



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 16, 2022

Mr. Jason Sorensen
County Attorney
Kerr County
700 Main Street, Suite BA-103
Kerrville, Texas 78028

OR2022-04719

Dear Mr. Sorensen:

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# 930518.

The Kerr County Sheriff's Office (the "sheriff's office") received a request for video recordings pertaining to a specified incident.¹ You claim the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code.² We have considered the exceptions you claim 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.* You assert, and we agree, the submitted video recordings contain confidential motor vehicle record information that is excepted from disclosure under section 552.130. In this instance, the sheriff's office states it does not possess the technological capability to redact information from video files. Thus, we agree the sheriff's office must withhold the entireties of the submitted video

¹ As the sheriff's office has not submitted a copy of the request for information, we take our description from the brief.

² We note the sheriff's office did not comply with the procedural requirements of section 552.301 of the Government Code in requesting this decision. *See Gov't Code § 552.301(e).* Nonetheless, because sections 552.101 and 552.130 of the Government Code can provide compelling reasons to overcome the presumption of openness, we will consider their applicability to the submitted information. *See id.* §§ 552.007, .302, .352.

recordings under section 552.130 of the Government Code.³ See Open Records Decision No. 364 (1983).

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,

Pearlie Gault
Attorney
Open Records Division

PG/mo

Ref: ID# 930518

Enc. Submitted documents

c: Requestor
(w/o enclosures)

³ As our ruling is dispositive, we need not address your remaining argument against disclosure of this information.