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May 24, 1993

Katherine Mendonca
412 N.W. B St.
Grants Pass, OR 97526

Re: Petition for Public Records Disclosure Order:
Motor Vehicles Division Records

Dear Ms. Mendonca:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on May 18, 1993, asks the Attorney General to direct the Motor Vehicles Division (MVD) to disclose its authority to assign an identification number to Tony Mendonca's driving privileges when no driver license application is on file, and to disclose its authority to refuse applications when the application is signed in a qualified manner, with reservations of rights. For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. See ORS 192.420. A "public record" is "any writing containing information relating to the conduct of the public's business." ORS 192.410(4). You have not made a request for a written public record. You instead request that we order MVD to justify actions it has taken. This office has no authority under the Public Records Act to issue such an order.

For this reason, we deny your petition to compel disclosure.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:JGR:bjs/JGG06B39
c: Jane Hardy Cease, Manager
Motor Vehicles Division
1905 Lana Avenue NE
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