



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 31, 2019

Ms. Derenda Rush
Service Division
Amarillo Police Department
200 S.E. Third Avenue
Amarillo, Texas 79101-1514

OR2019-02896

Dear Ms. Rush:

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# 748445.

The Amarillo Police Department (the "department") received a request for a specified report.¹ You state the department released information to the requestor but made redactions as permitted by section 552.130(c) of the Government Code without requesting a decision from this office. Pursuant to section 552.130(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 section 552.130(a) of the Government Code. We have considered the city's position and reviewed the 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. Gov't Code § 552.130(a). We note section 552.130 protects personal privacy. We further note the requestor represents the insurance provider for the individual whose information is at issue. As such, the requestor, if acting as the insured individual's authorized representative, has a right of access to the insured's private

¹Because you did not submit a written request for the information at issue, we take our description from your brief.

information. *See id.* § 552.023(a) (“[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 insured’s authorized representative, the department must release to the requestor the information pertaining to the insured. To the extent the requestor is not acting as the insured’s authorized representative, the department must continue to withhold the motor vehicle record information previously redacted under section 552.130 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,



Ramsey A. Abarca
Assistant Attorney General
Open Records Division

RAA/mo

Ref: ID# 748445

Enc. Submitted documents

c: Requestor
(w/o enclosures)