



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 7, 2019

Ms. Samantha Courtney  
Hood County Sheriff's Office  
400 Deputy Larry Miller Drive  
Granbury, Texas 76048

OR2019-21747

Dear Ms. Courtney:

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# 779275 (#R19-00581).

The Hood County Sheriff's Office (the "sheriff's office") received a request for all information pertaining to a specified motor vehicle accident involving two named individuals. You state you have released some of the requested information with redactions under section 552.130(c) of the Government Code.<sup>1</sup> You claim the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code.<sup>2</sup> We have considered the exceptions you claim and reviewed the submitted information.

Section 552.130 of the Government Code provides 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. Upon review, we find the submitted video and audio recordings contain motor vehicle record information subject to section 552.130. You state the sheriff's office lacks the technological capability to redact the motor vehicle record information from the recordings. Based on this representation, we

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<sup>1</sup>We note section 552.130(c) of the Government Code allows a governmental body to redact the information described in subsection 552.130(a) without the necessity of seeking a decision from the attorney general. If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

<sup>2</sup>Although you do not raise section 552.101 of the Government Code in your brief, we understand you to raise this exception based on your arguments in your brief.

conclude the sheriff's office must withhold the submitted video recordings in their entireties under section 552.130 of the Government Code.<sup>3</sup> See Open Records Decision No. 364 (1983). However, because the department had the ability to copy the submitted audio recording for our review, we believe the department has the capability to produce copies of only the non-confidential portions of the audio recording. Therefore, the department must withhold the audible license plate number in the submitted audio recording and the video recordings in their entireties under section 552.130 of the Government Code. However, we find the remaining portions of the audio recording do not contain discernible motor vehicle record information. Accordingly, the sheriff's office may not withhold any of the remaining recording under section 552.130 of the Government Code. The sheriff's office must release the remaining information.

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,



Ashley Crutchfield  
Assistant Attorney General  
Open Records Division

AC/jxd

Ref: ID# 779275

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>3</sup>As our ruling is dispositive, we need not address your remaining argument against disclosure of this information.