



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 17, 2009

Mr. Gregory A. Alicie
Baytown Police Department
3200 North Main Street
Baytown, Texas 77521

OR2009-01991

Dear Mr. Alicie:

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# 335046.

The Baytown Police Department (the "department") received a request for incident report number 2008-51646. You state the department will redact social security numbers pursuant to section 552.147(b) of the Government Code.¹ You claim portions of the remaining information are excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted report.

You raise section 552.130 of the Government Code for the information you have highlighted in pink. Section 552.130 excepts from disclosure "information [that] relates to . . . a motor vehicle operator's or driver's license or permit issued by an agency of this state [or] a motor vehicle title or registration issued by an agency of this state[.]" Gov't Code § 552.130. Upon review of the report, however, we find the Texas motor vehicle record information at issue belongs to the requestor. Because section 552.130 protects personal privacy, the requestor has a right of access to her own Texas motor vehicle record information pursuant to section 552.023 of the Government Code. *See id.* § 552.023(a); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information

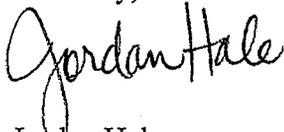
¹Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act.

concerning herself).² Therefore, the pink highlighted information may not be withheld under section 552.130 of the Government Code. As you raise no other arguments against disclosure, the report must be released to the requestor.

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.oag.state.tx.us/open/index_orl.php, 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 must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Jordan Hale
Assistant Attorney General
Open Records Division

JH/jb

Ref: ID# 335046

Enc. Submitted documents

cc: Requestor
(w/o enclosures)

²Section 552.023(a) provides that "[a] person or a person's authorized representative has a special right of access, beyond the right of the general public, to information held by a governmental body that relates to the person and that is protected from public disclosure by laws intended to protect that person's privacy interests." Gov't Code § 552.023(a).