



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 3, 2020

Mr. Matthew L. Butler  
Counsel for the City of Hurst  
Boyle & Lowry, L.L.P.  
P.O. Box 855  
Mount Vernon, Texas 75457

OR2020-03141

Dear Mr. Butler:

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# 810430 (ORR# PD-2437-2019).

The Hurst Police Department (the "department"), which you represent, received a request for audio recordings pertaining to a specified incident. The department states it has released some of the requested information, but claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

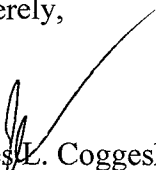
Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130. The submitted audio recording contains motor vehicle record information that the department has identified. This information is confidential under section 552.130. The department states it lacks the technical capability to redact this motor vehicle record information from the recording. Nevertheless, because the department had the ability to copy the submitted audio recording in order to submit the requested information for our review, we believe the department has the capacity to produce a copy of only the non-confidential portions of it. Therefore, the department must withhold the motor vehicle record information it has indicated under section 552.130 of the Government Code. However, it may not withhold any of the

remaining information on that ground. Therefore, the department 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 <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,



James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/jxd

Ref: ID# 810430

Enc. Submitted documents

c: Requestor  
(w/o enclosures)