IN THE MUNICIPAL COURT OF APPEALS
OF THE CITY OF EL PASO, TEXAS

STEVE J. CASTILLO,	)	
	)	
Appellant,	)	
vs.	)	No. 93-MCA-2252
	)	
STATE OF TEXAS,	)	
	)	
Appellee.	)	

OPINION

Appellant appeals his conviction in Municipal Court for failing to maintain financial responsibility as required by Article 6701h V.A.T.C.S.

Appellant has provided this Court, and contends that the same information was provided to the Trial Court, a declaration page on his insurance policy, a New Mexico Evidence of Financial Responsibility Form issued by his insurance carrier, both of which establish that at the time the citation was issued, that he was in compliance with the New Mexico Financial Responsibility Law, and in fact, his coverage exceeds that which is required by Texas law.

Evidently, the State's position is that the Appellant failed to produce his automobile liability insurance "policy", but the proof provided in this particular case is sufficient to meet the requirements of Article 6701h, Section 1B(a)(2). That Section allows establishing proof of Financial Responsibility by furnishing a standard proof of liability insurance form promulgated by the Texas Department of Insurance. There are also other means of

furnishing proof of financial responsibility under that Section, including producing the insurance policy itself, but nothing requires the policy as the exclusive means of furnishing such evidence.

If the Court is requiring production of the policy as the only means of furnishing proof of compliance with the law, it is in error in doing so.

Having so found, the Judgment of the Trial Court is hereby reversed and rendered in Appellant's favor.

SIGNED this 9 day of July, 1993.

JUDGE

JUDGMENT

This case came on to be heard, the same being considered, because it is the opinion of this Court that there was error in the Judgment, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things reversed and rendered in Appellant's favor, and judgment of acquittal be entered in his behalf.

SIGNED this 9 day of July, 1993.

JUDGE

25.96