



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 25, 2015

Ms. Courtney Rutherford
Assistant City Secretary
City of Jersey Village
16327 Lakeview Drive
Jersey Village, Texas 77040

OR2015-05677

Dear Ms. Rutherford:

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# 557614 (Jersey Village PIR #56).

The Jersey Village Police Department (the "department") received a request for information pertaining to a specified incident. You state the department will redact motor vehicle record information under section 552.130(c) of the Government Code.¹ You state the department will release some of the requested information. You claim some of 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 the submitted information includes a CR-3 report completed pursuant to chapter 550 of the Transportation Code. *See* Transp. Code § 550.064 (officer's accident report). Section 550.065(b) states, except as provided by subsection (c) or subsection (e), accident reports are privileged and confidential. *Id.* § 550.065(b). Section 550.065(c)(4) provides for release of accident reports to a person who provides two of the following three pieces of information: (1) date of the accident; (2) name of any person involved in the accident; and (3) specific location of the accident. *Id.* § 550.065(c)(4). In this instance, the

¹Section 552.130(c) of the Government Code allows a governmental body to redact the information described in subsection 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

requestor has provided the department with the required information pursuant to section 550.065(c)(4). Accordingly, the submitted CR-3 report must be released to this requestor pursuant to section 550.065(c)(4) of the Transportation Code.

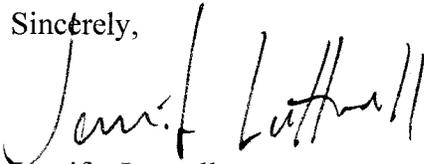
You assert the submitted video recording contains driver's license and license plate numbers that are excepted from disclosure under section 552.130 of the Government Code. Section 552.130 provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See Gov't Code § 552.130.* Upon review, we find the video recording contains motor vehicle record information. You state the department does not have the technological capability to redact this information from the submitted video recording. Accordingly, the department must withhold the submitted video recording in its entirety under section 552.130 of the Government Code. The department must also withhold the information we have marked in the submitted documents under section 552.130 of the Government Code.

In summary, the submitted CR-3 report must be released to this requestor pursuant to section 550.065(c)(4) of the Transportation Code. The department must withhold the submitted video recording in its entirety under section 552.130 of the Government Code. The department must also withhold the information we have marked in the submitted documents under section 552.130 of the Government Code. The remaining information 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.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,



Jennifer Luttrall
Assistant Attorney General
Open Records Division

JL/akg

Ref: ID# 557614

Enc. Submitted documents

c: Requestor
(w/o enclosures)