

## **THE EFFECT OF E-TICKET SANCTION ON CHANGE OF CHILDREN BEHAVIOR ON THE CASE OF TRAFFIC LAW VIOLATION IN BENGKULU CITY**

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### **ABSTRACT**

This analysis aims to provide a description so that children and parents know about the E-Ticketing regulations in traffic law. Describing E-ticketing can influence parents to prevent children from violating traffic laws in using motorized vehicles. The method used in this study was an empirical legal research method with the sociological juridical research approach. In this study, the data used were primary and secondary data. Then the data were analyzed qualitatively by means of deductive-inductive thinking. From the results of the research conducted by the writer, it can be concluded that: (1) There are several factors behind the children committing traffic violations, namely as follows: (a) the lack of children's knowledge of traffic rules. In most cases, the children did not have a driving license, therefore they did not have enough understanding regarding the applicable traffic rules, and (b) the lack of supervision and ignorance of parents so that they allow, even facilitate, children to use motorized vehicles, this is also a major factor in the increase in traffic violations and accidents by children in Bengkulu City. (2) With the implementation of E-Ticket sanction with a maximum fine, Investigators at the Directorate of Traffic of Bengkulu Police Department have carried out their roles properly and have been in accordance with the SOPs (Standard Operating Procedures). Moreover, they also have carried out their functions as maintainers of Security, Safety, Order, and Traffic Smoothness. Thus they can take action against traffic violations by children as a whole. Furthermore, from the process of taking action against violations by using the E-Ticketing, besides being able to reduce the number of traffic violations by children, parents can also take on the role of supervisors and mentors for their children, so that parents are able to change the behavior of children to be more aware of traffic laws at a later time.

**Keywords: Effect, E-Ticketing Sanction, Children Behavior, Traffic**

## **A. INTRODUCTION**

### **1. Background of the Research**

E-Ticketing is the latest system as a breakthrough made by the Indonesian National Police to reduce the number of illegal levies carried out by unscrupulous members, and functions as a digital surveillance system for violators who commit repeated violations. The application of E-ticketing is a good step taken by the police in realizing public services to be more effective, efficient, transparent and accountable. In addition, this system also prioritizes professional services in order to increase public trust in the Indonesian National Police agency, as well as increase community participation in law enforcement. The E-Ticketing process has not yet been perfect. This system is even set forth in the form of a Law, so that there are not a few obstacles that occur in the

field, one of them is the law enforcement which is felt by the community to be burdensome in terms of paying fines to the maximum, and also, administratively, it is quite difficult for the community to follow the process that is slightly complicated in resolving the matter.

In fact, e-tickets make it easier for violators to solve the legal problems they face with effective bureaucratic reform and clear legal certainty for ticket fines obtained by violators. Legal certainty is the factor that is placed in the middle of the spotlight in prosecution of law violations, because every violator will be subject to fines with certain nominal based on Law Number 22 of 2009 concerning Road Traffic and Transportation, which was ratified by the Indonesian House of Representatives on the 22<sup>nd</sup> of June 2009.

The manual ticketing system will be replaced by the e-ticket system, in which the driver who commits a violation will be recorded in the application by police personnel. With this, the e-ticket system can make it easier for the public to pay fines through collaborating banks. However, not all people can follow the e-ticket procedure that has been given. The impact caused by traffic violations is so great, that strategies and steps to improve the administration system, procedures and mechanisms for dealing with certain traffic violations are needed to be more effective and better. These steps and methods serve to create certain conditions in terms of orderly and smooth traffic. With the emphasis on legal aspects in the form of legal sanctions for traffic violators, it is expected that road users comply with traffic rules.

Article 77 paragraph 1 of Law Number 22 of 2009 concerning Road Traffic and Transportation, states that "Everyone who drives a motorized vehicle on the road must have a driving license in accordance with the type of motorized vehicle being driven". The provisions of the article require that every motorist on the road must always follow the provisions that must have a driving license. This is further reaffirmed in Article 81 Paragraphs 1 and 2.

In Bengkulu City, traffic violations often occur which are often considered to have become entrenched among the community and school children. Traffic violations include not wearing a helmet, running red lights, riding three, and not having a driver's license and vehicle registration. Such violations are considered to have become a habit for the road user community, so that every time

an orderly traffic operation is carried out on the highway by the authorities, not a few cases of traffic violations are netted and it is not uncommon for these violations to cause traffic accidents. Therefore, law enforcement officers, especially traffic police, play an important role in preventing this by acting more strictly in patrolling and guarding roads. It was recorded that in 2019 there were 798 cases of violations during January to December 2019. Meanwhile, in 2020, from January to June the number of traffic violations by children in the city of Bengkulu amounted to 411 violations, so that in percentage terms, the first semester of 2020 has more than 50% of the number of violations committed by children compared to 2019. Furthermore, the development of accidents by children has also increased. In 2019, there were 58 people out of 156

traffic accident cases, while in 2020 in semester 1 the number of traffic accidents caused by children amounted to 29 cases out of a total of 44 traffic accidents.

Based on this, it is very necessary to have the role of the police in creating security and public order. The main causes of these accidents are children who do not have a driver's license and the school which is not strict in terms of supervision of children who bring vehicles, without considering the existing traffic rules. Then, based on the data above, the traffic police coordinate and increase enforcement of violations against traffic violations by children by applying E-Ticket sanctions which are expected to reduce the number of traffic violations by children. Therefore the researcher motivated to examine this problem more deeply by putting it in the form of an article entitled **“The Effect of**

## **E-Ticket Sanction on Change of Children Behavior on the Case of Traffic Law Violation in Bengkulu City”.**

### **2. Identification of the Problem**

Did children and parents know about the effect of E-Ticketing on traffic laws?

## **B. RESEARCH METHOD**

### **1. Type of Research**

The type of research used in this research was empirical legal research. Empirical legal research is often also called sociological legal research and can also be called field research.<sup>1</sup> Based on this explanation, the purpose of the study is to describe and to analyze how the development of traffic violations by children and the factors that cause children to use motorized vehicles, as well as the effect of E-Ticket

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<sup>1</sup> Bambang Waluyo, *Penelitian Hukum Dalam Praktek*, Sinar Grafika, Jakarta, 1996, p. 16

sanctions on the role of parents to change the behavior of children to obey traffic laws in Bengkulu City.

### **2. Research Approach**

The research approach used was a sociological juridical research approach.<sup>2</sup> Juridical in this study was seen from the rule of law as a guide in regulating traffic procedures and in using motorized vehicles. Sociology in this study was seen from the applicable traffic law rules that can be obeyed or not obeyed by the community. The purpose of using an empirical approach is to find out public opinion, especially the effect of e-ticket sanctions on changes in the behavior of children violating traffic laws in Bengkulu City.

### **3. Population and Sample**

This research was conducted by researchers at SMAN+ 7 of Bengkulu City

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<sup>2</sup> Abdurrahmad Fathoni, *Metodologi Penelitian & Teknik Penyusunan Skripsi*, (Jakarta: Rieneka Cipta, 2006), p. 98-99

and SMPN 21 of Bengkulu City. The population and samples in this study were as follows:

a) Population

The population in this study is in the jurisdiction of Bengkulu City.

b) Sample

- 1) 1 (one) head of the Violation Enforcement unit as an investigator and 2 (two) members of Violation Enforcement as investigators in terms of inputting E-Tickets, and 2 (two) members of the Highway Patrol as traffic ticket officers at the Bengkulu Police Traffic Directorate that handles traffic violations by children in Bengkulu City.
- 2) 3 (three) parents whose children have received e-tickets for violating traffic in Bengkulu City.

3) 3 (three) students of SMPN 21 of Bengkulu City as traffic violators who have received sanctions in the form of E-Tickets in Bengkulu City.

4) 58 (Fifty Eight) students of SMPN 21 of Bengkulu City.

5) 4 (four) students of SMAN+ 7 of Bengkulu City as traffic violators who have received sanctions in the form of E-Tickets in Bengkulu City.

6) 65 (Sixty Five) students of SMAN+ 7 of Bengkulu City.

7) 2 (two) Counseling Guidance Teachers for SMAN+ 7 of Bengkulu City.

#### **4. Data and Data Sources**

The data sources used in this study were classified into two, namely primary and secondary data sources.

#### **5. Data Collection Technique**

a. Documentation Study

Documentation study is a data collection technique carried out at the beginning of research conducted on relevant legal materials related to traffic violators about the effect of e-ticket sanctions on changes in behavior of children violating traffic laws in Bengkulu City.

b. Observation

Data collection techniques through observation can be done directly and indirectly.

c. Interview

Interviews were conducted to obtain oral information through questions and answers between the researcher and the person being studied. The researcher asks questions that have been arranged in advance regarding traffic violators about the effect of e-ticket sanctions on changes in children's behavior who violate

traffic laws in Bengkulu city.

## **6. Data processing**

The data processing described the procedures for processing and analyzing data according to the approach taken. Because this study used a qualitative method, the data processing was carried out by describing the data in the form of regular, sequential, logical, non-overlapping, and effective sentences, to make it easier to understand and interpret the data, including through the stages of data checking (editing), classification (classifying), verification (verifying), analysis (analyzing) and making conclusions (concluding).

## **7. Data analysis**

The process of data analysis was a process of analyzing data in-depth, to obtain a clear picture in providing, presenting, and concluding data, so this

study used descriptive qualitative research methods, namely a research analysis intended to describe a certain situation that is factual in a systematic way and accurate, while the analytical approach used in this study was an empirical juridical approach.

### **C. RESULTS AND DISCUSSION**

#### **Do children and parents know about E-Ticketing against traffic law?**

Traffic violations by children are often carried out, where many students drive to carry out daily activities such as going to school, so many students commit traffic violations. This happens because of the lack of students' knowledge of traffic laws.

The Traffic Law Enforcement Electronic Ticket System has been implemented. In Bengkulu, Regional Police

released the Electronic Traffic Law Enforcement System (E-TLE) or Electronic Ticketing as a fairly effective traffic law enforcement system. The main basis for the implementation of the E-TLE system is CCTV cameras installed on several street corners in Bengkulu City. As seen, drivers who violate can be immediately reprimanded, if there are violations we can be reprimanded here. For example, at the red light at every intersection. If there are people who do not use a helmet when riding a motorbike, then the passengers behind the motorbike are reprimanded to get off the motorbike. That is a small part of the offense that can be reprimanded. If the warning is not heeded, it is ready to be subject to an electronic ticket. The law of electronic ticketing can be seen in Law Number 22 of 2009 concerning Road Traffic and Transportation (*UU LLAJ*). In article 272 of the *LLAJ* Law, it is stated that "to support the activities of taking action



against violations in the field of Traffic and Road Transportation, electronic equipment can be used."

Here is the result with **Alif (15 years old)** as a child who commits a visible violation that is intentionally carried out and can be proven directly by the law enforcement officer in the field. Alif committed a violation, the action was taken in the form of an E-Ticket by Bripka Investigator Yendra S.H, because it was proven to have violated Article 291 (1) in conjunction with Article 106 (8) and Article 287 (1) in conjunction with 106 (4) letters, and Article 281 in conjunction with Article 77 (1) Law no. 22 of 2009 concerning *LLAJ*, therefore violators are issued an E-Ticket in the form of a fine of Rp. 1,750,000, - and violators are required to attend a trial on January 23<sup>th</sup>, 2020 at the Bengkulu Class IA District Court. Based on the researcher's interview with the violators, the trial has been carried out and the

violators have paid a ticket fine to Bank BRI according to the E-ticket Procedure, and then take the evidence of the violation to the Bengkulu District Prosecutor and return to Bank BRI by bringing a confirmation letter from *Kejari* of Bengkulu to take the remaining fine money for the ticket deposit according to the verdict.

Based on the results of the Interview with **Popi (43 years old)** parents of **Alif (15 years old)** that giving a vehicle, because around residents have their vehicles as well as for their children, this is considered to be a benchmark for a family to be considered capable among other families. In terms of social jealousy, parents should also be able to control themselves because they must prioritize the safety of their children. As for the other reason are work and busyness of parents is the main thing that causes parents to provide convenience and facilitate vehicles for children so that children's activities that

should be accompanied by parents can be easily carried out by children without having to worry accompanied by parents.

Based on the results of research by researchers, at SMP N 21 and SMA +N 7 of Bengkulu, the school has prohibited children to use motor vehicles at school, it can be seen from every year there are 2-3 times counseling from the police, both the Traffic Police Resort and the Directorate of Bengkulu Traffic Police conducted counseling to schools to reduce the number of traffic violations by children. This is a manifestation of the Police's Concern for the Next Generation by developing the *DIKMAS* (Community Education) function for school children.

In practice, based on the observations of researchers at both SMP N 21 and SMA +N 7 Bengkulu, in the area around the school, there is parking provided by residents who collect parking fees for school children, so when the school prohibits the use of

motor vehicles for school children, students can still drive the vehicle because they feel safe leaving their vehicle in the parking lot outside the school and assume that the school does not have the right to prohibit parking that is not in the school area. Furthermore, based on the results of interviews, **Deerra Febriya (14 years old)** did this because of the motivation to be seen in front of friends as having a dashing vehicle that had been modified and also driving a motor vehicle to violate signs because she did not have a driving license (SIM), so do not know the traffic rules that apply.

Based on the results of an interview with **Kevin LA (17 years old)** as a student of SMA N 7 and a child who has been involved in traffic violations, that on March 16<sup>th</sup>, 2020 at around 07.10 a.m with no. Ticket Register E1190629, admits to committing a traffic violation driving a motorized vehicle without a side carriage with more than one passenger.” Article 292

jo 106 (9) Law no. 22 of 2009 concerning *LLAJ* " on the Jl. Singaran patih ", and violated the command sign (TURN LEFT FOLLOW APILL) "Article 287 (1) jo 106 (4) letter a of Law no. 22 of 2009 concerning *LLAJ* "and at the time of inspection did not have a driving license" Article 281 in conjunction with Article 77 (1) of Law no. 22 of 2009 concerning *LLAJ* on the Jl. Singaran patih, so that officers are dismissed and taken action by using an E-ticket. Furthermore, based on the results interviews that Kevin L. Furthermore, based on the results of interviews that **Kevin LA (17 years old)** did this because he had the motivation to be seen in front of friends having a dashing vehicle that had been modified, and also driving a motor vehicle to violate signs because he did not have a Driving License (SIM), so do not know the applied traffic rules.

From the results of the interview above, members of the Traffic Directorate who carry out law enforcement functions have

carried out their duties according to the main tasks and SOPs (Standard Operating Procedures) under the 2013 TRAFFIC KORPS SOP and according to the police professional code of ethics. Related to the problem of violations committed by **Kevin LA (17 years old)** is a visible violation that is intentionally carried out, namely riding more than two people, and can be proven directly by law enforcement officers in the field. Where Kevin LA (17 years old) committed a violation in the form of an E-Ticket by Briпка Investigator Jhon Falles SH, because he was proven to have violated Article 292 in conjunction with Article 106 (9) of Law no. 22 of 2009 concerning *LLAJ* " on the Jl. Singaran patih ", and violated the command sign (Turn LEFT FOLLOW APILL) "Article 287 (1) jo 106 (4) letter a of Law no. 22 of 2009 concerning *LLAJ* "and at the time of inspection did not have a driving license" Article 281 in conjunction with Article 77 (1) of

Law no. 22 of 2009 concerning *LLAJ*, so that violators are issued an E-Tilang in the form of a fine of Rp. 1,750,000, - and violators are required to attend the trial on March 26<sup>th</sup>, 2020 at the Bengkulu Class IA District Court. Based on the researcher's interview with the violators, the trial has been carried out and the violators have paid a ticket fine to Bank BRI according to the E-ticket Procedure, and then took the evidence of the violation to the Bengkulu District Attorney and returned to Bank BRI with a statement letter from the Bengkulu Kejari to take the remaining fines for depositing a ticket in accordance with the results of the Decision.

## **D. CLOSING**

### **1) Conclusion**

There are several factors that a child drives a motor vehicle and commits a traffic violation as follows:

- a) The factor of children's knowledge of traffic rules, this is because children who do not have a driving

license so do not understand the applicable traffic rules

- b) Factors Lack supervision and ignorance of parents so that they allow and even facilitate children to use motor vehicles are the main factors for the increase in traffic violations and accidents by children in Bengkulu City.

### **2) Suggestion**

It is hoped that in the future parents will continue to serve as good supervisors for their children, and provide more understanding that road safety is the main thing when using a vehicle. It cannot be separated from the knowledge of existing traffic rules.

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