



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 11, 2014

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

OR2014-06059

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# 519341.

The City of Georgetown (the "city") received a request for information concerning a specified call number. You state the city has released some information. 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 a motor vehicle title or registration issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130(a)(1)-(2). Upon review, we find two of the submitted video recordings contain confidential motor vehicle record information. You state the city lacks the technological capability to redact this information from these recordings. Accordingly, the city must withhold the two video recordings we indicated in their entirety under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). The remaining video recordings do not contain confidential motor vehicle record information and may not be withheld under section 552.130 of the Government Code.

Section 552.1175 of the Government Code protects the home address, home telephone number, emergency contact information, date of birth, social security number, and family

member information of certain individuals, when that information is held by a governmental body in a non-employment capacity and the individual elects to keep the information confidential.¹ Gov't Code § 552.1175. Section 552.1175 applies, in part, to "peace officers as defined by Article 2.12, Code of Criminal Procedure." *Id.* § 552.1175(a)(1). Upon review, we find the information we have indicated relates to peace officers and is held in a non-employment capacity. Accordingly, if the peace officers whose information is at issue elect to restrict access to their personal information in accordance with section 552.1175(b), the city must withhold that information under section 552.1175 of the Government Code. Because the city lacks the technological capability to redact such information, the city must withhold the entire video recording at issue under section 552.1175. If either of the peace officers makes no election, the city may not withhold the video recording at issue under section 552.1175 of the Government Code.

In summary, the city must withhold the video recordings we indicated under section 552.130 of the Government Code. If the peace officers at issue elect to make their personal information confidential, the city must withhold the video recordings we indicated under section 552.1175 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.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,



Neal Falgoust
Assistant Attorney General
Open Records Division

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¹The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body but ordinarily will not raise other exceptions. *See* Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).

Ref: ID# 519341

Enc. Submitted documents

c: Requestor
(w/o enclosures)