



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

February 22, 2022

Ms. Amanda Blevins  
Police Department Records Technician  
City of Missouri City  
3849 Cartwright Road  
Missouri City, Texas 77459

OR2022-05275

Dear Ms. Blevins:

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# 932534.

The City of Missouri City (the "city") received a request for a specified incident report. You state the city 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 understand the city also claims some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the city's position and reviewed the information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information made confidential by other statutes, such as chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Section 772.318 of the Health and Safety Code applies to an emergency communication district for a county with a population of more than 20,000 and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a 9-1-1 service supplier. *See* Open Records Decision No. 649 (1996). We understand the city is part of an emergency communication district that is subject to section 772.318 of the Health and Safety Code. We also understand the information at issue was provided by a 9-1-1 service supplier. Accordingly, the city must withhold the address and telephone number you redacted under

section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code.

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. We note, however, section 552.130 is designed to protect the privacy of individuals. We note the requestor may be acting as an authorized representative of his spouse and may have a right of access to some of the motor vehicle record information at issue. *See id.* § 552.023(a) (person or person's authorized representative has special right of access to records that contain information relating to the person that are 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 themselves). Upon review, we find the city must withhold the motor vehicle record information you redacted under section 552.130 of the Government Code. However, to the extent the requestor is acting as his spouse's authorized representative, the city may not withhold the motor vehicle record information belonging to this individual from him under section 552.130 of the Government Code.

In summary, the city must withhold the address and telephone number redacted under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. The city must withhold the motor vehicle record information you redacted under section 552.130 of the Government Code; however, to the extent the requestor is acting as his spouse's authorized representative, the city may not withhold the motor vehicle record information belonging to this individual from him 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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Jahnna Ward  
Assistant Attorney General  
Open Records Division

JW/be

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Enc. Submitted documents

c: Requestor  
(w/o enclosures)