



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 27, 2020

Mr. James Kopp  
Assistant City Attorney  
City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78207

OR2020-11817

Re: Request for ORR W310719.

Dear Mr. Kopp:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 830650.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.<sup>1</sup> Thus, we are addressing your claims in a memorandum opinion. You must withhold the submitted accident report under section 552.101 of the Government Code in conjunction with section 550.065(b) of the Government Code but must release the redacted accident report pursuant to section 550.065(c-1) of the Transportation Code. You claim the remaining information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review, we find you must release the DIC-24 Statutory Warning and the DIC-25 Notice of Suspension. In releasing the DIC-24 and DIC-25 forms, you must withhold the driver license information under section 552.130 of the Government Code and the date of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at \*3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.). Upon review of your arguments and

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<sup>1</sup> We note the City of San Antonio (the "city") received an initial request for the same information from this requestor on February 12, 2020. In response to the initial request, we understand the city responded to the requestor within five business days and withheld certain information under section 552.108(a)(1) of the Government Code, pursuant to the previous determination this office issued to the city in Open Records Letter No. 2017-02535 (2017). Subsequently, the requestor made a second request for the same information on March 15, 2020.

the remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1).<sup>2</sup> However, as you acknowledge, you must release the basic information pursuant to section 552.108(c) of the Government Code. We note the remaining information includes information that may have been filed with a court. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, if the information has been filed with a court, you must release the information. In releasing the information filed with a court, you must withhold the motor vehicle record information in accordance with section 552.130 of the Government Code.

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>2</sup> As we are able to make this determination, we do not address the applicability of section 1701.661(a) of the Occupations Code to the submitted video recordings. *See generally* Occ. Code § 1701.661(a), (e).