



January 29, 2015

Ms. Catelyn H. Kostbar
Administrative Technician III
Harris County Appraisal District
P.O. Box 920975
Houston, Texas 77292-0975

OR2015-01712

Dear Ms. Kostbar:

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# 552187 (HCAD Internal Reference No. 14-4207).

The Harris County Appraisal District (the "district") received a request for information pertaining to a specified account, including the vehicle list for 2012 and 2013 and a copy of the protest. You state some information will be released to the requestor. You claim some of the submitted information is excepted from disclosure under section 552.130 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or a personal identification document issued by an agency of this state or another state or country is excepted from public release. Gov't Code § 552.130(a). Upon review, we find the submitted information consists of motor vehicle record information. Therefore, section 552.130 of the Government Code is applicable to the submitted vehicle identification

¹We note, and you acknowledge, the district did not comply with section 552.301 of the Government Code in requesting this decision. See Gov't Code § 552.301(b). Nonetheless, because section 552.130 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider its applicability to the submitted information. See *id.* §§ 552.007, .302, .352.

numbers and license plate numbers. However, the requestor may represent the owner of the vehicles at issue. Section 552.023 of the Government Code provides a governmental body may not deny access to a person or a person's representative to whom the information relates on the grounds that the information is considered confidential under privacy principles. *Id.* 552.023(a). Thus, we must rule conditionally. If the requestor does not represent the owner of the vehicles at issue, then the district must withhold the submitted vehicle identification numbers and license plate numbers under section 552.130 of the Government. However, if the requestor represents the owner of the vehicles at issue, then the district may not withhold the vehicle identification numbers and license plate numbers on that ground but, instead, must release them to the requestor. *See id.* In either instance, the district must release the remaining information.

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,



Lauren Dahlstein
Assistant Attorney General
Open Records Division

LMD/som

Ref: ID# 552187

Enc. Submitted documents

c: Requestor
(w/o enclosures)