



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 29, 2011

Ms. Angela Hahn  
Public Information Manager  
City of Brenham  
P.O. Box 1059  
Brenham, Texas 77834-1059

OR2011-17537

Dear Ms. Hahn:

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# 437383 (ORR# 11-9-21).

The City of Brenham (the "city") received a request for a copy of any 9-1-1 recordings pertaining to a specified automobile accident. You claim 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 provides that information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency or an agency of another state or country, is excepted from public release. Act of May 24, 2011, 82nd Leg., R.S., S.B. 1638, § 4 (to be codified as an amendment to Gov't Code § 552.130(a)(1)-(2)). Upon review, we find the submitted audio recording contains a driver's license number. Therefore, the city must withhold this information, which we have indicated, under section 552.130 of the Government Code.

You claim the city lacks the technical capacity to redact the information at issue from the submitted audio recording. However, because the city had the ability to copy the submitted audio recording in order to submit the requested information for our review, we believe the city has the capacity to produce a copy of only the non-confidential portions of the submitted audio recording. Therefore, we find the city must withhold the information in the audio

recording we have indicated under section 552.130 of the Government Code. The city must release the remaining information in the audio recording to this 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](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,



Sean Nottingham  
Assistant Attorney General  
Open Records Division

SN/agn

Ref: ID# 437383

Enc. Submitted documents

c: Requestor  
(w/o enclosures)