



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 11, 2015

Ms. Stacie S. White
Counsel for City of Saginaw
Taylor Olson Adkins Sralla Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107

OR2015-09070

Dear Ms. White:

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# 563008.

The City of Saginaw (the "city"), which you represent, received a request for (1) any disciplinary actions taken against a named police officer and his employment application; (2) a copy of the code or rules of the city's police department for police officers, compliance, and disciplinary enforcement procedures; and (3) any video recordings relating to a specified citation. The city claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception the city claims and reviewed the submitted information.

Initially, we note the city has only submitted the requested video recording. We assume, to the extent any information responsive to the remainder of the request existed on the date the city received the request, the city has released it. If the city has not released any such information, it must do so at this time. *See* Gov't Code §§ 552.006, .301, .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

The city asserts the submitted video recording contains motor vehicle record information that is excepted from disclosure under section 552.130 of the Government Code. Section 552.130 provides information relating to a motor vehicle operator's or driver's license or permit, or 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.

Gov't Code § 552.130(a). Upon review, we agree the submitted video recording contains motor vehicle record information. In this instance, the city states it does not possess the technological capability to redact information from video files. Thus, we agree the city must withhold the entire video recording 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, 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,



David L. Wheelus
Assistant Attorney General
Open Records Division

DLW/bhf

Ref: ID# 563008

Enc. Submitted documents

c: Requestor
(w/o enclosures)