



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 25, 2019

Ms. Paula Favors
City Secretary
City of Wharton
120 East Caney Street
Wharton, Texas 77488

OR2019-17218

Dear Ms. Favors:

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# 772257.

The City of Wharton (the "city") received a request for information related to a specified incident involving a named individual. The city claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception the city claims and reviewed the submitted information.

Initially, we note the city has submitted only video recordings and has not submitted information responsive to any of the remaining categories of requested information. To the extent any additional information responsive to the request existed on the date the city received the request, we assume the city has released it. If the city 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).

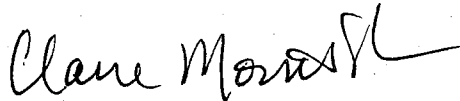
Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release.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

is excepted from disclosure under section 552.130. In this instance, the city states it does not possess the technological capability to redact information from video files. Thus, we agree the city must withhold the entireties of the submitted video recordings 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,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/be

Ref: ID# 772257

Enc. Submitted documents

c: Requestor
(w/o enclosures)