



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 15, 2015

Mr. David V. Overcash
Assistant City Attorney for the City of Anna
Wolfe, Tidwell & McCoy, L.L.P.
2591 Dallas Parkway, Suite 205
Frisco, Texas 75034

OR2015-14363

Dear Mr. Overcash:

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# 571578 (Anna File No. C03029PIR20150408-02).

The City of Anna (the "city"), which you represent, received a request for information pertaining to a specified automobile accident. You state the city has released some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.130 of the Government Code.¹ 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 identification document issued by an agency of Texas or another state or country is excepted from public release. Gov't Code § 552.130(a). Upon review, we find the audio portions of the submitted video recordings contain information subject to section 552.130. The audio portions of the recordings are intertwined with the video portions of the recordings. The city

¹You acknowledge, and we agree, the city did not comply with the procedural requirements of section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(b), (e). However, because the city's claim under section 552.130 of the Government Code can provide a compelling reason for non-disclosure under section 552.302, we will address your argument under that exception. *See* Open Records Decision No. 150 at 2 (1977).

states it does not have the technological capability to redact this information from the recordings. Accordingly, we conclude the city must withhold the submitted video recordings in their entirety under section 552.130 of the Government Code.

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,

A handwritten signature in black ink that reads "Abigail T. Adams". The signature is written in a cursive, flowing style.

Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/bhf

Ref: ID# 571578

Enc. Submitted documents

c: Requestor
(w/o enclosures)