



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 15, 2015

Ms. P. Armstrong
Assistant City Attorney
Criminal Law and Police Section
City of Dallas
1400 South Lamar Street
Dallas, Texas 75215

OR2015-26306

Dear Ms. Armstrong:

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# 597974 (ORR No. 2015-18871).

The Dallas Police Department (the "department") received a request for certain red light camera information at specified intersections. You claim the submitted information is exempted from disclosure under section 552.130 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted representative sample of information.²

Section 552.130 exempts from disclosure information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification

¹We note, and you acknowledge, the department did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(b), (e). Nonetheless, because section 552.130 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider its applicability to the submitted information. *See id.* §§ 552.007, .302, .352.

²The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130. The department asserts, and we agree, the submitted video recordings contain motor vehicle record information that is excepted from disclosure under section 552.130 of the Government Code. In this instance, the department states it does not possess the technological capability to redact information from video files. Thus, we agree the department must withhold the entirety of the video recordings 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,



Britni Ramirez
Assistant Attorney General
Open Records Division

BR/bhf

Ref: ID# 597974

Enc. Submitted documents

c: Requestor
(w/o enclosures)