



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 4, 2014

Ms. Teresa L. Presley  
Records Manager  
Frisco Police Department  
7200 Stonebrook Parkway  
Frisco, Texas 75034

OR2014-19978

Dear Ms. Presley:

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# 541996 (Frisco Reference No. P000667-072414).

The Frisco Police Department (the "department") received a request for all records related to the arrest of the requestor.<sup>1</sup> You claim the submitted information is excepted from disclosure under section 552.130 of the Government Code.<sup>2</sup> 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

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<sup>1</sup>You state the department sought and received clarification of the request. *See* Gov't Code § 552.222(b) (providing that if request for information is unclear, governmental body may ask requestor to clarify the request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

<sup>2</sup>We note, and you acknowledge, the department did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(b), (e). Nonetheless, because section 552.130 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider its applicability to the submitted information. *See id.* §§ 552.007, .302, .352.

identification document issued by an agency of this state or another state or country is excepted from public release. Gov't Code § 552.130(a). You state, and we agree, the submitted video recordings contain motor vehicle record information subject to section 552.130 that belongs to individuals other than the requestor. You also state the department lacks the technological capability to redact the motor vehicle record information from the recordings. Based on this representation, we conclude the department must withhold the submitted recordings in their 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](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,



Rahat Huq  
Assistant Attorney General  
Open Records Division

RSH/dls

Ref: ID# 541996

Enc. Submitted documents

c: Requestor  
(w/o enclosures)