



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 10, 2015

Ms. Lisa D. Mares
Counsel for the City of McKinney
Brown & Hofmeister, L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2015-13969

Dear Ms. Mares:

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# 570905 (McKinney ID No. 15-15822).

The McKinney Police Department (the "department"), which you represent, received a request for information pertaining to a specified case. You state the department released some information. 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 information.

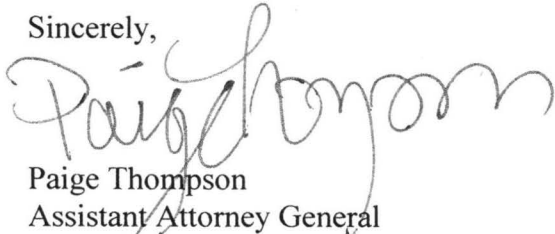
Section 552.130 provides information relating to a motor vehicle operator's or driver's license or permit, a motor vehicle title or registration, or a personal identification document issued by an agency of Texas or another state or country is excepted from public release. Gov't Code § 552.130(a). Upon review, we find the submitted audio recordings contain information subject to section 552.130. You inform us the department does not have the technological capability to redact the motor vehicle record information from the recordings at issue. However, because the department had the ability to copy the submitted audio recordings for our review, we believe the department has the capability to produce a copy of only the non-confidential portions of the audio recordings. Therefore, we find the department must withhold the audible motor vehicle record information in the submitted audio recordings under section 552.130 of the Government Code. However, we find none of the remaining information at issue consists of information subject to section 552.130.

Accordingly, the department may not withhold any of the remaining information under section 552.130 of the Government Code. As you raise no other exceptions to disclosure, the remaining information must be released.

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 cursive script, appearing to read "Paige Thompson". The signature is written in dark ink and is positioned above the typed name and title.

Paige Thompson
Assistant Attorney General
Open Records Division

PT/dls

Ref: ID# 570905

Enc. Submitted documents

c: Requestor
(w/o enclosures)