January 16, 2015

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

OR2015-00963

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# 551246 (HCAD# 14-4142).

The Harris County Appraisal District (the "district") received a request for vehicle identification numbers ("VINs") for a specified account. You claim portions of the submitted information are excepted from disclosure under section 552.130 of the Government Code.[1] We have considered the exception you claim and reviewed the submitted information.

Initially, we note, with the exception of the VINs at issue, the submitted information is not responsive to the instant request for information because it does not consist of the requested VINs. This ruling does not address the public availability of non-responsive information, and the district is not required to release non-responsive information in response to this request.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's or driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public

[1]We note the district failed to comply with section 552.301 of the Government Code in requesting a ruling; however, section 552.130 of the Government Code is a mandatory exception that constitutes a compelling reason to withhold information sufficient to overcome the presumption of openness caused by a failure to comply with section 552.301. *See* Gov't Code §§ 552.007, .301, .302, .352. Accordingly, we will consider the district's argument under section 552.130.

release. Gov't Code § 552.130(a). We note section 552.130 protects privacy interests. In this instance, the requestor may be the authorized representative of the owner of the vehicles to which the VINs at issue pertain. If so, the requestor has a right of access to this information pursuant to section 552.023 of the Government Code. *See id.* § 552.023 ("person's authorized representative has a special right of access, beyond the right of the general public, to information held by a governmental body that relates to the person and that is protected from public disclosure by laws intended to protect that person's privacy interests"); *see* Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information concerning himself). Accordingly, if the requestor is the authorized representative of the owner of the vehicles at issue, then she has a right of access to the responsive information pursuant to section 552.023, and this information may not be withheld from her under section 552.130. If the requestor is not the authorized representative of the owner of the vehicles at issue, then the district must withhold the responsive information under section 552.130.

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,

Paige Thompson
Assistant Attorney General
Open Records Division

PT/dls

Ref: ID# 551246

Enc. Submitted documents

c: Requestor
(w/o enclosures)