



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 1, 2013

Mr. Bruce W. Green  
City Attorney  
City of Lufkin  
P.O. Drawer 190  
Lufkin, Texas 75902-0190

OR2013-03524

Dear Mr. Green:

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# 480336.

The Lufkin Police Department (the "department") received a request for all information related to a specified motor vehicle accident involving the requestor's client. You state you have released audio recordings and the Crash Report Form CR-3 to the requestor. *See* Transp. Code § 550.065(c)(4) (officer's accident report must be released to person who provides two of following three pieces of information: date of accident; name of any person involved in accident; specific location of accident). You claim the submitted information is excepted from disclosure under section 552.130 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code excepts from disclosure "information [that] relates to . . . a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country [or] a motor vehicle title or registration issued by an agency of this state or another state or country[.]" *See* Gov't Code § 552.130(a)(1)-(2). You state the submitted video recording contains discernible and audible motor vehicle record

---

<sup>1</sup>Although you raise section 552.101 of the Government Code in conjunction with section 552.130 of the Government Code, this office has concluded section 552.101 does not encompass other exceptions found in the Act. *See* Open Records Decision Nos. 676 at 1-2 (2002), 575 at 2 (1990).

information that does not belong to the requestor's client. The department must withhold this information under section 552.130 of the Government Code. However, you state the department lacks the technological capability to redact this information from the submitted video recording. Based on this representation, we conclude the department must withhold the submitted video recording in its entirety under section 552.130 of the Government Code.

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,



Jennifer Burnett  
Assistant Attorney General  
Open Records Division

JB/tch

Ref: ID# 480336

Enc. Submitted documents

c: Requestor  
(w/o enclosures)