KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 15, 2022

Mr. Michael B. Halla
Counsel for the City of Wilmer
The Halla Law Firm
128 North Dallas Avenue
Wilmer, Texas 75172

OR2022-17244

Dear Mr. Halla:

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# 954084 (COW ORR-032322A).

The City of Wilmer (the "city"), which you represent, received a request for body worn camera recordings pertaining to a specified incident. You state the city will release some information to the requestor. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note some of the submitted information is not responsive to the instant request because it does not consist of the requested body worn camera recordings. This ruling does not address the public availability of the non-responsive information and the city need not release it in response to the request.

Section 552.130 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. Upon review, we find the responsive video recordings contain motor vehicle record information. In this instance, you state the city does not possess the technological capability to redact information from video files. Thus, we agree the city must withhold the entireties of the responsive video recordings under section 552.130 of the Government Code.[1] *See* Open Records Decision No. 364 (1983).

[1] As our ruling is dispositive, we need not address the remaining argument against disclosure of the responsive 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,

Gerald A. Arismendez
Assistant Attorney General
Open Records Division

GAA/jxd

Ref: ID# 954084

Enc. Submitted documents

c: Requestor
(w/o enclosures)