



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 29, 2022

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

OR2022-18838

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# 956545 (Reference No. W398663).

The City of San Antonio (the "city") received a request for information pertaining to a specified motor vehicle accident involving the requestor's client. You state the city released information to the requestor, but made redactions as permitted by sections 552.130(c) and 552.136(c) of the Government Code without requesting a decision from this office. We note the city also redacted information pursuant to Open Records Letter No. 2018-12961 (2018).<sup>1</sup> 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 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.

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<sup>1</sup>Open Records Letter No. 2018-12961 is a previous determination authorizing the city to withhold, under section 552.101 of the Government Code in conjunction with section 772.218 of the Health and Safety Code, the originating telephone number of a 9-1-1 caller furnished by a service supplier established in accordance with chapter 772 of the Health and Safety Code without the necessity of requesting an attorney general's decision. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 at 7-8 (2001).

Initially, the city argues some of the submitted information is not responsive to the instant request for information because it does not pertain to the incident at issue. Upon review, we find the entirety of the submitted information is responsive to the request. Accordingly, we will consider the public availability of the information at issue.

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 section 552.130 protects personal privacy. Thus, the requestor has a right of access to motor vehicle record information pertaining to the requestor's client and this information may not be withheld from the requestor under section 552.130 of the Government Code. *See id.* § 552.023(a) ("a person or 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 a 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 individual requests information concerning herself). Accordingly, the city must withhold the motor vehicle record information not belonging to the requestor's client under section 552.130 of the Government Code.<sup>1</sup>

Section 552.136(b) of the Government Code provides, "[n]otwithstanding 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." Gov't Code § 552.136(b); *see id.* § 552.136(a) (defining "access device"). We understand the employee SAP numbers you marked can be used by city employees to obtain certain goods. Accordingly, we agree this information constitutes access device numbers for purposes of section 552.136. Therefore, the city must continue to withhold the employee SAP numbers you marked under section 552.136 of the Government Code. However, we find you have not demonstrated the remaining information you redacted consists of access device numbers for purposes of section 552.136. Accordingly, the city may not withhold the any of the remaining information, which we marked for release, under section 552.136 of the Government Code.

In summary, the city must withhold the motor vehicle record information not belonging to the requestor's client under section 552.130 of the Government Code. The city must continue to withhold the employee SAP numbers you marked under section 552.136 of the Government Code. The city must release the remaining information.

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.

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<sup>1</sup> As our ruling is dispositive, we need not address the remaining argument against disclosure of this information.

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,

Jahna Ward  
Assistant Attorney General  
Open Records Division

JW/be

Ref: ID# 956545

Enc. Submitted documents

c: Requestor  
(w/o enclosures)