



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 2, 2015

Ms. Sarah R. Martin  
Assistant City Attorney  
Legal Division  
Arlington Police Department  
Post Office Box 1065, Mail Stop 04-0200  
Arlington, Texas 76004-1065

OR2015-06370

Dear Ms. Martin:

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# 558512 (PD Ref. 18030).

The Arlington Police Department (the "department") received a request for information concerning a specified vehicle. The department released some information but made redactions as permitted by section 552.130 of the Government Code without requesting a decision from this office. Gov't Code § 552.130(c). Pursuant to section 552.130(d), the requestor has asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.130. We have considered the department's position and reviewed the information.

Initially, we note some of the redacted information provided to the requestor concerns vehicles other than the one specified in the request. Thus, information related to those vehicles is not responsive to the request. This ruling does not address the public availability of information that is not responsive to a request, and the department is not required to release non-responsive information.

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 or another state or country. Gov't Code § 552.130(a)(2). Accordingly, the department must withhold the responsive information you redacted and the information we marked under section 552.130 of the Government Code.

The requestor asserts a right of access to this motor vehicle record information under section 730.007 of the Transportation Code. Chapter 730 is applicable only to an “agency . . . that compiles or maintains motor vehicle records.” Transp. Code § 730.003(1). The department is not an agency as defined by section 730.003(1). Therefore, chapter 730 does not apply to the department, and we conclude the requestor does not have a right of access to this information pursuant to chapter 730 of the Transportation Code.

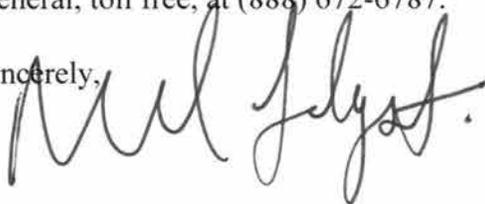
Section 552.136(b) of the Government Code provides, “[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential.”<sup>1</sup> Gov’t Code § 552.136(b); *see id.* § 552.136(a) (defining “access device”). This office has concluded insurance policy numbers constitute access device numbers for purposes of section 552.136. Accordingly, the department must withhold the insurance policy number we marked under section 552.136 of the Government Code.

In summary, the department must withhold the responsive information you redacted and the information we marked under section 552.130 of the Government Code. The department must withhold the information we marked under section 552.136 of the Government Code. The department must release the remaining responsive 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](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,



Neal Falgoust  
Assistant Attorney General  
Open Records Division

NF/bhf

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<sup>1</sup>The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body but ordinarily will not raise other exceptions. *See* Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).

Ref: ID# 558512

Enc. Submitted documents

c: Requestor  
(w/o enclosures)