



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 17, 2017

Ms. Judy Hickman
Assistant Supervisor
Police Records
Beaumont Police Department
P.O. Box 3827
Beaumont, Texas 77704

OR2017-05535

Dear Ms. Hickman:

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# 649228.

The Beaumont Police Department (the "department") received a request for information pertaining to a specified automobile accident. You state you released some information. 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 excepts from disclosure 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. You assert the submitted video recordings contain motor vehicle record information that is excepted from disclosure under section 552.130. Upon review, we find some of the submitted video recordings, which we

¹We note, and the department acknowledges, the department did not comply with section 552.301 of the Government Code in requesting a ruling from this office. *See* Gov't Code § 552.301(b). Nonetheless, because the exception you claim 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.

indicated, contain confidential motor vehicle record information. In this instance, you state the department does not possess the technological capability to redact information from video files. Thus, we agree the department must withhold the entireties of the video recordings we indicated under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). However, we find the remaining video recording does not contain confidential motor vehicle record information. Therefore, the department may not withhold any portion of the remaining information under section 552.130. 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,



Meagan J. Conway
Assistant Attorney General
Open Records Division

MJC/sb

Ref: ID# 649228

Enc. Submitted documents

c: Requestor
(w/o enclosures)