



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 5, 2018

Mr. Adam Anderson
Assistant County Attorney
Montgomery County Attorney's Office
501 North Thompson, Suite 300
Conroe, Texas 77301

OR2018-00351

Dear Mr. Anderson:

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# 690354.

The Montgomery County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified incident. You state the sheriff's office 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 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, and we agree, the video recording we have indicated contains motor vehicle record information that is excepted from disclosure under section 552.130 of the Government Code. In this instance, you state the sheriff's office does not possess the technological capability to redact information from video files. Thus, we agree the sheriff's office must withhold the video recording we have indicated in its entirety under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). However, the remaining video recording does not contain motor vehicle record information protected by section 552.130 of the Government Code and thus, the sheriff's

office may not withhold it on that basis. Therefore, the sheriff's office must release the remaining 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,



Matthew Taylor
Assistant Attorney General
Open Records Division

MHT/tdw

Ref: ID# 690354

Enc. Submitted documents

c: Requestor
(w/o enclosures)