



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 8, 2013

Ms. Rachel Saucier
Legal Assistant
City of Georgetown
P.O. Box 409
Georgetown, Texas 78627-0409

OR2013-13766

Dear Ms. Saucier:

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# 495702 (PD ORR 2013-232).

The Georgetown Police Department (the "department") received a request for information, including the dash-cam video, related to event number 2013-100-011, a motor vehicle accident involving the requestor's client. You state the department has released some of the requested information but claim the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

Section 552.130(a) of the Government Code provides the following:

Information is excepted from the requirements of Section 552.021 if the information relates to:

- (1) a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country;
- (2) a motor vehicle title or registration issued by an agency of this state or another state or country; or
- (3) a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document.

Gov't Code § 552.130(a). You state, and we agree, the submitted audio and video recordings contain information excepted from disclosure under section 552.130(a). You inform us the department does not have the technological capability to redact information from the video recordings. Accordingly, the department must withhold the video recordings in their entirety under section 552.130(a) of the Government Code. *See* Open Records Decision No. 364 (1983). However, because the department had the ability to copy the audio recording in order to submit it for our review, we believe the department has the capability to produce a copy of only the non-confidential portions of the audio recording. Therefore, we find the department must withhold the license plate information we have indicated in the audio recording under section 552.130(a)(2) of the Government Code. The department must release the remainder of the audio recording.¹

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Cindy Nettles
Assistant Attorney General
Open Records Division

CN/dls

¹We note the information being released includes motor vehicle record information of the requestor's client, to which the requestor has a right of access. *See generally* Gov't Code § 552.023(a). Section 552.130(c) of the Government Code allows a governmental body to redact the information described in subsection 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Act of May 6, 2013, 83rd Leg., R.S., S.B. 458, § 1 (to be codified as an amendment to Gov't Code § 552.130(c)). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See* Gov't Code § 552.130(d), (e). Thus, if the department receives another request for this same information from a person who does not have such a right of access, section 552.130(c) authorizes the department to redact the motor vehicle record information of the requestor's client.

Ref: ID# 495702

Enc. Submitted documents

c: Requestor
(w/o enclosures)