



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 20, 2019

Ms. Dyanne Hargrove
City Attorney's Office
City of Cedar Park
450 Cypress Creek Road
Cedar Park, Texas 78613

OR2019-32868

Dear Ms. Hargrove:

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# 805900 (ORR# 20-070).

The Cedar Park Police Department (the "department") received a request for information related to a specified incident involving two named individuals. The department states it is withholding motor vehicle record information pursuant to section 552.130(c) of the Government Code.¹ The department states it is releasing some of the requested information. The department claims the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exception the department claims and reviewed the submitted information.

The submitted information was the subject of a previous request for information from the instant requestor's client, as a result of which this office issued Open Records Letter No. 2019-27209 (2019). In that ruling, we determined the department may withhold some information under section 552.108(a)(2) of the Government Code, must withhold motor vehicle record information under section 552.130 of the Government Code, and must withhold dates of birth in Exhibit B pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. We have no indication there has been any

¹ 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. *See* Gov't Code § 552.130(c). 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).

change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the department must rely on Open Records Letter No. 2019-27209 as a previous determination and withhold or release the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/eb

Ref: ID# 805900

Enc. Submitted documents

c: Requestor
(w/o enclosures)