



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 12, 2017

Mr. L. Brian Narvaez
Counsel for the City of McKinney
Brown & Hofmeister L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2017-12883

Dear Mr. Narvaez:

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# 663594 (City ID# P003635-041017).

The City of McKinney (the "city"), which you represent, received a request for information pertaining to an October 12, 2016 motor vehicle accident. The city claims the submitted video recordings are excepted from disclosure under section 552.130 of the Government Code. To the extent the remaining requested information exists, we assume the city has released it. *See* Gov't Code §§ 552.301, .302. We have considered the city's claimed exception 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. *Id.* § 552.130(a). Upon review, we find some of the video recordings contain motor vehicle record information subject to section 552.130. The city states it does not have the technological capability to redact the motor vehicle record information from the video recordings. Accordingly, the city must withhold the recordings that contain motor vehicle record information in their entireties under section 552.130. *See* Open Records Decision No. 364 (1983). However, we have marked the video recording that does not contain motor vehicle record information. The city may not withhold this recording under section 552.130 and must release it.

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,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nmd

Ref: ID# 663594

Enc. Marked documents

c: Requestor
(w/o enclosures)