



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 5, 2015

Ms. Crystal Koonce  
Open Records  
County of Williamson  
508 South Rock Street  
Georgetown, Texas 78626

OR2015-20806

Dear Ms. Koonce:

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# 581858.

The Williamson County Sheriff's Office (the "sheriff's office") received a request for the officer's notes, pictures, vehicle camera footage, witness statements, and 911 transcripts pertaining to a specified accident. You state you have released the CR-3 accident report pursuant to section 550.065(c) of the Transportation Code. *See* Act of June 1, 2015, 84th Leg., R.S., ch. 936, § 1, 2015 Tex. Sess. Law Serv. 3256 (Vernon) (to be codified at Transp. Code § 550.065(c)) (providing for release of accident report to person or entity listed under this subsection). You claim portions of the submitted information are 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 you have only submitted an event report and two video recordings for our review. To the extent any additional information responsive to this request existed and was maintained by the sheriff's office on the date the sheriff's office received the request, we assume the sheriff's office has released it. If the sheriff's office has not released any such information, it must do so at this time. Gov't Code §§ 552.301(a), .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).

Section 552.130 of the Government Code 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(a). You marked and we have marked motor vehicle record information subject to section 552.130 in the submitted event report. We note, however, section 552.130 protects personal privacy. The requestor, in this instance, may be the authorized representative of two of the individuals involved in the motor vehicle accident at issue. If so, the requestor has a right of access to the motor vehicle information pertaining to those individuals under section 552.023 of the Government Code. *See id.* § 552.023(a) (governmental body may not deny access to person to whom information relates or person's agent on ground that information is considered confidential by privacy principles); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves). We are unable to discern from the submitted information which motor vehicle record information pertains to which individuals involved in the motor vehicle accident at issue. Accordingly, to the extent the requestor is the authorized representative of any of the owners of the vehicles at issue, then he has a right of access to the information pertaining to such individuals pursuant to section 552.023, and this information may not be withheld from him under section 552.130. In that instance, the remaining marked information must be withheld under section 552.130 of the Government Code. If the requestor is not the authorized representative of any of the owners of the vehicles at issue, then the sheriff's office must withhold the information you marked and we have marked under section 552.130 of the Government Code.

Furthermore, you state, and we agree, the submitted video recordings contain motor vehicle record information subject to section 552.130. You state the sheriff's office lacks the technological capability to redact the information subject to section 552.130 from the video recordings. We note the recordings contain motor vehicle record information of individuals other than those for whom the requestor may be the authorized representative. Based on your representation and our review, we find the sheriff's office must withhold the submitted video recordings in their entireties under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). As you raise no further exceptions to disclosure, the sheriff's office must release the remaining information.

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 "Kenny Moreland". The signature is fluid and cursive, with a prominent initial "K" and a long, sweeping underline.

Kenny Moreland  
Assistant Attorney General  
Open Records Division

KJM/som

Ref: ID# 581858

Enc. Submitted documents

c: Requestor  
(w/o enclosures)