



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 12, 2015

Mr. Caleb Thornton  
Assistant County Attorney  
Open Records Division  
Montgomery County Attorney's Office  
501 North Thompson, Suite 102  
Conroe, Texas 77301

OR2015-09180

Dear Mr. Thornton:

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# 563307 (ORR File 15PIA128).

The Montgomery County Sheriff's Office (the "sheriff's office") received a request for the incident report and dash camera video recording relating to a specified incident. The sheriff's office states it has released some of the requested information. The sheriff's office claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception the sheriff's office claims and reviewed the submitted information.

The sheriff's office 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 sheriff's office states it does not possess the technological capability to redact information from video files. Thus, we agree

the sheriff's office 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](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# 563307

Enc. Submitted documents

c: Requestor  
(w/o enclosures)