



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 16, 2011

Ms. LeAnn M. Quinn  
City Secretary  
City of Cedar Park  
600 North Bell Boulevard  
Cedar Park, Texas 78613

OR2011-06804

Dear Ms. Quinn:

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# 422141 (Cedar Park Reference No. 11-494).

The City of Cedar Park (the "city") received a request for report number 1103-0242. You state the city will release some information with Texas driver's license and license plate numbers redacted under section 552.130 of the Government Code and an insurance policy number redacted under section 552.136 of the Government Code pursuant to Open Records Decision No. 684 (2009).<sup>1</sup> You claim portions of the submitted information are excepted from disclosure under sections 552.108 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.108 of the Government Code excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime[.]" Gov't Code § 552.108(a)(1). A governmental body must reasonably explain how and why section 552.108 is applicable to the information at issue. *See id.* § 552.301(e)(1)(A); *Ex parte Pruitt*, 551 S.W.2d 706 (Tex. 1977). You

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<sup>1</sup>Open Records Decision No. 684 serves as a previous determination which authorizes all governmental bodies to withhold Texas driver's license and license plate numbers under section 552.130 and insurance policy numbers under section 552.136 without the necessity of requesting an attorney general decision.

state, and have provided documentation reflecting, the information submitted as Exhibit C is related to a pending prosecution. Based on your representation and documentation, we conclude the city may withhold Exhibit C under section 552.108(a)(1).<sup>2</sup> See *Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975) (court delineates law enforcement interests present in active cases), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976).

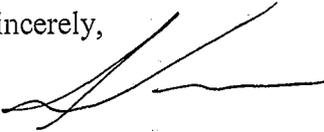
Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle title or registration issued by an agency of this state. See Gov't Code § 552.130(a)(2). You have marked a Texas vehicle registration year and a vehicle identification number in Exhibit B. We have marked some additional Texas motor vehicle record information. The city must withhold the marked information in Exhibit B under section 552.130.

In summary, the city may withhold Exhibit C under section 552.108(a)(1) of the Government Code. The city must withhold the marked information in Exhibit B under section 552.130 of the Government Code.

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,



Ana Carolina Vieira  
Assistant Attorney General  
Open Records Division

ACV/eeg

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<sup>2</sup>As we are able to make this determination, we need not address your remaining argument against release of a portion of Exhibit C.

Ref: ID# 422141

Enc. Submitted documents

c: Requestor  
(w/o enclosures)