

# THE EFFECTIVENESS OF TRAFFIC VIOLATION ENFORCEMENT USING TICKETS BY TRAFFIC UNIT PERSONNEL OF MAGETAN POLICE RESORT IN SUPRESSING THE NUMBER OF TRAFFIC VIOLATIONS

Andika Temanta Purba

Postgraduate Student of Police Studies, Indonesian National Police Science College,  
Jakarta

Email: andikapurba94@gmail.com

*Citation: Andika Temanta Purba, The effectiveness of traffic violation enforcement using tickets by traffic unit personnel of magetan police resort in supressing the number of traffic violations, Management Technology and Security International Journal, pages 365-383, <http://doi.org/10.47490/mtsij.v2.i3.365383>*

Received on 2 August 2021, Accepted on 4 October 2021, Published on 15 November 2021

## ABSTRACT

*This study aims to examine the effectiveness of traffic violations with fines carried out by Magetan Police Traffic Unit personnel in reducing the number of traffic violations. This is considered important considering that traffic violations are one of the main triggers for other, more complex traffic problems such as traffic jams, and even traffic accidents that result in death. In this regard, although efforts to handle these violations by the police are increasing every year, it still does not show a positive correlation with the trend in the number of traffic violations. This study uses the qualitative approach. Primary data is obtained through interviews and observations while secondary data is obtained through a library research. The results of this study indicate that: (1) although repressive efforts with ticketing are carried out intensively, traffic violations are still prevalent with a fluctuating trend; (2) enforcement of violations with a ticket is still not effective in reducing the number of traffic violations; (3) factors that support the effectiveness of prosecution of traffic violations are legal factors and facilities while community factors and cultural factors are classified as inhibiting factors.*

**Keywords:** *effectiveness, traffic violation, traffic ticket, traffic police*

## 1. INTRODUCTION

Basically, traffic rules are made to overcome and minimize traffic problems, so that the objectives of traffic management and road transportation can be achieved optimally. Therefore, the violation of traffic rules is one of the root causes of the emergence of various traffic problems that we often see today, such as congestion, pollution or traffic accidents. The study proves that there is a causal relationship between traffic

violations and traffic problems. For example, motorized vehicle drivers who do not comply with traffic regulations will have a greater likelihood of being involved in traffic accidents (Zhang et al., 2013). In fact, in a study conducted by Mercedes Ayuso, Mostserrat Guillen and Manuella Alcaniz (2009), it was found out that some traffic violations were directly and significantly correlated with the probability of serious accidents, compared to the

situation when there was no traffic violation.

In line with this, to overcome traffic problems that occur in Magetan Regency, Magetan Police Resort Traffic Unit is persistent in making efforts to reduce traffic violations that occur, both through pre-emptive, preventive and repressive actions. However, with the wide coverage of the three patterns of action, in this study more emphasis is placed on repressive actions using ticketing. The first reason is because this is in line with the principle of law enforcement commonly applied in Indonesia, *ultimum remedium*, which means that law enforcement is a last resort. Departing from this principle, when repressive measures are applied, it means that pre-emptive and preventive measures have also been implemented. The second reason is that repressive measures which are also known as the “penalty mechanism” are considered the most effective efforts to reduce the potential for traffic violations and accidents (Liu, Zhiyong et al., 2020). Therefore, it is very important to conduct a study on the effectiveness of law enforcement actions with traffic tickets carried out by the traffic police, to see the extent of their effectiveness. This at the same time can be used as a benchmark to measure the effectiveness of the overall treatment.

Based on the description above, the research conducted a comprehensive study in order to find out how the description of traffic violations in the traffic unit at the police resort level is? What is the picture of the effectiveness of dealing with traffic violations using fines carried out by traffic unit of Magetan Police Resort personnel in reducing the number of traffic violations? And what are the factors that affect the effectiveness of the enforcement of traffic violations using

fines by traffic unit of Magetan Police Resort personnel?

The research location is in the jurisdiction of Magetan Police Resort on the grounds that in that area the problem of traffic violations is considered quite complex and there is no research that has been conducted on the above in the jurisdiction in question.

## 2. LITERATURE REVIEW

### 2.1 Previous Research

- a. A journal, written by of P Rasasti Artika Puri, in 2013 entitles "*Law Enforcement against Traffic Rules Violators in Klaten Regency.*" This research is conducted in order to obtain information about law enforcement efforts for traffic offenders and the obstacles faced by the police. This writing uses normative legal research methods. The qualitative analysis is carried out through literature studies and interviews with various sources, then conclusions are drawn using deductive methods.

Through the research, it is found out that: (1) the implementation of law enforcement efforts against traffic violations by the police in Klaten Regency consists of two policies, namely: (a) penal policies, namely taking action against traffic violations using criminal law. For example, for anyone who due to his negligence results in the death and injury of a person as stipulated in Article 359 and Article 360 of the Criminal Code as well as Article 310 paragraph (3) and paragraph (4) of the Law of the Republic of Indonesia Number 22 of 2009 concerning Road Traffic and

Transportation, he or she will be questioned and investigated in order to be further processed in court; and (b) non-penal policies, namely policies outside of criminal law that aim to reduce the number of traffic accidents, which include: sympathetic warnings, coaching, counselling to the public (driving safety campaigns, public debates, visits, seminars and discussions), the "Traffic Discipline Movement" program (police go to campus, traffic board) and special police operations. In addition, educational programs are also implemented in the form of police friendly to children, school security patrols carried out by students, safety riding training; and (2) The obstacles faced by the police in enforcing the law against traffic violations, among others, are the lack of legal awareness of the community, the lack of capacity by the police, the legal authority which is still considered problematic, and the lack of supporting infrastructures.

There are several similarities between this research and the research that will be carried out by the author, including the focus of the research, namely law enforcement against traffic violations. Another similarity lies in the data collection methods used, namely literature study, interviews and observations. Meanwhile, the difference lies in the object of the research, where this research will be carried out at Magetan Police Traffic Unit. Another difference lies in the specifics of

the research focus, that this research will focus more on the prosecutions of traffic violations using tickets.

- b. A journal, written by Ayu Yohana Putri in 2015 entitles *"Effectiveness of Sanctions against Road Marking Violators Based on Law Number 22 of 2009 concerning Road Traffic and Transportation by Pekanbaru City Police."*

This study aims to determine the effectiveness of the application of sanctions against road marking rules violators, the obstacles experienced, as well as the legal efforts taken to overcome the obstacles in question. This research is a sociological research conducted in the jurisdiction of Pekanbaru City Police. Data collection techniques used are interviews, observation and literature study. Data analysis was carried out using deductive analysis. The results of the study show that: (a) Sanctions applied to violators of road marking rules by Pekanbaru City Resort Traffic Police Unit have not been effective enough to reduce the number of violations. This is related to the lack of legal awareness and road users which is reflected in the behaviour of road users who only obey the rules when dealing with police officers; (b) Factors inhibiting the effectiveness of sanctions against road marking violators are divided into two, namely internal factors (originating from within Pekanbaru City Police), namely law enforcement factors that are less professional.

Meanwhile, from external factors (outside the police), namely public legal awareness; and (c) In order to overcome the lack of public awareness of the law in traffic, Pekanbaru Police Traffic Unit focuses on repressive efforts with fines for motorists who violate traffic rules.

Some similarities to this research are the research focus, namely the effectiveness of traffic law enforcement and road transportation. This study will also use the factors that affect the effectiveness of law enforcement according to Soerjono Soekanto. The difference lies in the approach used, that the research uses a sociological legal approach and method, while this study will use a qualitative approach with a descriptive analytical method. Another difference lies in the locus and research objectives, where this research will be carried out at Magetan Police Traffic Unit with the main aim of knowing the effectiveness of the enforcement of traffic violations with a ticket carried out by the personnel of Magetan Police Traffic Unit.

- c. A thesis, written by Khairulludin in 2015 entitles "*Effectiveness of Traffic and Road Transport Law Enforcement at Lubuk Selasih Weighbridge, Solok Regency.*" This thesis aims to see the effectiveness of traffic law enforcement and road transportation at Lubuk Selasih Weighbridge, Solok Regency. The research method used is sociological or empirical legal research. Based on this research,

it is known that traffic law enforcement and road transportation implemented at Lubuk Selasih weighbridge are still not effective. This is especially evident from the still rampant traffic violations that occur at Lubuk Selasih weighbridge in the form of violations of vehicle test results, violations of cargo provisions, and violations of the Goods Transport Business Permit.

The factors causing the ineffectiveness of traffic law enforcement and road transportation are: (a) The legal factor itself, where there is still a lack of clarity about the meaning and meaning of the provisions that apply in the community, there is a vacancy in the implementation of the provisions due to the absence of implementing regulations for these provisions, the existence of asynchronous synchronization vertically and horizontally between applicable provisions so as to reduce the breadth of interpretation of legal officers. Included in this type are: (1) Non-uniformity of vehicle test results, (2) Evidence Receipt (Model 3); (b) Law enforcement factors, namely (1) Police Dispensation on behalf of Traffic Directorate of West Sumatra Police to transport rubber cargo from Jambi to Padang with a validity period of one month, and this dispensation is not logical because it is given not for one way and goods carried economic commodities that have nothing to do with the needs of police services; (2) Not optimal weighbridge operator; (c) The facility factor, the

weighbridge itself is not optimal because the manual system weighbridge can only weigh itself because the manual system of the weighbridge can only accommodate trucks and their cargo with a maximum weight of 20 tons. It cannot weigh trucks that weigh more than 20 tons, but with a computerized system weighbridge can weigh trucks and their cargo with a maximum weight of 50 tons; and (d) Community and cultural factors, namely the lack of public fear of negative sanctions that may be received as a consequence of violating the law.

Based on the description above, it is known that there are several similarities, which lie in the focus of the research, namely the effectiveness of traffic law enforcement and road transportation. The difference lies in the approach used, that the research uses a sociological or empirical legal approach and method, while this study will use a qualitative approach with an analytical descriptive method. This research will be conducted at Magetan Police Traffic Unit with the main objective to determine the effectiveness of law enforcement through issuing tickets at Magetan Police Traffic Unit.

## 2.2 Effectiveness

The word effectiveness, according to <https://www.macmillandictionary.com/dictionary/british/effectiveness>, means the degree to which something works well and produces the result that was intended. Another definition,

written in <https://www.myaccountingcourse.com/accounting-dictionary/effectiveness>, mentions that effectiveness, in business, refers to the level of quality with which a task or process is carried out that ultimately leads to higher overall business performance. In other words, does it do what it's supposed to do? Effectiveness is also how well a business and the people in it perform value-creating tasks, and how well the business functions worth together. Effectiveness can be applied to many parts of business activities. From a managerial standpoint, a business is effective if its people are performing their required tasks. The more consistently employees perform tasks properly, the more effective they are. This includes proper use of communication, technology, organizational and individual knowledge, and resources. Meanwhile, Oxford in <https://www.oxfordlearnersdictionaries.com/definition/academic/effectiveness> says that effectiveness is the degree to which something produces a successful result.

Measures of effectiveness can also be used to describe production in a manufacturing setting. In this case, a process is considered effective if the outcome achieved the desired specifications. In other words, did the product turn out the way that the organization intended? Over a period of time, the more often that products come out meeting specified criteria, the more effective the process is considered. One important note is that effectiveness does not measure efficiency. In other words, effectiveness does not measure

how much time or inputs are used in production.

In this study, the theory of effectiveness proposed by Steers is used as a grand theory. The theory states that effectiveness is seen as a goal attainment, a goal optimization or the achievement of goals from joint efforts. It is further explained that according to this theory, the degree of achievement of the target indicates the degree of effectiveness. Thus, it can be said that the achievement of the target is the main indicator in assessing effectiveness.

In addition, rational choice theory is also used to describe the attitude of violators. According to this theory, traffic violations that occur are seen as individual violators' decisions to take risks to violate the law after considering various advantages and disadvantages that they may receive, including considering how environmental conditions are around and how the efficiency and effectiveness of the police's performance.

### **2.3 Traffic Police**

According to the United States Department of Transportation, National Highway Traffic Safety Administration, National Committee on Uniform Traffic Laws and Ordinances, Traffic Laws Annotated 1979 (1981: 17), traffic police or traffic officers often refer to colloquially as traffic cops or traffic enforcers, are police officers who direct traffic or serve in a traffic or roads policing unit enforcing rules of the roads or streets. Traffic police include officers who patrol major roads and also police who address traffic infractions on other roads.

Traffic police, who are regarded as peripheral to most police forces, participate in both authoritative intervention and symbolic justice. Perhaps alone of all the assignments, traffic police are full-service police. They are different from the rests, however, because their work is limited to a particular venue—namely, public thoroughfares—and to particular people—namely, those who operate motor vehicles. But in terms of work, traffic police are detectives as well as patrol officers (Bayley, 1996: 34).

### **2.4 Traffic Ticket**

A traffic ticket is a notice issued by a law enforcement official to a motorist or other road user, indicating that the user has violated traffic laws. Traffic tickets generally come in two forms, citing a moving violation, such as exceeding the speed limit, or a non-moving violation, such as a parking violation, with the ticket also being referred to as a parking citation, or parking ticket. In some jurisdictions, a traffic ticket constitutes a notice that a penalty, such as a fine or deduction of points, has been or will be assessed against the driver or owner of a vehicle; failure to pay generally leads to prosecution or to civil recovery proceedings for the fine. In others, the ticket constitutes only a citation and summons to appear at traffic court, with a determination of guilt to be made only in court.

### **2.5 Traffic Violation**

According to <https://www.findlaw.com/hirealawyer/choosing-the-right-lawyer/traffic-violations.html>,

traffic violations occur when drivers violate laws that regulate vehicle operation on streets and highways. More than ninety percent of Americans over age sixteen are licensed to drive, often with more than one vehicle registered per name. This means that translates into trillions of mile driven each year and millions of traffic infractions—including speeding, running red lights, reckless driving, DUI, etc. Traffic violations are usually issued by local law enforcement officers and processed in local branches of state court.

According to the same source, the majority of traffic tickets are issued for “strict-liability” offences. This means that there is no particular criminal intent is required to convict a person of the offense. The only proof needed is that the person did commit the prohibited act. Strict-liability traffic offenses liability include such offenses as: speeding, failure to yield, turning into the wrong lane, driving a car with burned-out headlights, parking in a handicap spot without the required sticker, and Overdue parking meters.

Furthermore, there are two types of violations: moving and non-moving violations. A moving violation occurs whenever a traffic law is violated by a vehicle in motion. Some examples of moving violations are speeding, running a stop sign or red light, and drunk driving. Meanwhile, a non-moving violation, by contrast, is usually related to parking or faulty equipment. Examples include parking in front of a fire hydrant, parking in a no-parking zone, parking in front of an expired meter, and excessive muffler noise.

The author also employs two important concepts: traffic violations and police science. The concept of traffic violations used refers to Law number 22 of 2009. Meanwhile, the concept of police science used in this research is to use the concept of police science proposed by Suparlan who stated that police science is a field of science that studies social problems and important issues as well as the management of social and moral order in the community, efforts to enforce law and justice, and techniques of investigation and investigation of various crimes and ways. The line of thought used to examine the problems in this study is to place the action of traffic violations with a ticket applied by Magetan Police Traffic Unit as the centre, as well as the object studied by using effectiveness theory and rational choice theory as an analytical tool to assess its effectiveness. In addition, the factors that influence the enforcement of traffic violations by issuing tickets are also taken into account to see their contribution to its effectiveness.

### **3. METHODS**

This study employs the qualitative approach to explore problems related to the effectiveness of prosecution of traffic violations by ticketing conducted by traffic unit personnel of Magetan Police Resort. The main reason for choosing this qualitative approach is the inconsistency of the influence between the quantity of the performance of Magetan Police Resort Traffic Unit and the results obtained are measured from the number of violations that are compiled during 2014, 2015, and 2016. Therefore, further investigation is

needed to obtain more accurate information about the phenomenon in question. This qualitative approach is carried out by interviewing, observing and reviewing documents so as to describe the results of the study by analyzing phenomena and facts related to the effectiveness of prosecution of traffic violations by ticketing conducted by traffic unit personnel of Magetan Police Resort in reducing the number of traffic violations.

In this study, the researcher is also an active participant together with the object under the study, with the intention that the researcher is able to see a structural and functional phenomenon in the field. Structural here means that researchers must look at social phenomena by not breaking away from building structures that are related to other structures. Meanwhile, functional here means that researchers must be able to understand a phenomenon from viewing its function with other phenomena.

Data sources in this study consist of primary data sources and secondary data sources. Primary data is obtained directly at the research location with data collection techniques in the form of observation and also interviews with several informants that consisted of (a) head of Magetan Police

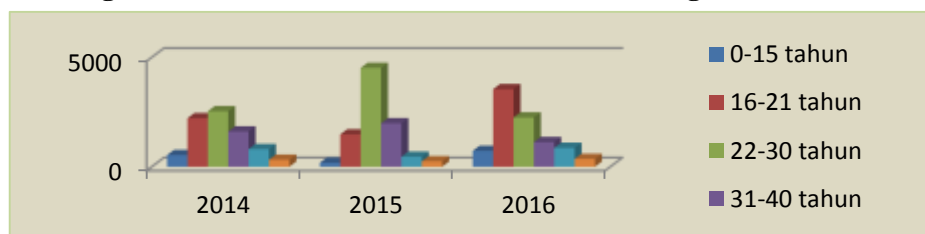
Resort Traffic Unit; (b) head of Turjawali (arrangement, guard, patrol, escort) of Magetan Police Resort Traffic Unit; (c) NCOs for trafficking of Magetan Police Resort Traffic Unit; (d) personnel of Magetan Police Resort Traffic Unit; and (e) communities in the jurisdiction of Magetan Police Resort. Meanwhile, secondary data used in this study is obtained by using document review techniques on documents related to research problems, namely: basic intelligence, monthly reports, traffic violation case data, DSP data and real personnel, laws and regulations, regulations of the National Police Chief and other literature.

#### 4. RESULTS AND DISCUSSIONS

##### 4.1 Results

Based on document studies and interviews conducted by the researcher, it is found out that the anatomy of traffic violations in the jurisdiction of Magetan Police Resort can be divided into several relevant categories, namely: age, violators' profession, types of violation, and repetition of the same violation by violators. The data used is from the period 2014 to 2016 is shown in the following diagrams.

**Diagram 1 Number of traffic violations based on age (2014 – 2016)**



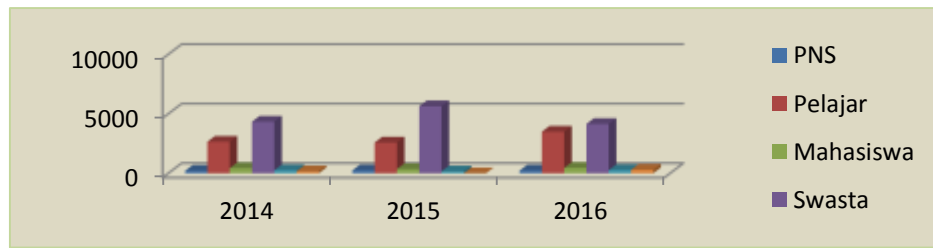
Source: Administration Affairs of Magetan Police Resort Traffic Unit, 2017

It can be seen in Diagram 1 that based on age, the majority of traffic violators in the jurisdiction of Magetan Police Resort are people

aged 22-30 years old. The second position is occupied by people aged 16-21 years old.



**Diagram 2 Number of traffic violations based on traffic professions (2014-2016)**

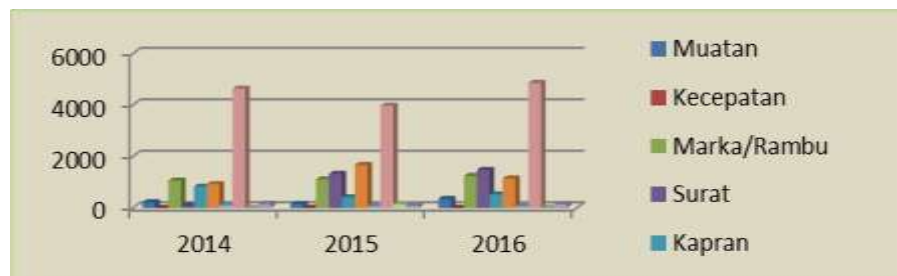


Source: Administration Affairs of Magetan Police Resort Traffic Unit, 2017

Diagram 2 shows us that the majority of traffic violators in the jurisdiction of Magetan Police Resort, based on their professions,

are entrepreneurs. They are followed by students and college students.

**Diagram 3 Number of traffic violations based on types of violation (2014-2016)**



Source: Administration Affairs of Magetan Police Resort Traffic Unit, 2017

Diagram 3 shows us that the majority of traffic violations in the jurisdiction of Magetan Police Resort, based on the types of

violation in the period of 2014-2016 are not having license to drive. It is followed by speeding.

**Table 1 Data on repeated traffic violations (2015-2016)**

No.	Year	Number of repeated traffic violators (people)	Articles breched
1.	2015	49	281 Yo 77 (1) UULAJ
			291(1) yo 106(8)
			288(1) yo 106(5)a
2.	2016	60	281 Yo 77 (1) UULAJ
			288(1) yo 106(5)a
			291(1) yo 106(8)
			285(1) yo 106(3)

Source: Processed Research Data, 2017

Based on the data in Table 1, taking data sample in 2016, it can be described that in 2016 there are 60 traffic violators who repeat the violations in the same year.

Compared with the total of enforced violations by giving tickets, the percentage of the number is 0.6 %.

## 4.2 Discussions

### 4.2.1 Analysis on traffic violations in Magetan Police Resort jurisdiction

Basically, traffic violators already know the impact of losses from their infringing actions. However, at the same time the individual also expects benefits from his actions. Such benefits, according to rational choice theory are known as 'expected usefulness.' Akers and Jensen (2006: 84) states that "a person will make rational decisions based on the levels of choice they expect in order to maximize profits or benefits and minimize losses or losses."

In the context of more serious violations of laws, rational choice theory explains that "illegal act is a matter of rational choice, which is made after weighing of the potential benefits and consequences of crime." Crime is considered as an event that only occurs when a violator decides to take the risks to violate the law, after considering various needs, for examples earning money, maintaining personal values or after studying several considerations. Such violators study what a protected target is, what the condition of the surrounding environment is and how the efficiency and effectiveness of police performance around the place.

The perpetrators of traffic violations in the jurisdiction of Magetan Police Resort have basically

considered various legal sanctions that can be accepted if they commit traffic violations. However, the perpetrators still decide to commit the violation on the basis of the benefits they could get. For example the advantage of speed of time for people who violate traffic lights. They also basically quite understand the weakness of Magetan Police Resort Traffic Unit personnel in terms of supervision. Most violators have studied certain places used by Magetan Police Traffic Unit to carry out patrols and raids. The behaviour of people who only obey traffic rules when there is supervision from the Police indicates a lack of public legal awareness of the importance of obeying traffic rules even though there are threats in the form of legal sanctions.

In order to obtain a more in-depth review, one of the most prominent violations in Magetan Regency is driving license violations (Article 281). Based on the rational choice theory, the perpetrators of driving license violations have basically realized that driving without a driving license or not being able to show a valid driving license when driving is against the law. However, after considering the advantages and disadvantages, the perpetrators still decided to commit the violations. Based on the results of the interview, the most common

reason obtained from the violator's point of view is that they think that applying for a driving license will take time and money and the chances of passing various stages of the exam are very small. Thus, it is strengthening their judgment in choosing their course of action.

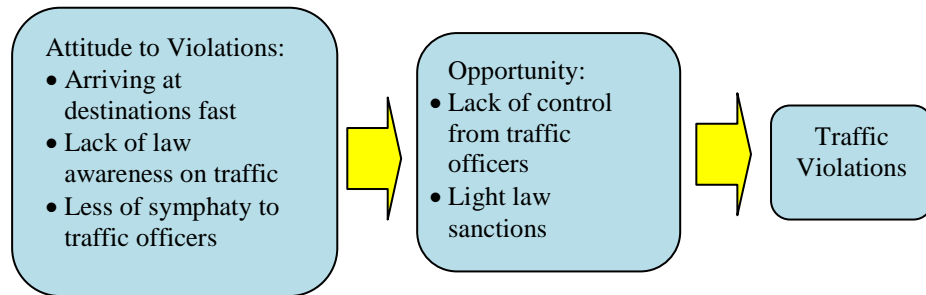
Based on the description above, it can be understood that the complexity of the problem of traffic violations/non-compliance with traffic laws is also closely related to the attitude of the violator. In social psychology, attitude is defined as “a psychological tendency that is expressed by evaluating a particular entity with some degree of favour or disfavour,” or “a summary evaluation of an object of thought....encompass affective, behavioural and cognitive responses.” In other words, attitude is an assessment or evaluation given by individuals to an object with degrees of liking to disliking. Attitudes also have affective, behavioural, and cognitive components. This means that a person's attitude can be displayed in the form of affect/emotion (e.g., anger or admiration), behaviour (e.g., doing or not doing), or thoughts (e.g., supporting or not supporting). In various domains of human behaviour, attitudes are very important because they have three levels of implications: individual, interpersonal, and societal. At the individual level, attitudes affect people's

perceptions, ways of thinking, other attitudes and behaviour. At the interpersonal level, attitudes help predict and control the reactions of others, if they are known. At the societal level, attitudes are at the core of intergroup cooperation or conflict.

The behaviour of violating traffic rules in the jurisdiction of Magetan Police Resort is driven by the attitudes towards the violation itself, attitudes towards traffic laws/rules, attitudes towards traffic police, which of course have implications at three individual, interpersonal, and societal levels. Almost all infringing behaviour is caused by conscious decision making. Therefore, it is useful to explore how attitudes and motivations for that decision are made. More specifically, related to attitudes, it is suspected that road users do not obey traffic rules and tend to commit violations because they have: (1) positive attitudes towards traffic violations; (2) negative attitudes towards traffic laws; and (3) negative attitudes towards traffic police. The attitudes of the violators are the basic determinants of the formation of behaviour, namely the behaviour of violating traffic rules. Attitudes that support traffic violations increasingly increase the occurrence of traffic violations by road users. Regarding traffic violations committed by the

community in the jurisdiction of Magetan Police Resort, the author classifies the process

of the occurrence of violations as follows:



Source: Processed data, 2017

**Figure 5.1 Analysing the determinants of traffic violation**

Based on Figure 5.1, it can be evaluated that the occurrence of traffic violations begins with the attitude of the violators who support the occurrence of violations. This attitude is a strong determinant for committing traffic violations which is supported by the existing opportunities, both from law enforcement and weaknesses in the legal sanctions themselves. These two determinants are the originators of traffic violations that can result in losses for both the violators and other road users.

Positive attitudes towards violations are due to cognitive determinants, containing positive beliefs about violating behaviour, descriptive social norms that encourage violations, previous experience of violating but not being punished, as well as the role of age and gender. A positive attitude towards violations will arise if the sense of obligation to comply with traffic rules is weak, in other

words, social values that are pro-security and orderly are not strongly socialized in the community and evaluation of the contents of the traffic law is negative, in addition to controlling for violations is not firmly established. Second, a positive evaluation of the traffic law will predict the legitimacy and compliance with the law, if previously the law is strictly enforced. In this case, fines are only one alternative law enforcement instrument. The actual use of penalty points can also be carried out with punishments in the form of education, suspension of driving license, as well as trials in courts that are regulated clearly, transparently and systematically. Such legal instruments will be evaluated fairly and reasonably, thereby providing legitimacy and public compliance. Moreover, the sanctions given must be immediate and strong enough to deter violators.

#### **4.2.2 Analysing the overview of the effectiveness of enforcement of traffic violations using tickets by Magetan Police Resort Traffic Unit personnel in reducing the number of traffic violations**

The number of ticketing actions carried out by Magetan Police Resort Traffic Unit from year to year tends to be inconsistent. They have increased and decreased. However, violations that occur in the jurisdiction of Magetan Police Resort are still rampant. Thus, the effectiveness of the enforcement using tickets carried out by Magetan Police Traffic Unit in decreasing the number of traffic violations is still questionable.

In the context of the study of an organizational behaviour, Steers (1985) (in Rimawan, 2014: 16-17) suggests that effectiveness can be analysed using the goal optimization approach. Furthermore, this approach is used by the researcher to analyse the effectiveness of the enforcement using carried out by Magetan Police Traffic Unit. Effectiveness is seen as a goal attainment or goal optimization or the achievement of goals from a joint effort so that the degree of achievement of targets indicates the degree of effectiveness. A program is said to be effective if the final goal of the program is achieved so that the

achievement of goals is considered as the main indicator in assessing effectiveness.

In the application of traffic law, all components must interact with each other, both humans as road users, vehicles and roads. A mature concept must also be well organized as has been analysed in article 245 of the Law of the Republic of Indonesia Number 22 of 2009 concerning Road Traffic and Transportation, namely traffic management, traffic planning activities, traffic regulation activities, traffic control activities and traffic control activities which would be able to assist in traffic law enforcement so as to create comfort in traffic.

Based on the analysis that has been carried out by the researchers, it can be concluded that the enforcement using tickets carried out by Magetan Police Traffic Unit personnel in reducing the number of traffic violations is still considered ineffective. This can be seen from the rampant traffic violations in the jurisdiction of Magetan Police and the existence of offenders who repeat their actions even though they have been ticketed according to the procedures. The low level of legal sanctions in the form of a ticket fine that must be paid by traffic violators makes the enforcement of traffic violations using tickets carried out by Magetan Police Resort Traffic Unit

personnel less able to provide a deterrent effect for violators.

#### **4.2.3 Analysis of factors influencing the effectiveness of traffic violation enforcement using tickets by Magetan Police Resort Traffic Unit personnel in reducing traffic violation**

Soekanto (2013: 8-60) states that the main problem of law enforcement actually lies in the factors that influence it which consist of:

**a. Legal factor**—Laws in the material sense are defined as written regulations that are generally accepted and made by legitimate central and local authorities. Therefore, law in a material sense includes:

- 1) Central regulations that apply to all citizens or a certain group or generally apply in some parts of the country.
- 2) Local regulations that only apply in one place or area.

In connection with the prosecution of traffic violations, the legal rules used are the Law of the Republic of Indonesia Number 22 of 2009 concerning Road Traffic and Transportation and Government Regulation No. 80 of 2012 concerning Procedures for Inspection of Motorized Vehicles on the Road and Enforcement of Traffic and Road Transportation Violations.

In Law No. 22 of 2009, it has been specifically regulated regarding various rules regarding traffic procedures, along with sanctions for those who violate it. Furthermore, in Government Regulation Number 80 of 2012, it is regulated the procedures for law enforcement against those who violate the said rules. Based on the results of this study, the legal factor in the prosecution of traffic violations using tickets by Magetan Police Resort Traffic Unit personnel is basically a supporting factor.

**b. Law enforcement factors** (the parties that form and apply the law)—One of the main factors in law enforcement process is the human resources of law enforcement itself. Without the availability of the apparatus, the law is just a text. In the practice of traffic law enforcement in the jurisdiction of Magetan Police Resort, it is found out that, in terms of human resources, there are still limitations, especially in terms of quantity when compared to the number of road users. The limited number of personnel of Magetan Police Resort Traffic Unit causes the supervision carried out less effective. There are many gaps or loopholes that can be exploited by road users to

commit traffic violations. This then becomes the trigger for the increase of traffic violations because they are dealing with the immaturity of the attitudes of road users.

**c. Factors of facilities or facilities that support law enforcement**—based on the results of the analysis carried out by the researcher, the facilities or infrastructures to support the prosecution of traffic violations are still not optimal so they can be declared as inhibiting factors. One of them that is quite prominent is the lack of operational vehicles in the implementation of traffic law enforcement. Due to the fact that the large jurisdiction of Magetan Police Resort and the length of roads in Magetan Regency area, a qualified operational vehicle determines the reach of the personnel of its traffic unit to catch traffic violators.

**d. Community factors—the environment in which the law applies or is applied.** In the context of traffic law enforcement, community factors are closely related to the level of compliance and legal awareness of the community. Such legal awareness is a condition that includes elements of legal knowledge, legal understanding, attitudes towards laws and legal behaviour. This will be

reflected in people's obedience to the law in everyday life. Based on the author's analysis, people generally obey the law only to avoid negative sanctions that arise as a result of violating the law and not on personal awareness that legal compliance can create a safe and peaceful form of life. And with the rampant behaviour of traffic violations on the road, it reflects that the level of legal awareness of the community in Magetan Regency is still low.

There are several factors that have resulted in the low level of legal awareness, including the following:

- 1) Lack of public knowledge of applicable traffic regulations due to lack of public awareness to find out traffic rules or traffic signs.
- 2) The number of parents who allow children (under 17 years) to drive a motorized vehicle without thinking about the safety of the child and other people.
- 3) People generally only obey when they know that there will be a raid or when there is a policeman on duty.
- 4) People generally do not think about the safety of other drivers or the people around the road. For example,

motorcyclists do not wear helmets, rear view mirrors and do not turn on the lights during the day.

- e. **Cultural factors—as a result of work, creativity, and taste based on human initiative in social life.** The increase of traffic violations committed by school-aged children cannot be separated from the habits that eventually become entrenched in the people of Magetan Regency. One of them is that some parents allow their underaged children to ride motorbikes. In addition, the culture of not being on time is often shown by employees who do not change their hours to go to work earlier so they are not in a hurry and end up committing traffic violations.

Another habit that is also very influential on the high traffic violations in Indonesia generally and in Magetan particularly is the moment of graduation of school children from junior high school to high senior school. At that moment, many parents often give motorbikes to their children as gifts and at the same time as a form of behaviour to maintain self-esteem in villages. And the worse thing is this has gradually become a kind of demand from children to parents. It has been common for children

who are in the time of graduation as intended to demand parents to buy motorbikes with the threat of not continuing their education if they are not given the motorbikes. Subsequently, this culture has become an obstacle in the effort to realize community compliance and a culture of orderly traffic, mainly based on the fact that these children are still not old enough to drive and are not eligible to have a driving license. Once they are given motorbikes, it will trigger traffic violations.

On the other hand, a ticket with its consequences, such as attending a court to retrieve a withdrawn driver's license and paying the specified fine is considered not to punish but inflict losses (time and effort). That is why public often has a view that it is better to give some money to traffic police officers in order to avoid the tickets. Here, it can be seen that the cost-benefit approach explains the behaviour of people who tend to disobey the law, refusing to pay a ticket fine with the proper procedure according to the rule of law.

A positive evaluation of the traffic law will predict the legitimacy and compliance with the law if previously the law is strictly enforced.



Fines are only one alternative law enforcement instrument. The use of penalty points can be carried out with punishments in the form of education, suspension of driver's license, as well as trials in courts that are regulated in a clear, transparent and systematic way. Such legal instruments will be evaluated fairly and reasonably, thereby providing legitimacy and public compliance. More than that, the sanctions given must be immediate and hard enough to deter violators.

- b. Traffic violations are still rampant, indicating that the enforcement of traffic violations using fines carried out by Magetan Police Resort Traffic Unit personnel is still ineffective. In addition, the repetition of the same violation by several people shows that the sanctions imposed on violators have not provided a deterrent effect yet.
- c. Factors that support the effectiveness of the enforcement of traffic violations using tickets by Magetan Police Resort Traffic Unit personnel are the legal and means factors, while the community factor and cultural factors are considered as obstacles.

## **5. CONCLUSIONS AND IMPLICATIONS**

### **5.1 Conclusions**

Law enforcement is an activity to harmonize the relationship of values that are spelled out in solid and embodied rules and an attitude of action as a series of final stages of value translation, to create, establish, and maintain a peaceful life. Based on the research findings and discussions, it can be concluded as follows:

- a. Traffic violations in the jurisdiction of Magetan Police Resort are still rampant and the highest number is driving license violations. Traffic violations are mostly committed by residents in the age range of 16-30 years with professions as students or private employees. The main cause of the still rampant traffic violations is legal awareness that is still low in terms of traffic order.

### **5.2 Implications**

In connection with the conclusions above, the author provides several suggestions that may be input for Magetan Police Traffic Unit as follows:

- a. Magetan Police Traffic Unit needs to build a complete traffic violation database, containing all aspects related to traffic violations that have been ticketed.
- b. Magetan Police Traffic Unit is also advised to coordinate with the court and prosecutor's office for the provision of additional cumulative penalties for repeated offenders.
- c. Magetan Police Traffic Unit is advised to increase socialization and education about traffic order by involving communities that care about the culture of traffic order.

## REFERENCES

### Books/ Journals

- Akers, R. L., & Jensen, G. F. 2006. The Empirical Status of Social Learning Theory of Crime and Deviance: The Past, Present, and Future. In F. T. Cullen, J. P. Wright, & K. R. Blevins (Eds.), *Taking stock: The status of criminological theory*. New Brunswick: Transaction Publishers.
- Barker, Thomas., and Carter, David L. 1999. *Police Deviance: Police Deviance*. Third Edition. Translation: Kunarto and Khobibah M. Arief Dimyanti. Jakarta: Cipta Manunggal.
- Bayley, David H., *Police for the Future* (1996).
- Cornish, D. B., and Clarke, R. V. 1997. *The Reasoning Criminal: Rational Choice Perspectives on Offending*. New York: Springer.
- Dahniel, Rycko Amelza., et al., 2015. *Police Science. The First Edition of the 69th Anniversary of STIK-PTIK*. Jakarta: PTIK Press.
- Fadlillah, Syah Firman., and Machyawaty, Tety. 2015. *Lex Police Science Specialist*. Tangerang: Faris Vania.
- Herdiansyah, Haris. 2010., *Ku . Research Methodology allitative: For the Social Sciences*. Jakarta: Salemba Humanika.
- Muhammad, Farouk & Djaali. 2010. *Social Research Methodology*. Jakarta, PTIK.
- Secretariat General of the Judicial Commission of the Republic of Indonesia. 2012. *The Dilectic of Legal System Reform in Indonesia*.
- Soekanto, Soerjono. 2013. *Factors Affecting Law Enforcement*. Jakarta: Rajawali Press.
- Wibisono, D. 2013. *Business Research: A Guide for Practitioners and Academics*. Jakarta: PT. Main Library Gramedia.
- Khairulludin. 2015. *Effectiveness of Traffic and Road Transport Law Enforcement at the Lubuk Selasih Weighbridge, Solok Regency*. Thesis. Master of law at Andalas University, Padang.
- Puri, Artika Inscription. 2013. *Law Enforcement against Traffic Rules Violators in Klaten Regency*. Thesis Journal. Yogyakarta: Faculty of Law, Atma Jaya University, Yogyakarta.
- Daughter, Ayu Yohana. 2015. *The Effectiveness of Sanctions Against Road Marking Violators Based on Law Number 22 Year 2009 concerning Road Traffic and Transportation by the Pekanbaru City Police*. JOM Faculty of Law. Volume II. Number II.
- Rimawan, Danny. 2014. *The Effectiveness of the Implementation of the Traffic Order Area in the Legal Territory of the Tasikmalaya City Police*. Essay. Jakarta: STIK – PTIK.

### Laws and Regulations

- Law of the Republic of Indonesia Number 8 of 1981 concerning the Criminal Procedure Code.
- Law of the Republic of Indonesia Number 2 of 2002 concerning the State Police of the Republic of Indonesia.
- Law of the Republic of Indonesia Number 22 of 2009 concerning Road Traffic and Transportation.
- Government Regulation Number 80 of 2012 concerning Procedures for Inspection of Motorized Vehicles on the Road and Enforcement of Traffic and Road Transportation Violations.
- United States Department of Transportation, National Highway Traffic Safety Administration, National Committee on Uniform Traffic Laws and Ordinances, *Traffic Laws Annotated 1979 (1981)*, p. 17.

**Internets**

<https://www.findlaw.com/hirealawyer/choosing-the-right-lawyer/traffic-violations.html>  
<https://www.macmillandictionary.com/dictionary/british/effectiveness>

<https://www.myaccountingcourse.com/accounting-dictionary/effectiveness>  
<https://www.oxfordlearnersdictionaries.com/definition/academic/effectiveness>