

## FLASH LEGAL # 001202

# Reform to the Organic Law on Land Transport, Traffic, and Road Safety: Key Aspects

Dear Clients and Friends:

On September 30, 2026, the Reforming Organic Law to the Organic Law on Land Transport, Traffic, and Road Safety was published in the Seventh Supplement to Official Register No. 380, introducing significant changes for companies that own vehicles, contract transport services, or engage in activities related to the transportation of goods and persons. The main amendments are outlined below.

### 1. Commercial Transport: New Operating Rules

The reform redefines commercial transport services as those provided to third parties in exchange for economic consideration, provided they do not constitute collective or mass transit.

For heavy-load commercial freight transport, the issuance of the operating license (*título habilitante*) will no longer be contingent upon technical studies of service need, provided all other requirements under applicable regulations are met.

### 2. Mandatory Insurance Policies

One of the most significant changes for transport operators is the express obligation to procure and continuously maintain in force a **third-party liability and personal accident insurance policy for passengers**.

This obligation applies to public, commercial, and heavy-freight land transport operators providing freight and passenger transport services.

The policy must cover, at a minimum, risks arising from traffic accidents related to vehicle operation, including

- Death;
- Injuries;
- Permanent or temporary disability; and
- Material damage caused to third parties and passengers.

The insurance policy will be an indispensable requirement for the obtaining, renewal, and validity of operating documents, including operating contracts and vehicle permits. Failure to contract or maintain the policy in force will constitute noncompliance with licensing requirements and will be grounds for suspension of service.

### 3. Private-Account Transport: Scope and New Obligations

The reform amends the regime for private-account transport (*transporte por cuenta propia*), defining it as transport exclusively intended for the transportation of goods or persons directly related to the business or economic activity of a natural or legal person. Private-account transport of persons requires authorization; private-account transport of goods does not.

In the case of goods or persons transport, such transports must be related to the economic activity of the transporter. Vehicles may be owned or leased and must bear visible and permanent marking/labeling (such as the company's corporate name or tax ID – *Registro Único de Contribuyentes RUC*).

**Important:** Until the National Land Transport Agency (*Agencia Nacional de Tránsito - ANT*) enables the technological tool for registering private-account goods transport vehicles, companies engaged in this type of transport may continue operating without the lack of registration constituting an infraction.

### 4. Unified National Toll Collection and Management System

The reform creates the Unified National Toll Collection and Management System (*Sistema Nacional Unificado de Recaudación y Gestión de Peajes*), applicable to public, concessioned, or delegated toll systems on the state road network and delegated corridors.

The system aims to ensure national interoperability and will allow the use of mechanisms such as electronic devices, automatic license plate recognition, RFID technology, and mobile applications, among others.

### 5. New Electronic Vehicle Identification Device

The reform establishes a mandatory nationwide Electronic Vehicle Identification Device (*Dispositivo Electrónico de Identificación Vehicular - DEIV*) for automated vehicle identification, verification, and control.

The ANT must issue the necessary regulations for its implementation within a maximum period of 180 days.

### 6. National Registry of Drivers and Vehicles for Delivery Services

Light commercial freight home delivery by motorcycle ("delivery") is expressly incorporated as a modality of commercial transport.

Those providing this service must, among other requirements, hold the appropriate license, use an approved helmet and a reflective vest displaying the motorcycle's license plate, and register with the National Registry of Drivers and Vehicles intended for home delivery of goods and services.

Providing the service without registration in the Registry will constitute a traffic infraction

### **What Should Companies Consider?**

Companies that own vehicles operating under commercial transport or private-account transport modalities should primarily review:

1. The modality under which their vehicles are operating and whether they hold the corresponding operating permit.
2. The validity and scope of the third-party liability and personal accident insurance policies required of transport operators.
3. The mandatory registration and marking/labeling requirements for vehicles used for private-account transport of goods and persons.
4. The forthcoming implementation of the Electronic Vehicle Identification Device.
5. The new obligations applicable to providers or personnel making home deliveries of goods and services by motorcycle.

The implementation of several of these provisions will depend on the issuance of secondary regulations by the ANT and other competent authorities.

We hope that you find this general information helpful. Please note that it is not intended to constitute legal advice. Should you have any specific inquiries, we would be pleased to provide further assistance

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