



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 18, 2019

Mr. Gregory L. Grigg  
Chief of Police  
Deer Park Police Department  
2911 Center Street  
Deer Park, Texas 77536-4942

OR2019-19625

Dear Mr. Grigg:

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# 774917 (Deer Park Police Department).

The Deer Park Police Department (the "department") received a request for a specified vehicle theft report. 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. You state the department also relied upon the previous determination issued to it in Open Records Letter No. 2016-18004 (2016) to withhold some of the requested information under 552.108(a)(1) of the Government Code. *See Gov't Code* § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). Pursuant to section 552.130(d), the requestor has asked this office to review the information redacted by the department under section 552.130(c) 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 department'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. *See Gov't Code* § 552.130. We note section 552.130 protects personal privacy. We further note the requestor indicates she is the authorized representative of the owner of the motor vehicle record information at issue. As such, the requestor, if acting as the owner's authorized representative, has a right of access to the owner's

information which is subject to section 552.130. *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 owner’s authorized representative, the department may not withhold from the requestor the information pertaining to the owner on the basis of section 552.130 of the Government Code, and must release it to the requestor. To the extent the requestor is not acting as the owner’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](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# 774917

Enc. Submitted documents

c: Requestor  
(w/o enclosures)