



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 3, 2009

Ms. Shirley Thomas  
Dallas Area Rapid Transit  
P.O. Box 660163  
Dallas, Texas 75266-0163

OR2009-15670

Dear Ms. Thomas:

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# 360394.

The Dallas Area Rapid Transit ("DART") received a request for a specified incident report. You claim that portions of the submitted information are excepted from disclosure under sections 552.130 and 552.136 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.130 of the Government Code 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(a)(1), (2). Accordingly, DART must withhold the information we have marked pursuant to section 552.130.

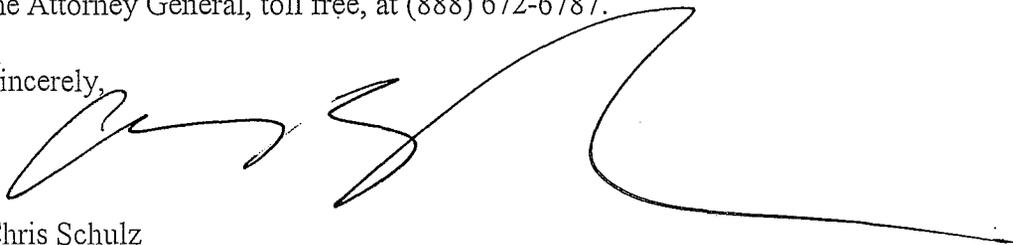
Section 552.136(b) of the Government Code states that "[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential. *Id.* § 552.136(b). This office has determined that insurance policy numbers are access device numbers for purposes of section 552.136. *See id.* § 552.136(a) (defining "access device"). Therefore, DART must withhold the insurance policy numbers we have marked pursuant to section 552.136 of the Government Code.

In summary, DART must withhold the information we have marked under sections 552.130 and 552.136 of the Government Code. The remaining information must be released.

You also ask this office to issue a previous determination permitting DART to withhold information pursuant to section 552.130 of the Government Code. We decline to issue such a previous determination at this time. Consequently, 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](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,

A large, stylized handwritten signature in black ink, appearing to read 'Chris Schulz', is written over the 'Sincerely,' and extends across the middle of the page.

Chris Schulz  
Assistant Attorney General  
Open Records Division

CS/cc

Ref: ID# 360394

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)