



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 30, 2020

Mr. Andrew Wipke
Assistant County Attorney
Fort Bend County
401 Jackson Street, Third Floor
Richmond, Texas 77469

OR2020-19067

Dear Mr. Wipke:

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# 839671.

The Fort Bend County Sheriff's Office (the "sheriff's office") received a request for information related to case number 19-46691. The sheriff's office claims the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception the sheriff's office claims and reviewed the submitted information.

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 sheriff's office asserts the submitted audio recordings contain motor vehicle record information that is excepted from disclosure under section 552.130. Upon review, we find the sheriff's office must withhold the motor vehicle record information we noted under section 552.130 of the Government Code. The sheriff's office contends it does not possess the technological capability to redact information from audio files. However, because the sheriff's office had the ability to copy the submitted audio recordings in order to submit them for our review, we believe the sheriff's office has the capability to produce a copy of only the non-confidential portions of the audio recordings. Accordingly, the sheriff's office may not withhold any portion of the remaining information 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 <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/be

Ref: ID# 839671

Enc. Submitted documents

c: Requestor
(w/o enclosures)