



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 16, 2009

Mr. Hyattye O. Simmons
General Counsel
Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-0163

OR2009-14669

Dear Mr. Simmons:

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# 363104 (DART ORR #6839) .

Dallas Area Rapid Transit ("DART") received a request for a specified accident report. You claim that portions of the submitted information are excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code excepts from disclosure information relating to a Texas motor vehicle driver's license, a Texas motor vehicle title or registration, and a Texas personal identification document. *See* Gov't Code § 552.130(a)(1)-(3). We note that section 552.130 protects personal privacy. Accordingly, the requestor has a right of access to his own Texas motor vehicle record information under section 552.023 of the Government Code and it may not be withheld from him based on section 552.130. *See id.* § 552.023(a); Open Records Decision No. 481 at 4 (1987). However, upon review, we find that DART must withhold the Texas motor vehicle record information and Texas personal identification number we have marked under section 552.130 of the Government Code. The remaining information must be released to this requestor.¹

¹We note the requestor has a right of access to his own Texas motor vehicle record information in this instance. Gov't Code § 552.023. Because such information is confidential with respect to the general public, if DART receives another request for this information from a different requestor, DART must again seek a ruling from this office.

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, toll free, at (888) 672-6787.

Sincerely,



Laura Ream Lemus
Assistant Attorney General
Open Records Division

LRL/jb

Ref: ID# 363104

Enc. Submitted documents

c: Requestor
(w/o enclosures)