

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by ) Joe Mazzafera, Complainant )	Report of Hearing Officer
against )	Docket #FIC77-44
State of Connecticut; and )	March 29, 1977
Commissioner of Motor Vehicles )	
of the Department of Motor )	
Vehicles, Respondents )	

The above captioned matter was heard as a contested case on March 28, 1977, at which time the complainant and the respondent commissioner appeared, stipulated to certain facts and presented argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined by §1-18a(a), G.S.

2. On February 15, 1977, the complainant requested by telephone from the respondent commissioner the name and address of the registered owner of a vehicle with license plate number PW 9640.

3. On the same date, the respondent commissioner conditioned providing the requested information upon the prepayment of a fee of fifty (50¢) cents.

4. From such response, the complainant appealed to this Commission by letter filed on February 23, 1977.

5. The parties have closed the issue upon the above cited facts, referring for Commission consideration the question of whether or not §14-50a, G.S., is controlling and supercedes §1-15, G.S. §14-50a, G.S. provides that the respondent commissioner shall charge a fee of fifty (50¢) cents for providing an abstract of the information requested herein. §1-15, G.S., provides that the fee shall not exceed the cost thereof to the public agency.

6. The complainant contends that because §1-15, G.S. was enacted subsequent to §14-50a, G.S. by the legislature, it must therefore be controlling.

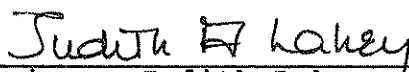
7. The Commission notes the following well settled principle of statutory construction: that specific terms concerning the given subject matter will prevail over general language of the same or another statute which might otherwise

prove controlling.

8. It is therefore concluded that §14-50a, G.S., which is specific in its terms, must be controlling, and that this Commission is without jurisdiction to determine whether or not the statutorily prescribed fee therein, fifty (50¢) cents, exceeds the actual cost thereof to the respondent commissioner under §1-15, G.S.

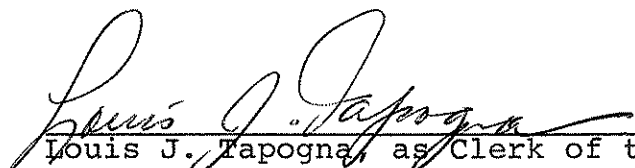
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.

  
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Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on  
April 13, 1977.

  
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Louis J. Tapogna, as Clerk of the  
Freedom of Information Commission