



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 18, 2020

Ms. Jordan M. Powell
Assistant General Counsel
Office of General Counsel
Hays County
111 East San Antonio Street, Suite 202
San Marcos, Texas 78666

OR2020-23612

Dear Ms. Powell:

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# 845460.

The Hays County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified motor vehicle accident. You state the sheriff's office released information to the requestor, but made redactions as permitted by section 552.130(c) of the Government Code without requesting a decision from this office.¹ We note the sheriff's office also redacted public citizens' dates of birth pursuant to Open Records Letter No. 2019-26356 (2019).² Pursuant to section 552.130(d), the requestor has asked this office to review the information redacted by the sheriff's office and render a decision as to whether it is excepted from disclosure under section 552.130(a) of the Government Code. We have considered the city's position and reviewed the information.

¹ We note the sheriff's office submitted a request for a ruling pursuant to section 552.301(a) of the Government Code regarding the remaining information requested by this requestor. As a result, this office issued Open Records Letter No. 2020-22549 in which we ruled the sheriff's office must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 1701.661(f) of the Occupations Code.

² Open Records Letter No. 2019-26356 authorizes the sheriff's office to withhold public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a ruling from this office.

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. Gov't Code § 552.130. Accordingly, the sheriff's office must continue to withhold the motor vehicle record information you redacted under section 552.130 of the Government Code.

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,

Jahnna Ward
Assistant Attorney General
Open Records Division

JW/jm

Ref: ID# 845460

Enc. Submitted documents

c: Requestor
(w/o enclosures)