



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 28, 2013

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

OR2013-05013

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# 482987.

The Lufkin Police Department (the "department") received a request for information pertaining to a specified incident. You state the department has released some of the requested information to the requestor. 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.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's or driver's license or permit, a motor vehicle title or registration, or a personal identification document issued by an agency of Texas or another state or country is excepted from public release. Gov't Code § 552.130(a). Upon review, we find the audio portions of two of the three submitted video recordings each contain information subject to section 552.130. The audio portions of the submitted recordings are intertwined with the video portions of the recordings. You state the department does not have the technological capability to redact the motor vehicle record information from the recordings at issue. Accordingly, the department must withhold the two recordings we have indicated in their entirety under section 552.130 of the Government Code. However, we find neither the audio portion nor the video portion of the remaining recording contains information that is subject

to section 552.130; thus, this recording may not be withheld on this basis. As you raise no further exceptions to disclosure, the remaining recording must be released.

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 "Lindsay E. Hale". The signature is written in a cursive, flowing style.

Lindsay E. Hale
Assistant Attorney General
Open Records Division

LEH/tch

Ref: ID# 482987

Enc. Submitted documents

c: Requestor
(w/o enclosures)