



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 29, 2018

Mr. James Kopp  
Assistant City Attorney  
Office of the City Attorney  
City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966

OR2018-01861

Dear Mr. Kopp:

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# 692895 (COSA File No. W191434).

The City of San Antonio (the "city") received a request for the call sheet related to a specified incident. The city released information responsive to the requests but made redactions as permitted by sections 552.130 and 552.136 of the Government Code without requesting a decision from this office. *See* Gov't Code §§ 552.130(c), .136(c). Pursuant to sections 552.130(d) and 552.136(d), the requestor has asked this office to review the information redacted by the city and render a decision as to whether it is excepted from disclosure under sections 552.130(a) and 552.136(b) of the Government Code. We have considered the city's position and reviewed the information.

Initially, you state the information you have highlighted in yellow is not responsive to the request because the requestor seeks information related to the incident that does not include the information you have highlighted. This ruling does not address the public availability of any information that is not responsive to the request, and the city is not required to release this information in response to this request.

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. However, the requestor represents the insurance provider for the individual listed in the responsive information. As such, the requestor, if acting as the individual's authorized representative, has a right of access to the individual's motor vehicle record information. *See id.* § 552.023 (“[a] person or a 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”); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when an individual or authorized representative asks governmental body to provide information concerning that individual). Therefore, to the extent the requestor is acting as the individual's authorized representative, with the exception of the information that relates to the individual, which may not be withheld from this requestor, the city must withhold the information you have marked in pink highlighter under section 552.130 of the Government Code. To the extent the requestor is not acting as the individual's authorized representative, the city must withhold the information you have marked in pink highlighter under section 552.130 of the Government Code.

Section 552.136 of the Government Code provides, “Notwithstanding 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.” *Id.* § 552.136(b); *see id.* § 552.136(a) (defining “access device”). You state the employee identification numbers you marked consist of unique identifiers that can be used by employees of the city to obtain things of value. Accordingly, the city must continue to withhold the employee identification numbers previously withheld under section 552.136 of the Government Code.

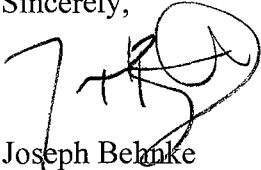
In summary, to the extent the requestor is acting as the individual's authorized representative the city must only withhold the information you have marked in pink highlighter under section 552.130 of the Government Code that does not relate to the individual. To the extent the requestor is not acting as the individual's authorized representative, the city must withhold all of the information you have marked in pink highlighter under section 552.130 of the Government Code. The city must continue to withhold the employee identification numbers previously withheld under section 552.136 of the Government Code.

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,

A handwritten signature in black ink, appearing to read 'J. Belnke', with a large circular flourish at the end.

Joseph Belnke  
Assistant Attorney General  
Open Records Division

JB/som

Ref: ID# 692895

Enc. Submitted documents

c: Requestor  
(w/o enclosures)