



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 27, 2011

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

OR2011-18957

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# 440155 (ORR 11-10-13).

The City of Brenham (the "city") received a request for non-exempt material from traffic citations E0038155 and E0038156 and any audio or video materials related to traffic citation E0038157. You state you have released the citations. You claim the submitted audio-video recording is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

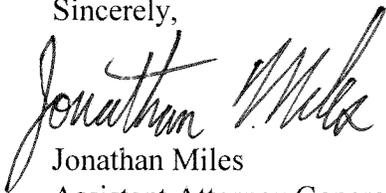
Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by an agency of this state or another state or country is excepted from public release. Gov't Code § 552.130. Upon review, we find the submitted audio-video recording contains motor vehicle record information that is subject to section 552.130. Accordingly, the city must withhold the portions of the audio-video recording that contain motor vehicle record information under section 552.130 of the Government Code.

You state the city lacks the technical capacity to redact the motor vehicle record information from the submitted audio-video recording. We therefore conclude the city must withhold the submitted audio-video recording in its 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,

A handwritten signature in black ink that reads "Jonathan Miles". The signature is written in a cursive style with a large initial "J" and "M".

Jonathan Miles
Assistant Attorney General
Open Records Division

JM/em

Ref: ID# 440155

Enc. Submitted documents

c: Requestor
(w/o enclosures)