



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 16, 2017

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

OR2017-13394

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# 662189 (Ref. No. P003202-030217).

The City of McKinney (the "city"), which you represent, received a request for the dash camera video recordings pertaining to a specified vehicle accident. 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 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 dash camera video recording we have indicated contains information subject to section 552.130. You state the city does not have the technological capability to redact the motor vehicle record information from the recording. Accordingly, the city must withhold the dash camera video recording we have indicated in its entirety under section 552.130. *See* Open Records Decision No. 364

¹We note, and you acknowledge, the city 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.

(1983). However, you have failed to demonstrate any of the remaining information at issue is subject to section 552.130. Thus, the city may not withhold the remaining dash camera video recording under section 552.130 of the Government Code. The city must release the remaining dash camera video recording.

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,



Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/tdw

Ref: ID# 662189

Enc. Submitted documents

c: Requestor
(w/o enclosures)