



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 13, 2011

Ms. Lisa D. Mares
For City of Benbrook
Taylor Olson Adkins Sralla & Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107

OR2011-08341

Dear Ms. Mares:

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# 420562.

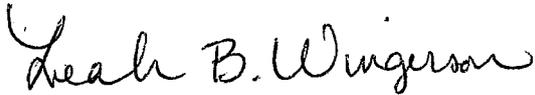
The Benbrook Police Department (the "department"), which you represent, received a request for all audio recordings pertaining to both police officers involved with case number 1100003735. You claim the submitted audio and video recordings are excepted from disclosure under section 552.130 of the Government 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 motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency. Gov't Code § 552.130(a)(1), (2). As you acknowledge, the submitted audio and video recordings contain Texas driver's license and license plate numbers. You inform us the department does not have the technical capability to redact the driver's license and license plate numbers at issue from the submitted audio and video recordings. Based on this representation, the department must withhold the submitted audio and video recordings in their entirety under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983).

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,



Leah B. Wingerson
Assistant Attorney General
Open Records Division

LBW/dls

Ref: ID# 420562

Enc. Submitted documents

c: Requestor
(w/o enclosures)