



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 29, 2017

Mr. Thomas Bailey  
Legal Services  
VIA Metropolitan Transit  
123 North Medina Street  
San Antonio, Texas 78207

OR2017-29287

Dear Mr. Bailey:

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# 690687.

VIA Metropolitan Transit ("VIA") received a request for the video recording and driver's statement related to a specified accident. VIA claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception VIA claims and reviewed the submitted information.

Initially, we note VIA has not submitted the requested driver's statement. To the extent any such information existed on the date VIA received the request, we assume VIA has released it. If VIA has not released any such information, it must do so at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

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. VIA asserts, and we agree, the submitted video recording contains confidential motor vehicle record information that is excepted from disclosure under section 552.130. In this instance, VIA states it does not

possess the technological capability to redact information from video files. Thus, we agree VIA must withhold the entirety of the submitted video recording 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](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,



Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/som

Ref: ID# 690687

Enc. Submitted documents

c: Requestor  
(w/o enclosures)