



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 18, 2013

Mr. Ronald J. Bounds  
Assistant City Attorney  
City of Corpus Christi  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277

OR2013-06327

Dear Mr. Bounds:

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# 484645 (CCPD File No. NMac1).

The Corpus Christi Police Department (the "department") received a request for information pertaining to a specified case. You state you are making some information available to the requestor to the extent such information is not protected from disclosure pursuant to section 552.130(c) of the government Code, Open Records Decision No. 684 (2009), or Open Records Letter No. 2011-17207 (2011).<sup>1</sup> 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.

---

<sup>1</sup>Section 552.130(c) of the Government Code authorizes a governmental body to redact, without the necessity of requesting a decision from this office, the motor vehicle record information described in subsections 552.130(a)(1) and (a)(3). *See* Gov't Code § 552.130(c); *see also id.* § 552.130(d)-(e) (requestor may appeal governmental body's decision to withhold information under section 552.130(c) to attorney general and governmental body withholding information pursuant to section 552.130(c) must provide certain notice to requestor). Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information without the necessity of requesting a decision from this office. Open Records Letter No. 2011-17207 authorizes the department to withhold an FBI number under section 552.101 of the Government Code in conjunction with section 411.083 of the Government Code without requesting a decision from this office.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle title or registration issued by an agency of this state or another state or country. Gov't Code § 552.130(a)(2). Upon review, we find the department must withhold the license plate number we have indicated in one of the submitted audio recordings under section 552.130 of the Government Code. You claim the department lacks the technical capability to redact the information at issue from the audio recording. However, because the department had the ability to copy the submitted audio recordings in order to submit the requested information for our review, we believe the department has the capability to produce a copy of only the non-confidential portions of the submitted audio recordings. Therefore, we find the department must withhold the information in the audio recording we have indicated under section 552.130 of the Government Code. The department must release remaining information in the audio recordings.

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,



Kathleen J. Santos  
Assistant Attorney General  
Open Records Division

KJS/som

Ref: ID# 484645

Enc. Submitted documents

c: Requestor  
(w/o enclosures)