



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 20, 2019

Ms. Rachel Klaus
Records Technician
Bastrop Police Department
104 Grady Tuck Lane
Bastrop, Texas 78602

OR2019-13384

Dear Ms. Klaus:

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# 766440.

The Bastrop Police Department (the "department") received a request for five categories of information pertaining to a specified accident. 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.

Initially, we note you have only submitted information responsive to one of the five categories of the request for information. To the extent any information responsive to the remaining portions of the request existed on the date the department received the request, we assume the department has released it. If the department 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).*

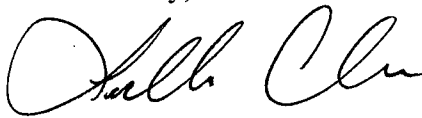
Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See Gov't Code § 552.130.* The department asserts the submitted video recordings contain motor vehicle record information that is excepted from

disclosure under section 552.130. Upon review, we find some of the submitted video recordings, which we have indicated, contain confidential motor vehicle record information. In this instance, the department states it does not possess the technological capability to redact information from video files. Thus, we agree the department must withhold the video recordings containing motor vehicle record information, which we have indicated, in their entireties under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983). However, we find the remaining video recording does not contain motor vehicle record information for purposes of section 552.130. Accordingly, the department may not withhold the remaining video recording under section 552.130 of the Government Code, 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,



Lecelle Clarke
Attorney
Open Records Division

LC/gw

Ref: ID# 766440

Enc. Submitted documents

c: Requestor
(w/o enclosures)