

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

NATHAN ROBINSON

Appellant,

vs.

STATE OF TEXAS,

Appellee.

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No. 01-MCA-2626

OPINION

Appellant appeals his conviction in Municipal Court for failing to maintain financial responsibility. A fine of \$200.75 was assessed.

Appellant has provided this Court with information that he is in compliance with the Financial Responsibility Law under the alternate method of obtaining liability coverage as provided in the Texas Transportation Code Section 601.122 by depositing cash or other securities with the Comptroller of the State of Texas.

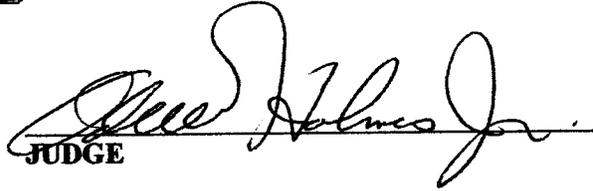
However, the Financial Responsibility Certificate is in the name of Hadley Robinson and not the name of Appellant. Appellant contends that Hadley is his father and that he was driving his father's vehicle, but the certificate itself does not identify the vehicle for which the Financial Responsibility Certificate was issued. It is this Court's understanding that the Financial Responsibility Certificate covers all vehicles registered in the name of Hadley Robinson, and attaches to the vehicle regardless of whom may be driving it at the time the citation is issued.

Appellant, therefore, has failed to establish to this Court's satisfaction that he is insured, although the City Attorney, in it's Brief, contends that the proof of financial responsibility is satisfactory and complies with the law.

Although the Financial Responsibility Certificate clearly is authorized by law and appears to have been effective on the date the citation was issued, this Court hereby remands this case to the Trial Court to

give Appellant the opportunity to establish that the vehicle he was driving at the time he was cited is covered by providing the Trial Court with proof of it's registration in the name of Hadley Robinson. Upon presentation of such proof, then the Trial Court would be authorized to find that Appellant was in compliance with the Financial Safety Responsibility Law under the Transportation Code, Section 601.051.

SIGNED this 16 day of July, 2001.

  
JUDGE

**J U D G M E N T**

This case came on to be heard on the Transcript of the Record of the Court below, the same being considered, it is ORDERED, ADJUDGED and DECREED by the Court that the case be reversed and remanded to the Trial Court for re-trial.

SIGNED this 16 day of July, 2001.

  
JUDGE