



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 16, 2009

Ms. Beth Maroney
Office of the City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2009-17803

Dear Ms. Maroney:

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# 365542 (COSA File No. 09-1240).

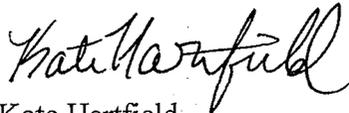
The City of San Antonio (the "city") received a request for the audio recording of a specified 9-1-1 call. You claim that a portion of the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code excepts from disclosure information that relates to a Texas motor vehicle operator's or driver's license or permit or a Texas motor vehicle title or registration issued by an agency of this state. Gov't Code § 552.130(a)(1), (2). We note that section 552.130 does not apply to out-of-state motor vehicle record information. *Id.* We are unable to determine whether the license plate number mentioned in the audio recording was issued by an agency of this state. Accordingly, we must rule conditionally. To the extent the license plate number was issued by an agency of this state, the city must withhold it pursuant to section 552.130. We note that if the city lacks the technical capability to redact the information subject to section 552.130 in the submitted audio recording, the city must withhold the recording in its entirety. *See* Open Records Decision No. 364 (1983). If the license plate number was not issued by an agency of this state, the 9-1-1 call must be released.

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.oag.state.tx.us/open/index_orl.php, 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 must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free at (888) 672-6787.

Sincerely,



Kate Hartfield
Assistant Attorney General
Open Records Division

KH/eeg

Ref: ID# 365542

Enc. Submitted documents

c: Requestor
(w/o enclosures)