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Respect for pedestrians in urban spaces: a socio-legal analysis comparing Peru and Spain

Respeto al peatón en el espacio urbano: análisis socio-jurídico comparado entre Perú y España

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Abstract

This study analyzes and compares the socio-legal framework of respect for pedestrians in urban spaces in Peru and Spain. The main objective is to identify differences in legislation, road culture and institutional management, proposing strategies to strengthen pedestrian protection in both contexts. A qualitative and comparative methodology was used, based on the review of current regulations, analysis of official statistics and studies on citizen perception and road culture. The results show that, although both countries have similar legal frameworks, Spain shows greater respect and protection for pedestrians, based on a consolidated road culture and more effective institutional management. In contrast, Peru faces challenges such as weak enforcement, lack of road safety education and a high incidence of accidents, where pedestrians are the main victims. The conclusion is that it is essential to strengthen road safety education, improve enforcement and adapt public policies based on Spanish best practices in order to reduce the accident rate and guarantee the right to safe traffic for all citizens.

Keywords: incidence, drivers, current legislation.

Resumen

El presente estudio analiza y compara el marco sociojurídico del respeto al peatón en los espacios urbanos de Perú y España. El objetivo principal es identificar diferencias en legislación, cultura vial y gestión institucional, proponiendo estrategias para fortalecer la protección del peatón en ambos contextos. Se empleó una metodología cualitativa y comparativa, basada en la revisión de normativas vigentes, análisis de estadísticas oficiales y estudios sobre percepción ciudadana y cultura vial. Los resultados muestran que, aunque ambos países cuentan con marcos legales similares, España evidencia un mayor respeto y protección hacia el peatón, sustentado en una cultura vial consolidada y una gestión institucional más efectiva. En contraste, Perú enfrenta desafíos como la débil aplicación normativa, carencias en educación vial y alta incidencia de accidentes, donde los peatones son las principales víctimas. Se concluye que es fundamental reforzar la educación vial, mejorar la fiscalización y adaptar las políticas públicas, tomando como referencia las buenas prácticas españolas, a fin de reducir la siniestralidad y garantizar el derecho al tránsito seguro para todos los ciudadanos.

Palabras clave: incidencia, conductores, legislación actual.

Introduction

In light of the social changes that have occurred throughout history, the respect that pedestrians deserve as rights-bearing individuals in their interaction with automobiles has acquired very precise contours, which can be described as conventional. It is important to remember that human beings should be valued independently of natural factors, such as age or physical abilities; moral factors, such as educational level, aspirations, or economic status; or social factors, such as place of residence, origin, skin color, or appearance. The treatment afforded to individuals should be equitable, regardless of their circumstances, qualities, or conditions, as every person possesses an inherent dignity.

Considering that the urban, social, and cultural development in Peru and Spain has been tumultuous and uneven, various impact criteria must be analyzed. Each geographical context and the availability of urban space are linked to social laws, culture, production, and the actors involved, thus the level of advancement in these areas directly influences the regulations and restrictions affecting pedestrian mobility in urban spaces. It is also important

to note that there are significant differences in public perception between the populations of Peru and Spain, differences that are also reflected in the design and use of urban space. This can be observed in the emphasis placed on fluid and safe pedestrian mobility, both at the personal and institutional levels (Canaza-Choque, 2022).

Despite this marked difference, evidenced through various data sources and types of traffic, there are significant aspects that condition pedestrian mobility in both countries. One of the most relevant is the foundational premises underlying laws designed to respect pedestrians. It should be considered that humanity has enacted multiple regulations, some of which do not adhere to the logical framework or principles that should govern their application, as not all legislation is necessarily aligned with principles of equity and citizen protection (Sosa, 2024).

This study delves into the complex reality faced by victims of traffic accidents caused by violators of general traffic laws. Frequently, drivers act without considering the serious consequences of their actions, resulting in injuries and even fatalities among pedestrians. When comparing the situation in Spanish cities with those in Peru, it is evident that, in the Spanish context, pedestrian rights are tacitly acknowledged and widely respected, especially in unmarked areas.

In these urban spaces, regulations mandate that drivers, regardless of their speed, must always remain vigilant for the presence of pedestrians and reduce their speed to yield the right of way, even in the absence of traffic signals. Conversely, in many Peruvian cities, there is a marked lack of road culture. Drivers, whether in private vehicles or public transport, tend to accelerate in the presence of pedestrians rather than yielding, prioritizing their own advancement and creating risky situations. This attitude not only increases the frequency of accidents with serious or fatal consequences but also reflects a troubling disregard for traffic laws and the integrity and rights of citizens.

This study focuses on the challenges faced by both countries, where cities share similar regulations regarding traffic control and pedestrian rights and duties. However, in the case of Peru, despite having a legal framework comparable to that of Spain, compliance is weak. From a comparative perspective, it is noteworthy that Spain, through its General Directorate of Traffic, has adopted robust strategies such as "Vision Zero," aimed at achieving zero deaths and serious injuries on the roads, and ensuring the right to pedestrian transit in areas not regulated by traffic signals. This vision emphasizes the "Safe System" approach, which considers all elements of the road system—roads, vehicles, drivers, and regulations—to create a safer environment throughout the country (Dirección General de Tráfico [DGT], 2020).

In Peru, although it has not formally adopted Vision Zero, the country has adhered to the United Nations 2030 Agenda and the Stockholm Declaration, which promote road safety. Its National Road Safety Strategy 2011-2021 is based on the five pillars established by the World Health Organization (OMS, 2011), aiming to reduce traffic accidents, especially in areas without traffic signals. However, the lack of a comprehensive approach and institutional weakness represent significant obstacles to achieving a substantial reduction in accident rates. Unlike in Spain, where drivers slow down upon detecting pedestrians, in Peru it is common for them to accelerate, thereby increasing the risk of fatal accidents.

It is essential to establish more specific procedures and strict penalties to enhance road safety, alongside ongoing and widespread education at all levels, to raise public awareness of this issue. Therefore, the objective of this study is to analyze and compare the socio-legal framework regarding pedestrian respect in the urban spaces of Peru and Spain, identifying differences in legislation, road culture, and institutional management, with the aim of proposing strategies that contribute to strengthening pedestrian protection and safety in both contexts.

Methodology

The methodological approach employed in this study was based on a qualitative comparative analysis, supported by document and regulatory review, as well as statistical analysis. First, a comprehensive review of current regulations in Peru and Spain was conducted, including laws, regulations, and public policies related to road safety and pedestrian transit. This analysis allowed for the identification of both differences and similarities in the legal frameworks and institutional approaches aimed at protecting pedestrians in both countries.

Subsequently, a detailed analysis of official data and reports on traffic accidents involving pedestrians was conducted, sourced from reliable entities, such as the Ombudsman's Office in Peru and the General Directorate of Traffic in Spain. This statistical review was fundamental for understanding the concrete impact of existing regulations and identifying specific issues present in each urban context.

Additionally, an exhaustive study of public perception and road culture in both countries was carried out through the analysis of prior research, surveys, and case studies. Special attention was given to social and behavioral attitudes that influence compliance with traffic regulations, as well as the levels of education and road awareness present in society.

Another crucial aspect of the methodology was the detailed comparison of the capacities and institutional structures responsible for managing and monitoring traffic in Peru and Spain. This evaluation allowed for the identification of gaps and strengths that affect the effective implementation of road safety policies in both countries.

Finally, based on the information gathered, a critical analysis was conducted to establish the relationships between the legal, cultural, and administrative factors that influence respect for pedestrians. As a result, concrete proposals were formulated aimed at improving pedestrian protection, strengthening road education, and optimizing institutional management in the Peruvian context, drawing on best practices from the Spanish model.

Results and discussion

The right to safe transit is a fundamental human right that emerges at the intersection of several internationally recognized rights, including the right to life, personal integrity, freedom of movement, and accessibility. This right materializes in the ability to traverse public roads without the risk of accidents or injuries, extending to all road users, including pedestrians, cyclists, drivers, and passengers. Thus, the foundations of the right to transit are intrinsically linked to the protection of life and physical integrity. The Universal Declaration of Human Rights states in Article 3 that "everyone has the right to life, liberty, and security of person." This fundamental right is directly affected by road insecurity, which manifests in accidents, injuries, and fatalities.

Context in Peru

The city of Lima, the capital of Peru, has experienced rapid and disordered urban growth, largely driven by migratory flows from the interior of the country to metropolitan areas. While its population was approximately one million in 1940, it now exceeds ten million, creating unsustainable pressure on its urban infrastructure. This growth has surpassed the projected carrying capacity of the city by five to six times, leading to the collapse of vital services such as transportation, healthcare, and public administration, especially in critical areas like the Historic Center of Lima, where 80% of the urban demand is concentrated.

According to Alvarado (2024), Lima has more than 5,000 urban access points distributed across about 60 main roads, which have become bottlenecks rather than alleviating traffic. Traditional arteries like Avenida Carbonera and the Naga-Ronrapunta area are described as "mutilated," and urban planning in areas such as Lima Centro has not been designed to accommodate the current traffic nor the parallel development of multiple roadway projects. This has resulted in a chaotic overlap of streets, schools, buildings, and services that operate without coordination or technical criteria.

The study also warns of the collateral effects on hospitals, school zones, and basic services, whose infrastructure no longer meets the needs of a growing population lacking effective planning and control. The lack of state response, combined with deficiencies in urban design, has led to what the author describes as a collapsed model of mobility and territorial management.

Current legislation

In the Peruvian legal framework, the protection of life and physical integrity is established as an essential function of the state, particularly regarding pedestrian rights. Various regulations within the legal system recognize the right to safe transit, not only as an individual guarantee but as part of a public policy aimed at respect and inclusion of all citizens, including minorities and vulnerable groups. The relevant legal norms include:

- Political Constitution of Peru (1993), Article 118
- General Law of Transportation and Land Transit [Law No. 27181]
- Civil Code of Peru (1984), Articles 42, 43, and 44
- Criminal Code of Peru
- National Traffic Regulation, approved by Supreme Decree No. 033-2001-MTC and its amendments

As Aguilera and Alcívar (2024) point out, the objective of the current regulations is to enhance the safety of pedestrians and, in general, all users of the road network by regulating their behavior in public spaces. In this regard, the National Traffic Information System plays a key role in monitoring and periodic evaluation, allowing for the identification of infractions, accidents, and systematic failures in traffic management.

Accident statistics

Official figures illustrate the magnitude of the problem. In 2010 alone, there were 73,247 recorded traffic accidents nationwide, of which 24,756 occurred in Lima, the country's capital. Among these, 9,848 fatalities were pedestrians, with nearly 50% of these cases concentrated in three urban districts: Metropolitan Lima, San Juan

de Lurigancho, and La Victoria. These figures confirm that pedestrians are the primary victims of traffic chaos, highlighting the urgent need for more effective policies to ensure their protection.

Moreover, the Encuesta Nacional de Hogares (2018) reveals a limited perception of the severity of the problem. While 53.8% of the population considers vehicular congestion the greatest urban issue, only 2.3% identify traffic accidents as a priority concern (INEI, 2019). This disconnect between statistical reality and social perception limits public pressure for structural changes in the model of road safety.

As Osorio et al. (2024) warn, these data should lead to preventive actions and sustained road education campaigns aligned with international standards of safety and civic responsibility. Respect for pedestrians should not depend on luck or chance but on a normative and cultural structure that places life at the center of public decision-making.

Public perception

This study compares the reality of pedestrian respect in Peru and Spain, making it essential to consider the influence of public perception and the role of road culture and the principle of responsibility in complying with traffic regulations. As Almeida and Junco (2024) assert, the problem does not solely lie in the absence or weakness of legal norms but also in the attitudes of drivers, often fueled by informality, lack of enforcement, and misinformation propagated by both formal and informal media.

Road culture is not limited to the technical learning of traffic rules; it is a social construct composed of signs, symbols, norms, and values that develop and are transmitted over time through formal, informal, and non-formal educational channels. According to Bencomo Velázquez (2023), this road education must be understood as a continuous process that extends beyond the classroom, involving all social actors: families, media, public institutions, and especially citizens themselves as users of public space.

In this context, culture and road education play a decisive role in modifying ingrained behaviors that favor recklessness, disobedience to norms, and disrespect for pedestrians. It is insufficient to issue a legal mandate if society has not internalized the value of that mandate as a civic principle. Indeed, road risk systems are associated with normalized social practices and a lack of awareness regarding shared responsibility on public roads.

Therefore, the slogan "pedestrianization of public space" represents not only an urban measure but a cultural paradigm shift that involves reclaiming space for citizens, training conscious drivers, and fostering sustained transformation in collective road values.

Context in Spain

In Spain, pedestrians are legally recognized as vulnerable users within the road system. Since 2019, the Law on Traffic, Motor Vehicle Circulation, and Road Safety has incorporated provisions regulating the interaction between pedestrians, drivers, cyclists, electric scooter users, and other forms of personal mobility, aiming to guarantee pedestrian priority in shared spaces.

As noted by Zambrano Pedraza (2023) and Quintáns-Pintos (2025), respect for pedestrians is concretized in practice through appropriate management of urban space, prioritizing pedestrian exclusivity. The design of urban furniture, restrictions on vehicular circulation, and control over the commercial use of public space are fundamental to ensuring that pedestrian areas are visible, accessible, and safe. For instance, placing restaurant terraces or commercial elements in the middle of pedestrian pathways contradicts this logic and should be avoided; such uses are recommended to be located on opposite sides or in clearly demarcated areas.

Additionally, in many Spanish cities, particularly in historical centers, pedestrianization of streets is promoted through temporary or permanent use of spaces originally intended for vehicular transit, favoring a pedestrian-centered urban experience. According to Puma and Armando (2023), these pedestrian spaces are not only demanded by citizens but also require effective responses from public order, urban cleanliness, and institutional management.

The challenge, according to these authors, lies in the complexity of managing multiple actors with distinct interests: private operators, residents, tourists, and local authorities. The solution in the Spanish context has been to move toward participatory urban planning that articulates community demands with municipal strategies for sustainable mobility.

In conclusion, the Spanish case offers a clear model of urban coexistence, in which pedestrians have real priority, not just from a regulatory standpoint but also through the configuration of the urban environment, the design of public policies, and civic culture.

Current legislation

In Spain, traffic and mobility legislation is primarily regulated by:

- Spanish Constitution (1978), Article 15
- Law on Traffic, Motor Vehicle Circulation, and Road Safety [Law 339/1990]
- General Traffic Regulation, approved by Royal Decree 1428/2003

According to Alonso et al. (2025), the regulations reflect a contemporary vision of mobility, recognizing that the transit of people should receive attention equal to or greater than that given to motorized transport. The law actively promotes pedestrianization and prioritizes the design of public spaces that favor pedestrians.

Romero Morales (2024) highlights that the law also establishes criteria for the imposition of penalties, acknowledging the material or human limitations of the administration. Furthermore, it emphasizes that the law responds to a public demand for safer environments, reflected in the growing trend of Spanish cities to transform their urban spaces into predominantly pedestrian zones.

Accident statistics

The analysis of statistical data in Spain has allowed for an understanding of how different modes of transport impact pedestrian safety, as pedestrians are the most vulnerable link in the system. Fernández Benéitez (2024) argues that to obtain useful information, statistics must not only indicate the total number of accidents but also disaggregate data by type of victim, circumstances of the accident, and mode of transport involved.

In 2023, Spain recorded a total of 1,806 fatalities in traffic accidents, which occurred within the context of 101,306 traffic incidents nationwide. These figures reflect a 3% increase in both the number of accidents and fatalities compared to the previous year, according to reports from the Dirección General de Tráfico (DGT, 2024).

Despite this increase, the traffic fatality rates in 2023 remain below pre-pandemic levels. Compared to 2019, the number of incidents with victims was 5.9% lower, indicating that although the recent trend is upward, the incidence has not yet recovered to levels recorded before the health crisis.

The year 2023 also marked a historical record in mobility, with a 2% increase in long-distance travel compared to 2022. This rise in circulation may be related to the observed increase in incidents and victims, although the mortality rate per million inhabitants in Spain remains one of the lowest in the European Union.

A concerning aspect highlighted by the DGT (2024) is the insufficient use of safety systems. A significant number of fatalities among occupants of cars, vans, motorcycles, and bicycles were not using seat belts or helmets at the time of the accident, underscoring the importance of reinforcing awareness campaigns and enforcement regarding these devices.

However, Falcón Moncada (2025) notes that while the quantity of available data has recently increased, access remains limited due to complex and costly methodologies. This hampers the effective use of information in urban planning, especially concerning detailed analyses of accidents involving pedestrians.

Public perception

Public perception of mobility and road safety in Spain reflects growing concern about the unequal use of public space, particularly in central neighborhoods. A study conducted in the Madrid district of Malasaña reveals that:

- 91% of respondents consider it necessary to reduce the width of streets in the city center;
- 98% request wider sidewalks and improved pedestrian infrastructure;
- 41% identify crossing streets as a problem; and
- 56% demand a cleaner and more orderly environment.

According to Hidalgo Hermosilla and Martín (2022), this perception is rooted in a daily experience marked by disorder and insecurity, where excessive occupation of sidewalks by terraces and commercial establishments impedes pedestrian movement. In the words of the citizens themselves, mobility in the neighborhood is "potentially dangerous" due to both motorized traffic and inadequate urban space management.

Contreras (2024) agrees, noting that there is a constant tension between private uses of public space, such as commercial activities, and the pedestrian's right to move freely, safely, and with dignity. This situation underscores the need to rethink the urban management model, ensuring that city design centers on people, not just vehicles.

Comparative analysis of regulations between Peru and Spain

The comparison between Peruvian and Spanish regulations regarding pedestrian respect and protection allows for the identification of substantial differences in both legal approach and practical application.

The first significant difference is conceptual. In Peru, the Traffic Law in force since 2004 is based on the principle of "rational use of the roadway," without establishing a specific norm that explicitly recognizes pedestrians as vulnerable users of the road system. In contrast, Spain's Law on Traffic and Road Safety enshrines as a guiding principle the duty of drivers to protect the most vulnerable users, with a particular emphasis on pedestrians, cyclists, and individuals with reduced mobility. As Falcón Moncada (2025) notes, Spanish legislation has incorporated an explicit protective orientation from its inception, mandating the prioritization of the safety of those at greater risk.

The second difference lies in how this legal protection is concretized. While both countries recognize the need to protect pedestrians in the event of a collision, the legal response differs. In Peru, this protection is primarily expressed as the right to economic compensation or pensions, generally derived from a budgetary fund. In contrast, in Spain, protection is articulated from the principle of caution regarding vulnerability, whereby any infringement of a pedestrian's right of way obliges the driver to compensate for the damages caused. In this sense, Portuguez Ayllón and Sandiga Pimentel (2024) emphasize that while Peru focuses on post-damage compensation, Spain predominately follows a preventive and immediate reparative logic aligned with the principle of enhanced protection.

Finally, the third difference, perhaps the most significant, lies in the hierarchy of pedestrians within the road system. In Peru, regulations do not grant pedestrians absolute priority on the roadway, which in practice favors motor vehicles. This "diminution" in legal protection, as noted by Zegarra Ricalde and Holgado Loaiza (2024), reflects a lack of state willingness to recognize pedestrians as the most vulnerable actors. Conversely, Spain legally enshrines pedestrian priority, implying not only a duty of vehicles to yield but also an active obligation on the part of the driver to ensure pedestrian safety.

Road culture: education and awareness

Regarding road culture, understood as the set of values, norms, and behaviors that should promote respect for pedestrians, the appropriate use of public spaces, and shared responsibility among drivers, authorities, and pedestrians, a significant gap is observed between Spain and Peru.

In Spain, road culture is fostered from childhood through mandatory school programs and sustained public campaigns. A notable example is the "Ponle Freno" campaign, disseminated through mass media, aimed at raising public awareness about road safety. Additionally, effective social sanctions exist: public opinion actively disapproves of reckless behaviors behind the wheel. These measures are complemented by specific regulations limiting speed in urban areas to 30 km/h, thereby reinforcing pedestrian priority and reducing the risk of accidents.

In contrast, road culture in Peru faces serious structural deficits:

- Road education is not incorporated into the school curriculum, leading to widespread ignorance of basic rules.
- Informality and corruption predominate, with documented cases of driver's licenses obtained without real training.
- Impunity is common, as many drivers who violate the law face no penalties.
- Dangerous practices, such as reckless crossing by pedestrians in unregulated areas or drivers' refusal to yield, have become normalized.
- Government campaigns have been inconsistent and ineffective. For example, the "Zero Tolerance" initiative lacked continuity and failed to significantly impact citizen behavior.

Table 1

Comparative conclusion

Aspect	Spain	Peru
Safe System	State policy [Vision Zero].	Exists on paper, but without implementation.
Infrastructure	Streets designed for pedestrians.	Unsafe [underutilized pedestrian bridges].

Enforcement	High fines and technology [speed cameras].	Corruption and symbolic penalties.
Road Culture	Internalized respect for pedestrians.	Informality and institutional disinterest.

Proposals for Peru: Towards a comprehensive road safety vision

In this context, Peru must adopt the Vision Zero strategy by reforming Law No. 27181 with clear goals to reduce traffic accident fatalities by 50% by 2030. This reform should be accompanied by the creation of an autonomous National Road Safety Authority, similar to the General Directorate of Traffic (DGT) in Spain, endowed with legal powers, its own resources, and technical capabilities to implement effective policies. Furthermore, the incorporation of enforcement technologies, such as speed cameras and a point system for driver's licenses, is required.

Road education should be mandatory from primary school through driver training programs, supported by mass awareness campaigns through media and social networks, promoting messages such as "Pedestrians First."

In comparison to regional countries, Colombia has made significant advances through the use of speed cameras and educational programs, while Mexico has successfully implemented controls using breathalyzers, though it still faces structural corruption issues. Spain, for its part, has demonstrated that the combination of strict regulations, advanced technology, and civic culture saves lives—a model that Peru should adapt to its own socio-cultural and institutional reality.

Socio-legal comparison: Culture and institutional management

Regarding the cultural component, Peru faces significant structural challenges:

- Informality predominates in obtaining licenses, often without adequate training.
- Driving behavior favors the driver, who often prioritizes speed over pedestrian safety, even accelerating at unregulated crossings.
- There is a widespread lack of road education, which is not part of the school curriculum or ongoing public campaigns.
- Dangerous practices have become normalized, such as pedestrians crossing in the middle of the roadway due to the lack of proper infrastructure.

A study by CIDATT (2022) reveals that only 5% of drivers in Lima yield to pedestrians at unregulated crossings.

In contrast, in Spain:

- Respect for pedestrians is deeply ingrained, and drivers automatically stop at crosswalks.
- Road education begins in primary education, with programs such as Pequevial.
- There are social sanctions, such as public disapproval and pressure on social media against reckless drivers.
- According to the DGT (2021), 92% of drivers in Madrid respect pedestrian priority.

At the institutional level, the Ministry of Transport and Communications (MTC) in Peru lacks autonomy and stability: it has had five ministers in five years and suffers from significant budget constraints, allocating only 0.1% of GDP to road safety (MEF, 2023). This is compounded by a structural corruption problem, with documented cases of licenses granted without rigorous testing (General Comptroller of the Republic). Additionally, municipalities exercise fragmented competencies, leading to disparities in traffic light and transit management across districts.

In Spain, however, the DGT is an autonomous body with technical and financial independence, with resources coming, among other sources, from fines collected. It has a decentralized structure, with offices in all provinces, and an integrated technology system for traffic enforcement. One of its pillars is the Points 3.0 system, which allows for the digital tracking of violations. In 2022, the DGT invested 120 million euros in smart cameras as part of its strategy to reduce accidents.

In contrast, the sanctioning system in Peru is ineffective. Fines are symbolic: for speeding, a penalty of S/ 380 (approximately €90) is imposed, and for failing to yield to pedestrians, only S/ 165 (≈ €40)—penalties that do

not deter risky behaviors. Furthermore, the points system is inoperative, and licenses are rarely suspended for accumulating violations. Enforcement is weak: only 10% of speed cameras are operational, and there is no widespread automated monitoring.

E In Spain, on the other hand, sanctions are exemplary and progressive:

- Speeding: between €100 and €600, with points deducted.
- Failing to yield to pedestrians: €200 and a reduction of 4 points on the license.
- The points system starts with 12 points, the total loss of which requires retaking both theoretical and practical exams to regain the license.

Technological enforcement in Spain is robust: over 3,000 speed cameras and AI-enabled cameras effectively detect violations.

Table 2
Socio-legal gap between Peru and Spain

Variable	Peru	Spain
Road culture	Informality and institutional disinterest	Internalized respect and education from childhood
Institutional	Weak MTC, lacking resources and autonomy	Autonomous, tech-savvy, and decentralized DGT
Sanctions	Low fines, ineffective and unmonitored	Strict, automated, and deterrent system

In light of this reality, Peru urgently needs institutional reform that includes:

- Creation of a National Road Safety Agency with autonomy and its own budget, similar to the Spanish DGT.
- Strengthening the sanctioning regime by significantly raising fines (e.g., S/ 1,500 for not yielding).
- Real implementation of the points system, with effective suspension of licenses for accumulation of violations.
- Sustained awareness campaigns, featuring testimonials from victims and direct messages such as "Responsible drivers save lives."

Conclusions

The right to safe transit constitutes a fundamental human right that demands prioritized attention and decisive action from states. The comparison between Spain and Peru in road safety reveals notable differences in pedestrian protection and road safety management. Spain has made significant advances through a comprehensive approach, the integration of technology, and a culture of respect for pedestrians, while Peru faces greater challenges stemming from high accident rates, institutional weakness, and social inequality. This reality highlights the need to strengthen Peruvian institutions, implement more effective public policies, and promote a culture of road safety that prioritizes the lives and dignity of citizens.

In the Peruvian context, the non-compliance with traffic laws by drivers is a recurring issue that endangers pedestrians and, although it includes administrative penalties such as fines and point deductions from licenses, it requires more rigorous and effective enforcement. Moreover, the civil and criminal liability of drivers must be strengthened to ensure the compensation of damages to victims and the appropriate sanction in cases of negligence or recklessness, potentially including the classification of serious crimes such as negligent homicide or serious injuries.

Both international and national norms recognize safe transit as a human right linked to life and dignity. However, while Spain has implemented effective mechanisms for enforcement and road education, Peru still faces significant challenges in regulatory application, urban infrastructure, and public awareness. It is essential for the country to move towards regulatory reform that genuinely protects pedestrian spaces, rigorously sanctions negligent drivers, and promotes real and sustained enforcement. Only through structural change and the adoption

of comprehensive public policies will it be possible to reduce the high rate of pedestrian accidents and build a culture of respect for pedestrians in Peru.

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