



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 24, 2015

Ms. Heather Moody  
Police Records Supervisor  
McKinney Police Department  
2200 Taylor-Burk Drive  
McKinney, Texas 75071

OR2015-17554

Dear Ms. Moody:

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# 576820 (McKinney ORR# 15-16000).

The McKinney Police Department (the "department") received a request for four categories of information concerning the requestor's arrest. You state the department does not maintain records responsive to items two through four of the request. The department released information responsive to item one of the request but made redactions as permitted by sections 552.130 and 552.147 of the Government Code without requesting a decision from this office. *See* Gov't Code §§ 552.130(c), .147(b). Pursuant to section 552.130(d) of the Government Code, 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(a) of the Government Code. *See id.* § 552.130(d). We have considered the department's position and reviewed the information.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country. *Id.* § 552.130(a)(1). However, section 552.130 is designed to protect individual privacy interests. Therefore, a requestor has a special right of access under section 552.023 of the Government Code to his own motor vehicle record information. *See* Gov't Code § 552.023(b) (governmental body may not deny access to person to whom information relates or person's agent on ground that information is considered confidential

by privacy principles); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves). Accordingly, the department may not withhold the requestor's motor vehicle record information from him under section 552.130 of the Government Code.

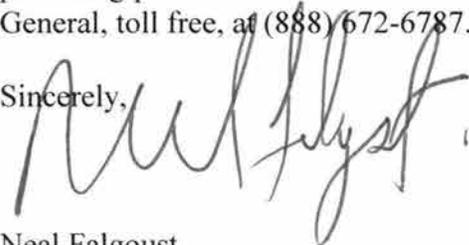
You also redacted the requestor's social security number under section 552.147 of the Government Code, which exempts from required disclosure "[t]he social security number of a living person[.]" Gov't Code § 552.147. Section 552.147 is also designed to protect individual privacy interests. *See id.* § 552.023. Accordingly, the department may not withhold the requestor's social security number from him under section 552.147 of the Government Code.

As you raise no other exceptions, the department must release the requestor's motor vehicle record information and social security number to him.

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

Ref: ID# 576820

Enc. Submitted documents

c: Requestor  
(w/o enclosures)