



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 20, 2009.

Mr. Ron G. MacFarlane, Jr.
Dealey, Zimmerman, Clark Malouf & MacFarlane, P.C.
3131 Turtle Creek Boulevard Suite 1201
Dallas, Texas 75219-5415

OR2009-16546

Dear Mr. MacFarlane:

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# 362485.

The Cedar Hill Police Department (the "department"), which you represent, received a request for a specified call sheet and audio recording. 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.

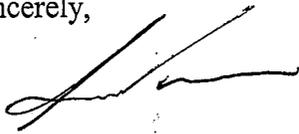
Initially, we note you have not submitted the requested call sheet for our review. To the extent this information existed at the time the department received the instant request for information, we assume that you have released it to the requestor. If such information has not been released, then you must do so at this time. *See* Gov't Code §§ 552.301, .302.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle operator's or driver's license or permit or a motor vehicle title or registration issued by an agency of this state. *See id.* § 552.130(a)(1)-(2). You state the submitted video includes audio that contains Texas driver's license and motor vehicle information of an individual other than the requestor. You inform us the department has no means of editing the driver's license and motor vehicle information from the submitted video. Based on your representations and our review of the submitted video, we conclude the department must withhold the submitted information 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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/eeg

Ref: ID# 362485

Enc. Submitted documents

c: Requestor
(w/o enclosures)