



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 28, 2015

Mr. Frank J. Garza  
Counsel for the City of Balcones Heights  
Davidson Troilo Ream & Garza P.C.  
7550 West Interstate 10, Suite 800  
San Antonio, Texas 78229-5815

OR2015-13332

Dear Mr. Garza:

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# 566129.

The City of Balcones Heights (the "city"), which you represent, received a request for video footage of all red light violators from traffic light cameras during a specified time period. 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 representative sample of information.<sup>1</sup> We have also received and considered comments submitted by the requestor. *See* Gov't Code § 552.304 (permitting interested third party to submit to attorney general reasons why requested information should or should not be released).

Initially, we note the requestor only seeks video recordings of the violations at issue. Therefore, the photographs and citations for these violations are not responsive to the present request. This ruling does not address the public availability of the non-responsive information and the city need not release it in response to this request.

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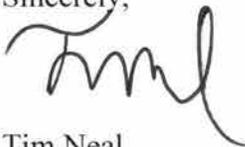
<sup>1</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

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 identification document issued by an agency of Texas or another state or country is excepted from public release. *Id.* § 552.130(a). Upon review, we find the submitted video recording contains motor vehicle record information. You state the city lacks the technological capability to redact the confidential information in the responsive video recordings at issue. Accordingly, the city must withhold the responsive video recordings in their entireties 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,

A handwritten signature in black ink, appearing to read 'Tim Neal', with a stylized flourish at the end.

Tim Neal  
Assistant Attorney General  
Open Records Division

TN/bhf

Ref: ID# 566129

Enc. Submitted documents

c: Requestor  
(w/o enclosures)