



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 22, 2019

Ms. Carol C. Konhauser
City Secretary
City of Crowley
201 East Main Street
Crowley, Texas 76036

OR2019-01803

Dear Ms. Konhauser:

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# 753162 (Tracking No. 20181212-01).

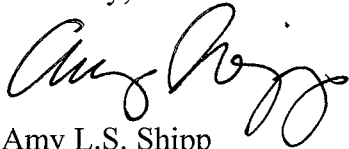
The City of Crowley (the "city") received a request for the requestor's blood-test results. The city claims the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

The submitted information consists of blood test results of the requestor's blood alcohol content. Section 724.018 of the Transportation Code provides, on the request of the person who has given a specimen at the request of a peace officer, full information concerning the analysis of the specimen must be made available to that person or the person's attorney. *See* Transp. Code § 724.018. The requestor submitted the specimen at the request of a peace officer. A statutory right of access prevails over the Act's general exceptions to public disclosure and, thus, the city may not withhold this information under section 552.108 of the Government Code. Open Records Decision Nos. 613 at 4 (1993) (exceptions in Act cannot impinge on statutory right of access to information), 451 (1986) (specific statutory right of access provisions overcome general exception to disclosure under the Act). Therefore, the city must release the submitted blood test results pursuant to section 724.018 of the Transportation 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,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/eb

Ref: ID# 753162

Enc. Submitted documents

c: Requestor
(w/o enclosures)