



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 2, 2010

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

OR2010-09844

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# 385209.

The Leander Police Department (the "department") received a request for information pertaining to a specified motor vehicle accident. You claim that 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 public disclosure information that relates to a motor vehicle operator's or driver's license or permit or a motor vehicle title or registration issued by an agency of this state. Gov't Code § 552.130(a)(1)–(2). You state that the submitted in-car video recordings and radio transmissions in Attachment B contain information that is subject to section 552.130. You inform us that the department does not have the technical capability to redact the Texas motor vehicle record information from these recordings. Therefore, the department must withhold Attachment B in its entirety under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). We note that the reports in Attachment C contain Texas motor vehicle record information as well. This information, which we have marked, also must be withheld under section 552.130.¹ The remainder of Attachment C must be released to the requestor.

¹We note this office recently issued Open Records Decision No. 684 (2009), a previous determination to all governmental bodies authorizing them to withhold ten categories of information, including certain Texas motor vehicle information under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision.

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,



James McGuire
Assistant Attorney General
Open Records Division

JM/dls

Ref: ID# 385209

Enc. Submitted documents

c: Requestor
(w/o enclosures)