

## Law Enforcement of Traffic Violators Through Electronic Ticketing Systems

Gunawan

Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), E-mail:  
[gunawanmh@gmail.com](mailto:gunawanmh@gmail.com)

**Abstract.** *The aim of this research is To study and analyze Law Enforcement of Traffic Violators Through Electronic Ticketing Systems and To review and analyze Obstacles to Law Enforcement of Traffic Violators Through Electronic Ticketing Systems. This study uses a sociological juridical approach. The results of this study indicate that in law enforcement of traffic violations, The officer justifies the violation data that appears on the system, takes action on the violation of the justification results 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 violator confirms again either online/offline within 7 working days. The officer submits a STNK block to ERI if the violator does not follow the procedure. Violators receive BRIVA SMS and pay fines via the payment method provided within 7 (seven) working days after confirming. After payment is made, the violator submits an unblocking request, then ERI will unblock it and there are several obstacles to implementing the electronic ticketing system (E-TLE) in Cirebon Regency: a) Lack of supervision from police officers.*

**Keywords:** *Electronic; Enforcement; Traffic; Violations.*

### 1. Introduction

Every motorized vehicle driver is obliged to maintain order and comply with traffic signs. This aims to ensure the safety of the driver himself and protect the rights of others related to LLAJ. However, the fact is that there are still many motorized vehicle drivers who do not comply with the rules that apply on the

highway. "The increase in the number of motorized vehicles in Indonesia is also very influential on traffic problems in general."<sup>1</sup>

The high growth of motorized vehicles without traffic discipline, makes the number of traffic accidents and victims continue to increase. In general, the main factor for the high number of accidents is caused by the human factor (high speed, carelessness, fatigue, etc.) the low discipline of the driver/driver.<sup>2</sup>

Until now there has been no change in people's behavior with the operation of proof of violations (tickets) in traffic. This is a lot of road users who ignore traffic rules so that it becomes a trigger for accidents. Community behavior that should be towards the operation of proof of violations (tickets) in traffic cannot only be interpreted as road users/humans, because road users/users can be individuals as well as individuals representing corporations.<sup>3</sup>

The results of the prosecution of traffic violations carried out by traffic management (PMJ) in 2016 are not necessarily directly proportional to the reduction in the number of traffic accidents, which means that the prosecution of violations has not shown a significant effect on reducing the number of traffic accidents and the number of victims who died. as a result of an accident. It can be seen that there was a decrease in the enforcement of traffic violations in 2017 by 22.9% and the number of traffic accidents also decreased by 9.5% compared to the previous year.<sup>4</sup> Thus, it can be assumed that an increase in the enforcement of traffic violations does not necessarily have an impact on reducing the number of traffic accidents, it could be due to other factors where accidents generally occur due to traffic violations committed before the accident occurred.<sup>5</sup>

National Police Chief Gen. Listyo Sigit revealed the number of traffic violators who will be fined throughout 2022, the number of violators will reach millions of vehicles and will still be dominated by manual fines. There were 2.6 million

---

<sup>1</sup> Sopyono. 2013. Final Report of the Legal Study Team on Community Behavior Against Laws in Traffic. Jakarta: National Legal Development Agency, Ministry of Law and Human Rights of the Republic of Indonesia

<sup>2</sup> Marsaid, Hidayat M, Ahsan. 2013. Factors related to traffic accidents on motorbike riders in the Polres area of Malang Regency. Brawijaya University Nursing Science. vol 1 (2):2

<sup>3</sup> Muhar Junef. 2014. "Public Behavior Against Evidence of Violation Operations (Tickets) in Traffic". E-Journal Widya Yustisia Volume 1(1): 52-60. url: <https://garuda.kemdikbud.go.id/documents/detail/250186>

<sup>4</sup> Ibid

<sup>5</sup> Muhammad, Farouk and Djaali, 2005, Social Research Methodology, Revised Edition, PTIK Press and Restu Agung, Jakarta.

traffic violators who were 'entangled' in fines last year. While 90 percent comes from manual ticketing.<sup>6</sup>

The government is trying to reduce the accident rate by increasing public order in driving by using Electronic Traffic Law Enforcement (ETLE). ETLE is an electronic ticket application which is a ticket transformation in the digital era as it is today. "Innovation in implementing Electronic Traffic Law Enforcement (ETLE) is a good decision to make and the current urgency of Electronic Traffic Law Enforcement (ETLE) is to realize transparency between the police and the public in order to avoid extortion."<sup>7</sup>

In fact, the application of the Electronic Traffic Law Enforcement (ETLE) system is able to provide services that are simple, fast and easier when compared to conventional ticketing. In addition, the application of Electronic Traffic Law Enforcement (ETLE) is able to suppress extortion and intermediaries both from the internal police and other stakeholders/actors (prosecutors and courts) so that it can be said that this system is able to realize transparency and accountability in payment of fines Electronic Traffic Law Enforcement (ETLE) thereby enhancing the image of the police in the eyes of the public.

The current urgency of Electronic Traffic Law Enforcement (ETLE) can be seen in terms of its benefits, namely transparency, empowerment, responsiveness and equity. In terms of legal certainty, this system provides certainty to violators, namely regarding how much the fine is and what has been violated, which has been included on the blue slip. In terms of justice, all violators who have committed the same offense will then receive the same punishment and fine. Because in this case the system has been regulated and determined by the authorities. So it is clear that the current Electronic Traffic Law Enforcement (ETLE) system, in addition to benefiting from convenience, is also a form of transparency and professionalism of police officers in law enforcement.<sup>8</sup>

Enforcement of the rule of law related to traffic rules in society, is very dependent on the authority and responsibility of the legal apparatus.<sup>9</sup>The legal apparatus referred to is the POLRI or known as the Indonesian National Police

---

<sup>6</sup>Detikoto, "Police Tickets 2.6 Million Traffic Violators During 2022, Mostly Manual!" url <https://oto.detik.com/berita/d-6494918/polisi-tilang-26-juta-pelanggar-lalu-cross-selama-2022-kebanyakan-manual>.

<sup>7</sup> Wulandari Sacred Ambar. 2020. Innovation in the Application of the ETLE System in Indonesia. Journal of Al-Masbut Volume 14 (1): 2-10. url: <https://ejournal.iaingawi.ac.id/index.php/almabsut/article/view/393/194>

<sup>8</sup> Ibid.

<sup>9</sup> Achmad Ali, 2015, Revealing the Law of a Study (Philosophy and Sociology), Jakarta: Kencana, Second Edition, p. 4.

whose role is to protect, protect and serve the community as explained in Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police Traffic Unit (Satlantas) whose job is to maintain security. traffic in an orderly and smooth manner by implementing professional capabilities and carrying out police duties starting from supervising, running patrols, educating the public and identifying each road user, and conducting traffic accident investigations.

The application of E-tickets is expected to be able to overcome all problems related to traffic violations, this service is established with the hope that a far more efficient ticket system can be formed than conventional systems, this innovation reflects the professionalism and commitment of the government and police to increase public trust in enforcement services law granted by the Police. Since the implementation of the electronic ticket system (E-Tilang) by Traffic Traffic, the facts show that there have been 1500 traffic violations during the 3 trial days, which were recorded on one ETLE camera or can be described as Electronic Traffic Law Enforcement.

Based on the description above, this study aims to study and analyze Law Enforcement of Traffic Violators Through Electronic Ticketing Systems

## **2. Research Methods**

This study uses a Juridical Sociological approach, with the specifics of this research being analytical descriptive. The data used are primary data and secondary data, primary data obtained by data collection methods by interviews and literature studies, qualitative data analysis, problems are analyzed by theory, law enforcement and legal certainty.

## **3. Results and Discussion**

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 capable of detecting 10 traffic violations including, traffic light violations, road marking violations, odd-even violations, not wearing a safety belt, using a cell phone while driving, violating speed limits, going against the flow, not using helmets, violations of vehicle types on certain routes or areas and violations of the validity of STNK. With the existence of ETLE, it can reduce directly between officers and offenders. so that it becomes the most appropriate method in the era of the industrial revolution 4.0 with the fulcrum of using data as a basis for enforcing road traffic laws. Through the ETLE program, public services, especially in terms of handling traffic violations, can be provided more effectively, efficiently, transparently and accountably in realizing good governance.

The process of enforcing the law on traffic and road transportation violations using ETLE at the West Java Regional Police starts from the ETLE camera capturing images of vehicles that commit offences on the road, after that from the surveillance camera screenshots, officers will then identify vehicle data using Electronic Registration & Identification (ERI) as a source of vehicle data and the system displays the results of synchronizing violation data. The officer justifies the violation data that appears on the system, takes action on the violation of the justification results 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 violator confirms again either online/offline within 7 working days. The officer submits a STNK block to ERI if the violator does not follow the procedure. Violators receive BRIVA SMS and pay fines via the payment method provided within 7 (seven) working days after confirming. After payment is made, the violator submits an unblocking request, then ERI will unblock it.

Criminal responsibility is very much needed in a criminal law system in relation to the principle of *daad-daderstrafs recht* (criminal law on acts or criminal acts) so that it can be said that criminal responsibility addresses the issue of whether or not criminal offenders can be punished and adheres to the principle of no crime without fault. (*geen straf zonder schuld*). In line with the principle of no crime without fault, a person can be held criminally responsible if it is proven that he has committed a mistake that is contrary to applicable regulations.

Based on the theory of legal certainty, the modern state is the personification of the legal system.<sup>10</sup> That is, the state in all its activities is always based on law. The state in this context is commonly referred to as a rule of law state. The law essentially must be certain and fair. Certainly as a guideline for conduct and fairness because the code of conduct must support an order that is considered reasonable. Only because it is fair and implemented with certainty the law can carry out its function. Legal certainty is a question that can only be answered normatively, not sociologically.<sup>11</sup>

According to Kelsen, law is a system of norms. Norms are statements that emphasize the "should" or *das sollen* aspects, by including some rules about what to do. Norms are deliberative human products and actions. Laws that contain rules of a general nature serve as guidelines for individuals to behave in society, both in relationships with fellow individuals and in relations with society. These rules become limits for society in burdening or taking action against individuals. The existence of these rules and the implementation of these rules

---

<sup>10</sup> Soemardi, 2010, *General Theory of Law and the State: Fundamentals of Normative Law as Descriptive-Empirical Law*, Bee Media Indonesia, Bandung, p. 225

<sup>11</sup> Dominikus Rato, 2010 *Philosophy of Law Looking for: Understanding and Understanding Law*, Laksbang Pressindo, Yogyakarta, p.59

give rise to legal certainty.<sup>12</sup>In this case the existence of a traffic violation raises a legal consequence where the violator of traffic rules needs to be held accountable for his 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, resource support 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 a resource that has the most important role in implementing a policy. Certain stages of the entire implementation process require quality human resources in accordance with the work required by the policies that have been set. But when the competence and capability of these resources is nil, the performance of public policy is very difficult to implement. Existing human resources are still classified as less competent in utilizing IT (knock on technology). The ETLE policy basically utilizes technology so that it requires support from the implementor to be able to implement it. HR who are classified as still stuttering about this technology are usually those who are elderly and slow to learn the application of ETLE technology. Likewise with technology which is constrained by slow networks or connections that hinder the performance of officers in the field and internet quota which is the personal responsibility of officers is also one of the obstacles. HR who are classified as still stuttering about this technology are usually those who are elderly and slow to learn the application of ETLE technology. Likewise with technology which is constrained by slow networks or connections that hinder the performance of officers in the field and internet quota which is the personal responsibility of officers is also one of the obstacles. HR who are classified as still stuttering about this technology are usually those who are elderly and slow to learn the application of ETLE technology. Likewise with technology which is constrained by slow networks or connections that hinder the performance of officers in the field and internet quota which is the personal responsibility of officers is also one of the obstacles.

According to Awaloedin, a traffic violation is an act or action 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.<sup>13</sup>Traffic violations, especially through Electronic Traffic Law Enforcement (ETLE) are a form of criminal violation so that the violator must be held accountable for the violation. Hanafi who stated that criminal responsibility (responsibility/criminal liability) is related to justice, namely matters of law solely and moral values or general decency adopted by a society or groups in society, this is done so that criminal responsibility is achieved fulfilling justice.

---

<sup>12</sup> Peter Mahmud Marzuki, 2008, *Introduction to Law*, Kencana, Jakarta, p.158

<sup>13</sup> Naning Rondlon Awaloedin, 2003, *Stimulating Community Legal Awareness and Law Enforcement and Traffic Discipline*, Jakarta, Bina Ilmu, p. 19.

The implementation of the Electronic Traffic Law Enforcement (ETLE) makes motorized vehicle owners orderly administer the transfer of names and know the buyer because if not, the confirmation letter will be misdirected so that the confirmation cannot be completed and finally the STNK number is blocked. This is difficult because it requires cooperation with the previous vehicle owner to participate in providing confirmation. If the vehicle owner does not understand Electronic Traffic Law Enforcement (ETLE), of course, the confirmation letter will be left alone or not responded to. Providing information about new customers is difficult if the vehicle changes ownership frequently. It will also be difficult for the police to identify the whereabouts of the vehicle because ownership transfers may already be within the scope of inter-city and even inter-island. The government's hope that owners will participate in providing new driver information is an impossible thing to do. Even if it can be done, the information provided is also invalid and difficult to account for.

Obstacle factors in the implementation of e-tickets in Cirebon Regency, there are many factors that influence the occurrence of traffic violations on the road every year. These factors include the existence of an instant society paradigm of thinking in modern times, the waning of sensitivity in mutual driving, and the lack of driving etiquette for order, mutual respect, mutual respect, resulting in a further eroding of the sense of ownership of something. In the implementation of electronic ticketing, there was an imbalance between expectations and reality. The government that implemented electronic ticketing in Cirebon Regency still found several obstacles that were immediately felt by the people of Cirebon Regency.

The following is the result of an interview with the Police regarding the Obstacles in implementing this ticket system. There are several obstacle factors in the implementation of electronic ticketing in Cirebon Regency, namely: There are several obstacles in implementing the electronic ticketing system, namely 1) Lack of supervision from police officers, 2) Unequal socialization of government and police, 3) Less strict enforcement of violations, 4) Electronic ticket settlement procedures are still somewhat complicated, 5) Problems with motorbike license plates from outside Cirebon Regency, 6) Related to vehicle ownership that violates traffic rules, 7) Related to motorbike or car rental, 8) Preferably the bank where E-payment is made TLE is not only BRI, but multibank with the aim of facilitating public access to paying ticket fines,

From the results of the interview above, it can be concluded that there are still many obstacles faced in implementing the Electronic Ticketing System. First, the lack of supervision from police officers. The installation of CCTV on a number of roads in Cirebon Regency should receive supervision assistance from police officers. CCTV is not solely used as a tool to monitor the smooth flow of traffic.



Often the absence of officers overseeing traffic makes people not afraid of committing violations, because people tend to be afraid of officers on guard rather than CCTV installed.

*Second*, Socialization of the government and the police is not evenly distributed. The socialization of the government and the police is very minimal about the implementation of electronic ticketing so that most people do not know that there is an electronic application in Cirebon Regency. Suburban communities who do not receive information about the implementation of electronic tickets think that the application of e-tickets is only a government discourse.

*Third*, Improper enforcement of violations. Inappropriate enforcement of violations makes the public not afraid or even ignoring the existence of CCTV which functions as a monitor and ticket evidence that can record violations committed at a certain time and place. The community seems to close their eyes with this electronic ticket by using CCTV.

*Fourth*, The electronic ticket settlement procedure is still somewhat complicated. The lack of socialization carried out by the government makes people do not understand and do not even know the ticketing procedure using CCTV. Most people also know but think the solution is still very complicated. The government pays little attention to people who don't understand electronics.

*Fifth*, The problem with the license plates of motor vehicles from outside Cirebon Regency, Of course this will not be detected and this means that if there are non-BH license plates that violate the law, law enforcement cannot be carried out. So the evaluation is from the West Java Polda Ditlantas so that it can work together with other POLDAs.

*Seventh*, Related to the ownership of vehicles that violate traffic rules. The enforcement process will be difficult if the vehicle has changed hands but has not been renamed, because the ticket will be sent to the address of the first vehicle owner.

*Eighth*, Related to such as motorbike or car rental. Because it is very possible that the person who committed the violation was person A (vehicle parent), but a ticket will be sent to the address of person B (vehicle owner) because the STNK and BPKB are on behalf of person B (vehicle owner).

*Ninth*, It is better if the bank where E-TLE payments are made is not just BRI, but multi-bank with the aim of facilitating public access to paying ticket fines.

*Tenth*, The application of E-TLE should not only be a trial/temporary project, but must become a permanent program to strengthen ERP (Electronic Road Pricing)



implementation. It is not fixed yet that the E-TLE technology used for the sustainability of E-TLE can stop midway.

In overcoming the obstacles that occur in the application of electronic ticketing, the government and the police must establish good cooperation and build cohesiveness so that the implementation of E-TLE fines in Cirebon Regency can be carried out properly. The police issued a new action in enforcing traffic rules. By utilizing technology, it is hoped that the entire ticketing process will be more efficient and effective as well as assisting the police in maximizing police performance in taking action against road users who are not orderly while driving.

The government in collaboration with the Indonesian National Police implemented this system in order to reduce the practice of extortion (illegal fees) and bribery. This ticket process is assisted by the installation of CCTV cameras at every traffic light to monitor road conditions. Through this research, many suggestions and input were given by the public to the government regarding the implementation of electronic ticketing in Cirebon Regency, including:

Following are the results of joint interviews regarding solutions in overcoming the obstacles to the Implementation of the Electronic Ticketing System: Of all the obstacles that I have described above, there are several solutions that we can implement to achieve the efficiency and effectiveness of implementing the E-TLE electronic ticketing system, namely 1) Increase installing CCTV on a number of roads in the City, 2) Expanding socialization about electronic ticketing, 3) Reducing the cost of returning vehicle names

From the results of the interview above, it can be concluded that the solution to the obstacles to implementing the electronic ticketing system (E-TLE) is to increase the installation of CCTV, expand the socialization of the electronic system (E-TLE) and reduce the cost of returning vehicle names. Below is the explanation.

- Increase the installation of CCTV in a number of roads in Cirebon Regency. CCTV recording is a medium that can be used to contain recordings of any information that can be seen and heard with the help of CCTV recording facilities. CCTV footage is used as evidence in which the system uses a video camera to display and record an image at a certain time and place where this device is installed, which means it uses a closed signal. The application of CCTV, which is only enforced on a number of roads, still provides great opportunities for road users who are not disciplined when driving. If CCTV is installed on all roads, the public will be afraid and aware that every violation committed while on the main road is recorded by CCTV to raise awareness not to commit any more violations. Some

people think that the opportunities that arise can make people disobedient and negligent in traffic. Even though there are CCTVs installed at traffic lights, non-compliant motorists can drive through streets where there are no CCTVs. Opportunities for committing violations are still very large because there are many small streets and there are no CCTVs.

- Expand socialization about electronic ticketing. Basically, the application of electronic tickets was recently enforced in Cirebon Regency. The lack of outreach by the government and the police has resulted in many people not knowing or not even knowing that an electronic ticket has been set in Cirebon Regency. The lack of information obtained by the public makes the government face several obstacles. The high level of traffic violations is not entirely the fault of the community, but partly the government does not provide specific understanding regarding the implementation of electronic ticketing. Some people only get information through social media. By extending the information about this application,

- Reducing the cost of returning the vehicle name. Some people consider the implementation of electronic tickets to be less effective because many vehicle drivers buy their vehicles through second or third parties or buy used cars. Drivers of vehicles who buy vehicles use the name of the previous owner on the grounds that the cost of returning the name is high.

#### **4. Conclusion**

Based on the research results from the discussion, it is concluded that it is not fixed yet that the E-TLE technology used for the sustainability of E-TLE can stop midway. And the solutions that must be carried out by the government and the Cirebon Police in overcoming the obstacles that occur in the implementation of the electronic ticket system in Cirebon Regency, namely: a) Increasing the installation of CCTV on a number of roads in Cirebon Regency, b) Expanding socialization about electronic ticketing, c) Reducing the cost of returning the name of the vehicle. Some people think that the application of electronic tickets is less effective because many vehicle drivers buy their vehicles through second or third parties or buy used cars.

#### **5. References**

Achmad Ali, 2015, *Revealing the Law of a Study (Philosophy and Sociology)*, Jakarta: Kencana, Second Edition

Wulandari Sacred Ambar. 2020. Innovation in the Application of the ETLE System in Indonesia. *Journal of Al-Masbut* Volume 14 (1): 2-10. url: <https://ejournal.iaingawi.ac.id/index.php/almabsut/article/view/393/194>

Detikoto, "Police Tickets 2.6 Million Traffic Violators During 2022, Mostly Manual!" url <https://oto.detik.com/berita/d-6494918/polisi-tilang-26-juta-pelanggar-lalu-cross-selama-2022-kebanyakan-manual>.

Dominikus Rato, 2010 *Philosophy of Law Looking for: Understanding and Understanding Law*, Laksbang Pressindo, Yogyakarta.

Marsaid, Hidayat M, Ahsan. 2013. Factors related to traffic accidents on motorbike riders in the Polres area of Malang Regency. *Brawijaya University Nursing Science*. vol 1 (2):2

Muhammad, Farouk and Djaali, 2005, *Social Research Methodology*, Revised Edition, PTIK Press and Restu Agung, Jakarta.

Muhar Junef. 2014. "Public Behavior Against Evidence of Violation Operations (Tickets) in Traffic". *E-Journal Widya Yustisia* Volume 1(1): 52-60. url: <https://garuda.kemdikbud.go.id/documents/detail/250186>

Naning Rondlon Awaloedin, 2003, *Stimulating Community Legal Awareness and Law Enforcement and Traffic Discipline*, Jakarta, Bina Ilmu.

Peter Mahmud Marzuki, 2008, *Introduction to Law*, Kencana, Jakarta.

Soemardi, 2010, *General Theory of Law and the State: Fundamentals of Normative Law as Descriptive-Empirical Law*, Bee Media Indonesia, Bandung.

Soponyono. 2013. *Final Report of the Legal Study Team on Community Behavior Against Laws in Traffic*. Jakarta: National Legal Development Agency, Ministry of Law and Human Rights of the Republic of Indonesia