



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 13, 2019

Mr. Eric C. Farrar
Counsel for the City of Humble
Olson & Olson, L.L.P.
2727 Allen Parkway, Suite 600
Houston, Texas 77019-2133

OR2019-07021

Dear Mr. Farrar:

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# 761908 (Reference# COHM19-001).

The City of Humble (the "city"), which you represent, received a request for information pertaining to a specified motor 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 excepts from disclosure information relating to a motor vehicle operator's or driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country. *See* Gov't Code § 552.130. Upon review, we find the information the city marked and the submitted video recordings contain motor vehicle record information subject to section 552.130. You state the city does not possess the technological capability to redact

¹We note, and you acknowledge, the city failed to comply with section 552.301 of the Government Code in requesting a ruling; however, section 552.130 of the Government Code can provide a compelling reason to withhold information to overcome the presumption of openness caused by a failure to comply with section 552.301. *See* Gov't Code §§ 552.007, .301, .302, .352. Accordingly, we will consider the city's argument under section 552.130.

information from the submitted video recordings. Accordingly, we conclude the city must withhold the information it marked and the submitted video recordings in their entirety 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, 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,

A handwritten signature in black ink, appearing to read "Jesse Harvey", with a long horizontal flourish extending to the right.

Jesse Harvey
Assistant Attorney General
Open Records Division

JH/gw

Ref: ID# 761908

Enc. Submitted documents

c: Requestor
(w/o enclosures)