



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 11, 2010

Chief Don Hatcher
Leander Police Department
705 Leander Drive
Leander, Texas 78641

OR2010-00434

Dear Chief Hatcher:

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# 367240.

The Leander Police Department (the "department") received a request for information related to a specified motor vehicle accident. You state that some responsive information has been released to the requestor, and that the department has redacted social security numbers pursuant to section 552.147 of the Government Code.¹ You claim that some of the submitted information is excepted from disclosure under section 552.130 of the Government Code.² We have considered the exception you claim and reviewed the submitted information.

¹Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act.

²We note that this office recently issued Open Records Decision No. 684 (2009), a previous determination to all governmental bodies, which authorizes withholding of ten categories of information, including Texas driver's license and license plate numbers under section 552.130 of the Government Code and credit card numbers under section 552.136 of the Government Code, without the necessity of requesting an attorney general decision. Although you reference section 552.1175(h) regarding redactions under section 552.130 and 552.136, we note that section 552.1175(h) is a notice provision related to the redaction of certain personal information of peace officers pursuant to section 552.1175.

Section 552.130 of the Government Code exempts from disclosure "information [that] relates to . . . a motor vehicle operator's or driver's license or permit issued by an agency of this state [or] a motor vehicle title or registration issued by an agency of this state." Gov't Code § 552.130. The department must withhold the Texas motor vehicle record information that we have marked and the corresponding information on the submitted video recordings pursuant to section 552.130 of the Government Code. We note that if the department lacks the technical capability to redact the information subject to section 552.130 from the video recordings at issue, the department must withhold the recordings in their entirety. *See* Open Records Decision No. 364 (1983). The remaining submitted information must be released to the requestor.

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,



Cindy Nettles
Assistant Attorney General
Open Records Division

CN/dls

Ref: ID# 367240

Enc. Submitted documents

c: Requestor
(w/o enclosures)