



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 16, 2015

Mr. Vance Hinds  
Assistant County and District Attorney  
County of Ellis  
Ellis County Courts Building  
109 South Jackson Street  
Waxahachie, Texas 75165

OR2015-21728

Dear Mr. Hinds:

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# 583759.

The Ellis County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified incident report, including the vehicle identification number and license plate number of a particular vehicle. The sheriff's office claims some of the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the claimed exception 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 personal identification document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130. The sheriff's office has marked a vehicle identification number under section 552.130. However, if the requestor owns the vehicle at issue, then he has a right of access to this information pursuant to section 552.023 of the Government Code. *See id.* § 552.023(a) ("person's authorized representative has special right of access, beyond right of general public, to information held by governmental body that relates to person and that is protected from public disclosure by laws intended to protect that person's privacy interests"); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information concerning herself). Thus, we

must rule conditionally. The sheriff's office must withhold the information you have marked under section 552.130 of the Government Code if the requestor does not own the vehicle at issue. *See* Gov't Code § 552.130. If the requestor owns the vehicle at issue, then the sheriff's office may not withhold this information under section 552.130 but, instead, must release it. *See id.* § 552.023(a).

Section 552.136 of the Government Code is applicable to some of the remaining information.<sup>1</sup> Section 552.136(b) of the Government Code provides, "[n]otwithstanding any other provision of this chapter, 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." *Id.* § 552.136(b). The sheriff's office must withhold the information we have marked under section 552.136 of the Government Code.

To conclude, the sheriff's office must withhold the information you have marked under section 552.130 of the Government Code if the requestor does not own the vehicle at issue. The sheriff's office must withhold the information we have marked under section 552.136 of the Government Code. The sheriff's office 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](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,

  
James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/cbz

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<sup>1</sup>The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body. *See* Open Records Decision Nos. 481 at 2 (1987), 480 at 5 (1987).

Ref: ID# 583759

Enc. Submitted documents

c: Requestor  
(w/o enclosures)