

Law Enforcement Against Traffic Violations And Electronic-Based Road Transport Through Electronic Traffic Law Enforcement

Ari Yuswan Triono^{*)}

^{*)}Student of Master of Law Program, Faculty of Law, Universitas Islam Sultan Agung
email riyus1998@gmail.com

Abstract

This study aims to determine and analyze the law enforcement process for traffic violations and road transportation using Electronic Traffic Law Enforcement (ETLE) in the conception of the legal system and the effectiveness of law enforcement for traffic violations and road transportation by using Electronic Traffic Law Enforcement (ETLE) in order to avoid abuse of authority of Police officers at the Central Java Regional Police. The approach method in this study is an empirical juridical approach, the research specification is descriptive analytical. The data needed include primary data taken by interview method and secondary data by literature study method. The method of data analysis used descriptive qualitative analysis method. Based on the research concluded The process of law enforcement for traffic violations and road transportation using Electronic Traffic Law Enforcement (ETLE) at the Central Java Regional Police starts from the Electronic Traffic Law Enforcement (ETLE) camera capturing images of vehicles committing violators on the road, after that from the screenshots of the surveillance cameras, The officer will then identify the vehicle data using Electronic Registration & Identification (ERI) as a source of vehicle data and the system will display the results of the synchronization of the violation data. The officer justifies the violation data that appears on the system, takes action on the violation resulting from the justification and sends it to the address of the violator according to the data in the ERI (Electronic Registration & Identification). Violators receive a confirmation letter and violators re-confirm both online/offline within 7 working days. The officer applies a STNK (Vehicle Number) block to ERI if the violator does not follow the procedure. Offenders receive a BRIVA SMS and pay the fine through the payment method provided within 7 (seven) working days after confirming. After payment is made, the violator applies for unblocking, then ERI will unblock it. Law enforcement of traffic violations and road transportation using Electronic Traffic Law Enforcement (ETLE) to avoid abuse of authority by police officers at the Central Java Regional Police has been effective.

Keywords: law enforcement, traffic violations, Electronic Traffic Law Enforcement (ETLE).

1. Introduction

The National Police of the Republic of Indonesia is in accordance with its main duties and functions, namely in maintaining security and public order (kamtibmas) which is essentially a series of efforts to maintain public order. (*maintaining laws and orders*), prevention of crime (fighting crime) and protection of citizens (protecting people) against crime and disasters. In order to realize the maintenance of Kamtibmas, a mature and good management is needed. Management according to Griffin argues is a series of activities (including planning and decision-making, organizing, leadership and control) directed at organizational resources (human, financial, physical, and information) with a view to achieving organizational goals effectively and efficiently.¹

¹ Griffin, *Manajemen* Jilid 1, (Jakarta: Erlangga, 2004), p. 27.

According to Kusnadi Management is every collaboration of two or more people to achieve common goals in an effective and efficient manner.² Meanwhile, John F Mee explained that Management is the art of achieving maximum results with minimal effort, as well as achieving maximum welfare and happiness for both leaders and workers as well as providing the best possible service to the community.³ Sofyan Assauri explained that Management is a term that actually has the same management principles and functions. Both provide direction to act systematically in achieving what has been planned appropriately, effectively and efficiently. As for what characterizes or distinguishes the two, management is generally applicable and applied to any field that requires management applications.⁴

Several large cities spread across Indonesia, such as Jakarta, Medan, Surabaya, Makassar, Semarang and others, are currently experiencing a very high growth rate and population density level, accompanied by community activity and mobility, thus requiring a good transportation system. . The transportation system is an important thing for a city, especially in big cities that have a lot of activity and are densely populated. In addition, the transportation system is crucial in determining the effectiveness of a city. Population movement and economic activity to move cities are highly dependent on the transportation system, which is mostly served by public transportation.

In fact, along with the increasing intensity of community activities on the highway, it gave birth to various problems regarding security, safety, order and smooth traffic (Kamseltibcarlantas). The implications of these problems include violations of traffic laws, traffic accidents, irregularities in road users and traffic jams on the road. To prevent the above, it is necessary for law enforcement officers who have the authority and responsibility for State Security and Order, namely the Indonesian National Police (POLRI) as state law enforcement tools, protectors, protectors and public servants as stated in their main duties, namely that Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police. The legal consequence of a traffic violation is a criminal offense for the maker or the cause of the incident and can also be accompanied by a civil lawsuit for the material loss caused. As stated by Andi Hamzah Professor of Criminal Law, that in various kinds of mistakes, where people who do wrong cause harm to others, then he must pay compensation.⁵

On the other hand, with the increasing number of traffic violations on the highway, it is increasingly demanding the role of the Indonesian National Police to improve their services. One of the reform steps in the public service system by the National Police is to make improvements to services in the field of order and security. Based on the article above, it can be explained that the settlement of traffic violations is based on a court decision and the violator will be sentenced to a number of fines by depositing it with a bank that has been appointed by the government. However, in reality the practice in the field can be different from what is in the law or regulations. In practice, the settlement of traffic violations is mostly resolved out of

² Kusnadi, dkk, *Pengantar Manajemen*, (Bandung: Unibraw Malang, 1999), p. 3.

³ Panji Anoraga, *Manajemen Bisnis*, (Jakarta: PT Rineka Cipta, 2004), p. 109.

⁴ Sofyan Assauri, *Manajemen Produksi dan Operasi*, (Jakarta: FE-UI Jakarta, 1997), Ed. Revised, p.197.

⁵ Andi Hamzah, *Hukum Acara Pidana*, Tahun 2011, <http://id.netlog.com/T3BING/blog>

court than in court. The settlement of criminal acts of traffic violations outside the trial is often carried out by unscrupulous officers with traffic violators on the road. This is often done by the violator by offering a sum of money or "peace money" to the officer or vice versa by the officer who scares the violator with a high fine if a trial is carried out in court. In addition, due to concerns by violators it will take quite a long time and a fairly long procedure if it is resolved through a trial in court.

Acts of abuse of authority of officers, especially officers of the Indonesian National Police to violators as mentioned above clearly fall into the category of Illegal Extortion (Pungli), as well as violators who give peace money to Police officers with the intention of not being ticketed for their violations fall into the category of bribes, both of which is a criminal offense that violates the provisions of the law that can be sentenced to criminal penalties. Along with the development of Science and Technology (IPTEK), to overcome and minimize the occurrence of traffic violations, the National Police together with the government then initiated a policy related to the renewal of the ticketing system. This is motivated by the ticketing system used so far that is still conventional. That is why, the National Police together with the government began to think about reviewing and forming a new policy related to the ticketing system by implementing an electronic ticketing system or known as *Electronic Traffic Law Enforcement (ETLE)* in Indonesia.

Electronic ticket or *Electronic Traffic Law Enforcement (ETLE)* is a traffic law enforcement system based on information technology by utilizing electronic devices in the form of Close Circuit Television (CCTV) cameras that can detect various types of traffic violations. ETLE is able to present motorized vehicle data automatically, is also able to detect 10 traffic violations including, traffic light violations, road marking violations, odd-even violations, not wearing a seat belt, using a cellphone while driving, speed limit violations, going against the flow, not using helmets, violations of the type of vehicle in certain lanes or areas and violations of the validity of the STNK. With the existence of ETLE, it can reduce directly between officers and violators, so that it becomes the most appropriate method in the era of the industrial revolution 4.

Through the program ETLE is a public service, especially in terms of handling traffic violations, which can be more effective, efficient, transparent and accountable in realizing good governance. This is actually in line with the constitutional mandate of Article 34 paragraph (3) of the 1945 Constitution which explains that the state is responsible for providing health care facilities and proper public service facilities. If examined implicitly the legal basis that explains related to the electronic ticketing system is still unclear. However, it is explicitly stated that the electronic traffic violation enforcement system policy through the ETLE program has been co-opted in Article 272 paragraph 1 of Law Number 22 Year 2009 concerning Road Traffic and Transportation which explains that,⁶

2. Research methods

The approach method that will be used in this research is the approach method empirical juridical. This research specification descriptive analysis. Mdata

⁶ *Ibid*

collection method is by using interviews and literature study. The data analysis used in this research is qualitative data analysis.

3. Research Results and Discussion

3.1. The Process of Law Enforcement of Traffic and Road Transportation Violations Using ETLE in the Conception of a Legal System

Electronic ticket or *Electronic Traffic Law Enforcement* (ETLE) is a traffic law enforcement system based on information technology by utilizing electronic devices in the form of Close Circuit Television (CCTV) cameras that can detect various types of traffic violations. ETLE is able to present motorized vehicle data automatically, is also able to detect 10 traffic violations including, traffic light violations, road marking violations, odd-even violations, not wearing a seat belt, using a cellphone while driving, speed limit violations, going against the flow, not using helmets, violations of the type of vehicle in certain lanes or areas and violations of the validity of the STNK. With the existence of ETLE, it can reduce directly between officers and violators, so that it becomes the most appropriate method in the era of the industrial revolution 4. Through the program ETLE is a public service, especially in terms of dealing with traffic violations, which can be more effective, efficient, transparent and accountable in realizing good governance.

The process of law enforcement of traffic violations and road transportation using ETLE at the Central Java Regional Police starts from the ETLE camera capturing images of vehicles committing violators on the road, after that from With the screenshot of the surveillance camera, officers will then identify vehicle data using Electronic Registration & Identification (ERI) as a source of vehicle data and the system displays the results of synchronization of violation data. The officer justifies the violation data that appears in the system, takes action on the violation resulting from the justification and sends it to the address of the violator according to the data in the ERI (Electronic Registration & Identification). Violators receive a confirmation letter and violators re-confirm both online/offline within 7 working days. The officer applies for a STNK block to ERI if the violator does not follow the procedure. Offenders receive a BRIVA SMS and pay the fine through the payment method provided within 7 (seven) working days after confirming. After payment is made, the violator applies for unblocking, then ERI will unblock it.

Some of the findings above indicate that the Indonesian government is trying to enforce the law, especially those related to traffic violations in order to achieve traffic order. Law enforcement is an effort to tackle crime rationally, fulfill a sense of justice and be efficient, which needs to be provided with integrated criminal and non-criminal facilities. This finding is also in line with the thoughts of Soerjono Soekanto, who stated that concrete law enforcement is the application of positive law in practice as it should be obeyed which provides justice in a case means deciding the law. *in concrete* in maintaining and guaranteeing the observance of material law by using the procedural method established by formal law.⁷

⁷ Soerjono Soekanto, *pokok-pokok Sosiologi Hukum*, (Jakarta: PT Raja Grafindo Persada, 2007), p.110.

According to Soerjono Soekanto, one of the functions of law, both as a rule and as an attitude or behavior, is to consider human behavior, the problem of legal influence is not only limited to the emergence of obedience or obedience to the law, but includes the total effect of the law on positive attitudes or behavior. nor negative. The effectiveness of law enforcement is closely related to the effectiveness of the law. In order for the law to be effective, law enforcement officers are needed to enforce these sanctions. A sanction can be actualized to the community in the form of force (*compliance*), with these conditions indicating that the law is effective.⁸

Legality Principle stated in article 1 paragraph (1) of the Criminal Code which is formulated in Latin: *Nullum delictu nulla poena sine praevia legi poenali* so that traffic violations are criminal acts because the violations committed are a form of disobedience to the perpetrators of violations of the laws and regulations as a crime. The provision of criminal sanctions aims to deter and improve the convict's personality so as to create orderly and safe traffic. Criminal liability is a form that determines whether a person is released or convicted. A person will be penalized if it is proven that he has violated criminal regulations or has committed acts that are contrary to the applicable criminal laws and regulations. However,⁹

As explained in the previous chapter that criminal liability is indispensable in a criminal law system in relation to the principles of criminal justice *daad-daderstrafs recht* (criminal law on acts or criminal acts) so that it can be said that criminal responsibility discusses the issue of whether or not the perpetrator of a crime can be convicted and adheres to the principle of no crime without error (*geen straf zonder schuld*). In line with the principle of no crime without error, a person can be held criminally responsible if it is proven that he has made a mistake that is contrary to the applicable regulations.

Based on the theory of legal certainty, the modern state is the personification of the legal system.¹⁰ This means that the state in all its activities is always based on law. The state in this context is commonly referred to as a state of law. The law must essentially be certain and fair. It must be a code of conduct and fairness because the code of conduct must support an order that is considered reasonable. Only because it is fair and carried out with certainty the law can carry out its functions. Legal certainty is a question that can only be answered normatively, not sociologically.¹¹ According to Kelsen, law is a system of norms. Norms are statements that emphasize aspects of "should" or *das sollen*, by including some rules about what must be done. Norms are the product of deliberative human action. Laws containing general rules serve as guidelines for individuals to behave in society, both in relation to fellow individuals and in relation to society. These rules become limitations for society in burdening or taking action against individuals. The existence of these rules and the implementation of

⁸ *Ibid*, p.111

⁹ Moeljatno, 2002, *Kitab Undang-Undang Hukum Pidana*, Rineka Cipta, Bandung, p. 71.

¹⁰ Soemardi, 2010, *Teori Umum Hukum dan Negara: Dasar-Dasar Ilmu Hukum Normatif Sebagai Ilmu Hukum Deskriptif-Empirik*, Bee Media Indonesia, Bandung, p. 225

¹¹ Dominikus Rato, 2010 *Filsafat Hukum Mencari: Memahami dan Memahami Hukum*, Laksbang Pressindo, Yogyakarta, p.59

these rules create legal certainty.¹²In this case, a traffic violation causes a legal consequence where traffic rules violators need to be held accountable for their actions as evidenced by the ETLE system.

The success of the policy implementation process is highly dependent on the ability to utilize available resources. To support the success of a policy, the support of resources is needed, namely, human resources (HR), financial (financial) and other resources that play a role in supporting the process of implementing a policy. Humans are resources that have the most important role in implementing a policy. Certain stages of the entire implementation process require qualified human resources in accordance with the work required by established policies. But when the competence and capability of these resources are nil, the performance of public policies is very difficult to implement. Existing human resources are still relatively incompetent in utilizing IT (technical gaps). The ETLE policy basically utilizes technology so that it requires support from the implementor to be able to implement it. Human resources who are still classified as technology stutterers are usually elderly and have been slow to learn the application of the ETLE technology. Likewise, technology is constrained by a slow network or connection that hampers the performance of officers in the field and the internet quota which is the personal responsibility of officers is also one of the obstacles. Human resources who are still classified as technology stutterers are usually elderly and have been slow to learn the application of the ETLE technology. Likewise, technology is constrained by a slow network or connection that hampers the performance of officers in the field and the internet quota which is the personal responsibility of officers is also one of the obstacles. Human resources who are still classified as technology stutterers are usually elderly and have been slow to learn the application of the ETLE technology. Likewise, technology is constrained by a slow network or connection that hampers the performance of officers in the field and the internet quota which is the personal responsibility of officers is also one of the obstacles.

According to Awaloedin that a traffic violation is an act or act of a person that is contrary to the road traffic laws and regulations as referred to in Article 32 (1) and (2), Article 33 (1) letters a and b, Law no. 14 of 1992 or other laws and regulations.¹³Traffic violations, especially through Electronic Traffic Law Enforcement (ETLE), are a form of criminal offense so that violators must be held accountable for these violations. Hanafi who states that criminal responsibility (responsibility/criminal liability) is related to justice, namely about legal issues solely and moral values or general decency adopted by a society or groups in society, this is done so that criminal responsibility is achieved by fulfilling justice. The implementation of Electronic Traffic Law Enforcement (ETLE) makes motorized vehicle owners to be orderly in the administration of changing names and knowing the buyer because if not, the confirmation letter will be misdirected so that the confirmation is not completed and the STNK number is blocked. This is a difficult thing because it requires cooperation with the old vehicle

¹² Peter Mahmud Marzuki, 2008, *Pengantar Ilmu Hukum*, Kencana, Jakarta, p.158

¹³ Naning Rondlon Awaloedin, 2003, *Menggairahkan Kesadaran Hukum Masyarakat dan Disiplin Penegak Hukum dan Lalu Lintas*, Jakarta, Bina Ilmu, 1983, p. 19.

owner to participate in providing confirmation. If the vehicle owner does not understand Electronic Traffic Law Enforcement (ETLE), of course the confirmation letter is left alone or not responded to. Providing information about new customers is difficult if the vehicle changes ownership frequently. Even the police will find it difficult to identify the whereabouts of the vehicle because it could be that the transfer of ownership is already in the scope between cities and even between islands. The government's expectation that owners participate in providing information for new drivers is impossible to do. Even if it can be done, the information provided is also less valid and difficult to be held accountable.

3.2. Effectiveness of Law Enforcement of Traffic and Road Transportation Violations Using ETLE to Avoid Abuse of Authority of Police Officers at the Central Java Regional Police

The implementation of the ETLE system facilitates speed and convenience, transparency in the implementation of the ticketing process. Especially in the police, which is one of the National Police Chief's programs to become a professional, modern and trustworthy police force. ETLE and the Etilang application program are able to answer what has been reported in electronic media and social media about the deviant behavior of members of the Police in carrying out illegal levies (Pungli) against traffic violators.

Based on the descriptions of the implementation mechanism or procedure *Electronic Traffic Law Enforcement* (ETLE) for traffic violations that occurred in the jurisdiction of the Central Java Regional Police as described previously, law enforcement of traffic and road transportation violations using ETLE to avoid abuse of authority of police officers at the Central Java Regional Police has been effective, as seen from the legal substance factor, law enforcement factors, facilities or facilities factors, community legal culture factors and natural or environmental factors which can be described as follows:

a. Legal Substance Factor

The legal substance factor is a factor that comes from the law itself, namely the substance of the applicable laws and regulations (*ius constitutum*) relating to the provisions for the application of electronic ticketing. Currently, the provisions regarding electronic ticketing are generally regulated in Law Number 22 of 2009 concerning Road Traffic and Transportation, namely Article 243 paragraph (3) and Article 272, where the provisions of the article do not provide adequate arrangements relating to the mechanism for implementing electronic ticketing. against traffic violations and only regulates the use of electronic equipment as evidence of traffic violations in court. Likewise, Government Number 80 of 2012 concerning Procedures for Inspection of Motorized Vehicles on the Road and Enforcement of Traffic and Road Transportation Violations, Article 14 paragraph (3), Article 23 and Article 28 only implicitly regulate the use of electronic evidence from electronic equipment recordings in law enforcement against traffic violations on the highway by Polri and PPNS officers as evidence in court proceedings, so the provisions of this article also do not provide adequate regulation. concerning the mechanism or procedure for the application of electronic ticket against traffic violations on the highway. The mechanism or procedure

for electronic ticketing for traffic violations on the highway has not yet been regulated in the National Police Regulation.

b. Law Enforcement Factor

The officers who carry out law enforcement duties against traffic violations in the jurisdiction of the Central Java Regional Police through the application of Electronic Traffic Law Enforcement (ETLE), namely the first Back office officer consists of analysis and verification officers and the officer in charge of confirmation letters, the second ETLE Command Post Officer consists of officers Tickets, Admin Officers, and Yanduan Officers and the Three Samsat Officers. In this regard, based on the Regulation of the National Police Chief Number 14 of 2018 concerning the Organizational Structure and Work Procedure of the Regional Police, that the organizational structure of the Central Java Police Ditlantas consists of the Bagbinopsnal, Subbagrenmin, Kamsel Sub-Directorate, Gakkum Sub-Directorate and Regident Sub-Directorate, where the handling of traffic violations on the road Raya is the task of the Sub-Directorate of Gakkum, However, in the organizational structure of the Central Java Police Traffic Unit there is no special section or unit that handles traffic violations through the implementation of Electronic Traffic Law Enforcement (ETLE) so that an ETLE Task Force was formed to handle Electronic Traffic Law Enforcement (ETLE). This means that the application of electronic ticketing through Electronic Traffic Law Enforcement is carried out by members of Ditlantas who are assigned to the Gakkum Sub-Directorate and Regident Sub-Directorate, where the members assigned to handle Electronic Traffic Law Enforcement also have duties and responsibilities in accordance with their respective positions. . In other words,

c. Facility or Facility Factor

The facility or facility factor is a factor related to the facilities or facilities used to support the implementation of the duties of members of the Central Java Regional Police Ditlantas in law enforcement efforts through the application of electronic ticketing for traffic violations through Electronic Traffic Law Enforcement, namely the first equipment and equipment consisting of E-cameras. Police and Check point cameras, computers, ETLE servers, ETLE applications, Electronic Registration and Identification (ERI) Databases, printers, internet networks, E-Tilang applications, Briva codes, ticket blanks, office stationery and other computer and electronic equipment and both Supporting facilities for Back office and ETLE Sub-Directorate General of Law and Human Rights are the Back office room, Sub-Directorate General of ETLE Command Post, Call Center and ETLE Command Post. In related of the matter above, that the Electronic Traffic Law Enforcement (ETLE) camera currently installed in locations prone to traffic violations in the jurisdiction of the Central Java Regional Police consists of an E-Police camera which is a camera that can detect types of violations of road marking provisions and violations of traffic lights , and Check Point cameras are cameras that can detect types of violations against odd-even provisions, violations of the provisions for the use of seat belts, violations of the provisions for using cellphones by car drivers, violations of not wearing helmets, breaking through the Busway lane and violating the speed limit. This means that other types of violations in Law No. 22 of 2009 cannot be detected by the ETLE camera so that no action can be taken in the form of a ticket.

d. Community Legal Cultural Factors

The community legal culture factor is a factor related to the environmental conditions of the community where the provisions on electronic ticketing for traffic violations apply in this case the condition of the community as motorized vehicle drivers in the jurisdiction of the Central Java Regional Police. In general, the condition of the people living in the DKI Jakarta area and surrounding cities is categorized as an urban community, namely people who live or live in big city areas with various activities and activities that affect the attitudes, behavior and character of the community in living their lives in order to meet their daily needs. People who tend to be individualistic and only prioritize their own interests regardless of their surroundings. the. Another habit of the community in driving a motorized vehicle on the highway is the use of a Motorized Vehicle Number Sign (TNKB) or a motorized vehicle number plate that does not match the motor vehicle registration number as stated in the Electronic Registration and Identification (ERI) Database so that if the motorized vehicle commits a violation traffic on the highway and detected by the ETLE camera, then analyzed and clarified by the ETLE Back office Officer, then the license plate of the motorized vehicle is not found or does not match the data of motorized vehicles in the Electronic Registration and Identification (ERI) Database so that the Traffic violations cannot be prosecuted. Another community legal culture factor is the willingness of people who commit traffic violations to follow up on a confirmation letter by the ETLE Back office Officer of the Gakkum Ditlantas of the Central Java Police in accordance with a predetermined period of time, namely for 5 (five) working days directly by visiting the ETLE Sub-Directorate Command Post. Gakkum Polda Central Java and confirmation via the website so that traffic violations can be continued to the stage of prosecution by issuing a ticket. Besides that,

e. Natural or Environmental Factors

Natural factors are related to weather conditions in the area or location where the ETLE camera is installed which can affect the operation of the ETLE camera, for example rainy weather conditions with high intensity which cause the ETLE camera to be unable to detect motorized vehicles that violate traffic on the highway, as well as other weather conditions. so that the ETLE camera device cannot function properly or is disturbed, for example a lightning strike which can cause the ETLE camera to be damaged, the installation or network is flooded by rainwater and the ETLE camera device network is shorted so that it cannot function or other natural disturbances so that the server becomes disrupted (server down) or unable to connect to ETLE camera devices installed in locations prone to traffic violations. Furthermore, environmental factors, namely the conditions or conditions in the place or location of the installed ETLE camera equipment, for example demonstrations or demonstrations carried out by community groups at the offices of state or government institutions, such as demonstrations in front of the DPR/MPR offices which eventually led to anarchic actions carried out by the government. mass of protesters or certain irresponsible individuals in the form of acts of destroying public facilities and facilities including ETLE camera devices installed around the demonstration location so that the ETLE camera device and its network are damaged and can no longer function normally to detect motor vehicles that commit violations. traffic on the highway when the demonstration

was over.environmental factors, namely the circumstances or conditions in the place or location of the installed ETLE camera equipment, for example demonstrations or demonstrations carried out by community groups at the offices of state or government institutions, such as demonstrations in front of the DPR/MPR offices which eventually led to anarchic actions carried out by mass protesters. certain irresponsible feelings or individuals in the form of acts of destroying public facilities and facilities including ETLE camera devices installed around the demonstration location so that the ETLE camera device and its network are damaged and can no longer function normally to detect motorized vehicles that commit traffic violations on the highway when the demonstration was over.environmental factors, namely the circumstances or conditions in the place or location of the installed ETLE camera equipment, for example demonstrations or demonstrations carried out by community groups at the offices of state or government institutions, such as demonstrations in front of the DPR/MPR offices which eventually led to anarchic actions carried out by mass protesters. certain irresponsible feelings or individuals in the form of acts of destroying public facilities and facilities including ETLE camera devices installed around the demonstration location so that the ETLE camera device and its network are damaged and can no longer function normally to detect motorized vehicles that commit traffic violations on the highway when the demonstration was over.

Law enforcement of traffic violations and road transportation using ETLE is effective in avoiding abuse of authority by police officers at the Central Java Regional Police because police officers do not interact directly with traffic violators.Law enforcement is one of the efforts to tackle crime rationally, fulfill a sense of justice and be efficient. In order to cope with various means as a reaction that can be given to perpetrators of criminal acts, in the form of criminal and non-criminal means, which can be integrated with one another.¹⁴

In essence, law enforcement embodies values or rules that contain justice and truth, law enforcement is not only the duty of law enforcers who are known conventionally, but it is the duty of everyone. Benefit*Electronic Traffic Law Enforcement*(ETLE) is to reduce acts of corruption that are usually carried out by law enforcement officers who are not responsible to violators and make it easier for the public because those who violate do not need to attend court trials which of course take time. The purpose of ETLE is to improve safety and public order in driving on the road and improve traffic discipline by emphasizing the fatality of traffic accident victims.¹⁵

In practice it is basically to minimize illegal payments back. When the system*Electronic Traffic Law Enforcement*(ETLE) there will be no more cash transactions between violators and the police officers on duty in the field. In practice, Electronic Traffic Law Enforcement (ETLE) has very guaranteed information disclosure, because all information about traffic violations will be contained in the application and

¹⁴ Yeni Widowaty, Penegakan Hukum Dalam Kasus Tindak Pidana Korupsi Pada Pelaksanaan Pemilukada, (Universitas Muhammadiyah Yogyakarta, Yogyakarta, Prosiding, 2015), p. 291.

¹⁵ Indonesian Information Portal. 2021. E Electronic ticketing ticket. accessed from <https://indonesia.go.id/jasa/kepenresidenan/social/tilang-elektronik-ETLE> on September 8, 2021 at 08:07 WIB

has also been standardized by the system in accordance with institutional policies involving all relevant parties including the police.

In carrying out government positions, officials are attached to the task and authority to realize the function of the position they hold. According to Bagir Manan, so that the duties and authorities of government officials can be carried out in a concrete legal action and can be accounted for politically, legally and/or socially, government officials are provided with certain rights and obligations. Without the rights and obligations attached to the duties and authorities of these government officials, then of course all duties and authorities cannot be realized concretely in the form of government actions.¹⁶ In the conception of the rule of law, it can be understood that the government's authority comes from the applicable laws and regulations. Government authority obtained through laws and regulations directly gives authority to government positions.¹⁷

The amount of fines issued is no longer required to submit another offer to the police because there is no longer a direct face-to-face process with police officers (usually called illegal levies), so it is hoped that the implementation of this system can reduce corruption which is usually carried out by non-existent police officers. responsibility to the violator. Because the system is easy, it is enough for the public to make payments at the bank, thereby reducing fraudulent transactions carried out by officers and reducing KKN (Corruption Collusion Nepotism) actions.

ETLE functions as a system. The system according to R. Subekti is an orderly arrangement or order, a whole consisting of parts related to each other, arranged according to a plan or pattern, the result of a thought to achieve a goal.¹⁸ According to Sudikno Mertokusumo, the system is a unit consisting of elements that interact with each other and work together to achieve goals.¹⁹ This shows the legal system as a complex system that requires sharp scrutiny to understand the integrity of the process.²⁰ According to Lawrence Milton Friedman, the small sub-systems referred to are described into three groups, which consist of legal structure, legal substance, and legal culture. According to Lawrence Milton Friedman, the legal system must include substance, structure, and legal culture.²¹ According to Lawrence Milton Friedman, these three elements in United States law are composed of the first being the legal structure, then followed by the substance and legal culture. These three components describe how the legal system is structured substantively, what the legal system does, how the legal system runs it, and in turn will see the level of awareness of the law. Thoughts and forces outside the law make the legal system stop and move. These

¹⁶ Bagir Manan, 2004, *Hukum Positif Indonesia: Suatu Kajian Teoritis*, FH-Ull Press, Yogyakarta (Selanjutnya disebut Bagir Manan II), p. 66.

Aminuddin Ilmar, 2014, *Hukum Tata Pemerintahan*, Prenadamedia Group, Jakarta, 103-104.

¹⁸ R. Subekti in Ridwan Syahrani, 1999, *Summary of the Essence of Legal Science*, Citra Aditya Bakti, Bandung, p.169.

¹⁹ *Ibid.*

²⁰ Lili Rasjidi and LB Wyasa Putra, 2003, *Law as a System*, Mandar Maju, Bandung, p. 151.

²¹ Lawrence M. Friedman translated by Wishnu Basuki, 2001, *American Law An Introduction*, Tatanusa, Jakarta, p. 9.

three elements, continued Lawrence Milton Friedman, can be used to describe whatever is carried out by the legal system.²²

The law can be used in the community, if the implementation instrument is equipped with authorities in the field of law enforcement. Law is composed of legal sub-systems, namely, legal structure, legal substance, and legal culture. Elements of the legal system or sub-system as a determining factor whether a legal system can run well or not. The legal structure emphasizes the performance of the legal apparatus as well as the legal facilities and infrastructure itself, the legal substance concerns all aspects of legal regulation or legislation, and legal culture regarding the behavior of the bearers of rights and obligations, including the behavior of law enforcement officers and the behavior of the community. .

The existence of ETLE makes the sanctions given to traffic violators can be directly given from the system where the evidence of the violation is an investigator's record regarding certain traffic and road transportation violations committed by a person as evidence of a violation can be directly in the system based on ETLE data. The evidence of the violation is currently not blank or a letter containing details such as the place and time of the violation, the article violated, the serial number of the ticket, and so on which are then imposed on the traffic violator which is written directly but in the form of electronic data.

4. Closing

Based on the results of the research that has been carried out, it can be concluded that the process of law enforcement of traffic violations and road transportation using ETLE at the Central Java Regional Police starts from the ETLE camera capturing images of vehicles that commit violators on the road, after that from With the screenshot of the surveillance camera, officers will then identify vehicle data using Electronic Registration & Identification (ERI) as a source of vehicle data and the system displays the results of synchronization of violation data. The officer justifies the violation data that appears in the system, takes action on the violation resulting from the justification and sends it to the address of the violator according to the data in the ERI (Electronic Registration & Identification). Violators receive a confirmation letter and violators re-confirm both online/offline within 7 working days. The officer applies for a STNK block to ERI if the violator does not follow the procedure. Offenders receive a BRIVA SMS and pay the fine through the payment method provided within 7 (seven) working days after confirming. After payment is made, the violator applies for unblocking, then ERI will unblock it. Law enforcement of traffic violations and road transportation using ETLE to avoid abuse of authority by police officers at the Central Java Regional Police has been effective. This is because police officers do not interact directly with traffic violators so as to minimize the occurrence of abuse of authority by police officers and errors due to subjective views by officers which have the potential to cause problems of abuse of authority.

The Central Java Police need to provide more outreach to the public regarding ETLE and procedures related to ETLE so that the public knows what to do if they

²² *Ibid.*

commit a traffic violation and are caught on an ETL camera. The public is expected to have legal awareness about the importance of obeying traffic signs when driving on the highway so that the level of accidents and traffic violations is minimized. As it is known that this ETL system in addition to simplifying the procedure for resolving cases of traffic violations that are considered complicated by the public, as well as reducing the number of brokers in court, it is recommended that in enacting the regulations of this system,

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