rule would suggest that any government held document which contained a license plate or VIN number -- e.g. a police incident report or an insurance policy -- is a "motor vehicle record" under the chapter 730 provisions. We do not believe that the legislature intended the scope of the definition of "motor vehicle record" under chapter 730 to be so broad. The term in our view refers to specific records of title, vehicle registration, etc. and related information created from such records.¹

Except for the the license plate and VIN numbers, which must be withheld under section 552.130 of the Government Code, you must release the submitted information. 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.

Sincerely,



William Walker
Assistant Attorney General
Open Records Division

WMW/ljp

¹We note that the license plate and VIN numbers at issue do not appear to be "personal information" under the release provisions of section 730.007. See § 730.003(6)(definition).

Ref: ID# 129453

Encl. Submitted documents

cc: Mr. Ted Clark
President
P & S Communications, Inc.
7502 Southwick Drive
Garland, Texas 75093
(w/o enclosures)