



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 30, 2015

Ms. Kristie L. Lewis
Staff Attorney
City of Houston Police Department
1200 Travis
Houston, Texas 77002-6000

OR2015-27288

Dear Ms. Lewis:

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# 598300 (OR No. 15-7603).

The Houston Police Department (the "department") received a request for the call slips for five specified call codes during a specified time period. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

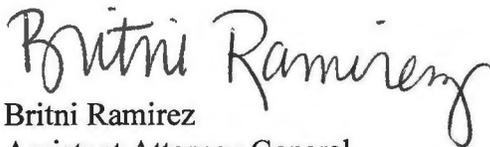
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information subject to chapter 550 of the Transportation Code. Section 550.065 applies only to a written report of an accident required under section 550.061, 550.062, or 601.004. Transp. Code § 550.065(a)(1). Chapter 550 requires the creation of a written report when the accident resulted in injury to or the death of a person or damage to the property of any person to the apparent extent of \$1,000 or more. *Id.* §§ 550.061 (operator's accident report), .062 (officer's accident report). An accident report is privileged and for the confidential use of the Texas Department of Transportation or a local governmental agency of Texas that has use for the information for accident prevention purposes. *Id.* § 550.065(b). However, a governmental entity may release an accident report in accordance with subsections (c) and (c-1). *Id.* § 550.065(c), (c-1). Section 550.065(c) provides a governmental entity shall release an accident report to a person or entity listed under this subsection. *Id.* § 550.065(c).

We note the department seeks clarification on the effect of the recent amendments to section 550.065 of the Transportation Code on *City of San Antonio v. Abbott*, 432 S. W.3d 429 (Tex. App. Austin 2014. pet. denied). We note the amendments to section 550.065 supercede *City of San Antonio v. Abbott*. Accordingly, we find the submitted information was not completed pursuant to chapter 550 of the Transportation Code. Therefore, the submitted information is not subject to section 550.065 of the Transportation Code and may not be withheld under section 552.101 of the Government code on that basis. As no further exceptions to disclosure have been raised, the department must release the submitted 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,



Britni Ramirez
Assistant Attorney General
Open Records Division

BR/bhf

Ref: ID# 598300

Enc. Submitted documents

c: Requestor
(w/o enclosures)