



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 23, 2014

Mr. David Ritter
Assistant City Attorney
City of Plano
P.O. Box 860358
Plano, Texas 75086-0358

OR2014-01378

Dear Mr. Ritter:

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# 511724.

The City of Plano (the "city") received a request for information pertaining to a specified incident, excluding the police report. You claim a portion of the requested information is exempted from disclosure under section 552.136 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.136 provides as follows:

(a) In this section, "access device" means a card, plate, code, account number, personal identification number, electronic serial number, mobile identification number, or other telecommunications service, equipment, or instrument identifier or means of account access that alone or in conjunction with another access device may be used to:

- (1) obtain money, goods, services, or another thing of value; or
- (2) initiate a transfer of funds other than a transfer originated solely by paper instrument.

(b) Notwithstanding any other provision of this chapter, 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.

Gov't Code § 552.136(a)-(b). You assert the numerical code to open a garage, which you have marked, constitutes an access device under section 552.136. However, you have not explained, and we cannot discern, how this number can be used to obtain money, goods, services, or another thing of value or initiate a transfer of funds. Accordingly, we find you have failed to establish that the garage code number at issue is an access device number for purposes of section 552.136. Therefore, the city may not withhold this number under section 552.136. As the city does not raise any other exceptions to disclosure, the submitted information must be released.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Jennifer Luttrall
Assistant Attorney General
Open Records Division

JL/som

Ref: ID# 511724

Enc. Submitted documents

c: Requestor
(w/o enclosures)