ANALYSIS OF THE POWER OF ONLINE TICKET LAWS IN PROVIDING CONVENIENCE FOR TRAFFIC OFFENDERS

Maulida Fitri
Institut Agama Islam Tulang Bawang Lampung
maulidafitri0404@gmail.com

Muhamad Zainuri
Institut Agama Islam Tulang Bawang Lampung
muhamadzainuri919@gmail.com

Rahmat Hidayat
Universitas Islam An Nur Lampung
idayatrahmat677@gmail.com

Abstract
One of the most frequent and easily identifiable legal violations is traffic violations. Traffic violations are a common phenomenon in large cities in developing countries like Indonesia. The problem addressed in this journal article is: what is the accountability of traffic violators? What is the legal power of the online ticketing system in facilitating traffic violators, and what are the efforts to combat traffic violations? The research is based on normative juridical methodology and empirical approaches, with data obtained from literature sources such as secondary and primary data through qualitative analysis to obtain accurate and objective research results. The research findings show that the accountability of traffic violators is adjusted according to the...
decision of the judge's council that the perpetrator has been proven legally and convincingly guilty of traffic violations, with a fine of IDR 49,000 (forty-nine thousand rupiahs), and the defendant must pay a case fee of IDR 1,000 (one thousand rupiahs). The legal power of online ticketing provides convenience for traffic violators who can pay fines through mobile or e-banking to BRI Bank accounts that have been appointed and serve as valid proof, which will later be transferred to the prosecutor's office without having to go directly to court or the prosecutor's office. Efforts to address traffic violations in the Tulang Bawang Police Resort area are taken through several steps, including pre-emptive measures such as socialization or counseling to the community about proper driving manners, preventive measures such as operations to identify drivers who do not have official documents, and repressive measures such as chasing and arresting perpetrators who flee after committing traffic violations, conducting investigations and prosecutions against perpetrators of traffic violations. The author suggests increasing public awareness and encouraging compliance with traffic laws through continued socialization of E-Ticketing by the Tulang Bawang Police Traffic Unit.

**Keywords:** Analysis, Online Ticketing, Traffic Offenders.

**Introduction**

One of the violations of law that often occur and is very easy to find is traffic violations. Traffic violations are a common phenomenon in big cities in developing countries, such as Indonesia. This problem is often associated with the increasing number of urban residents which results in increased activity and density on the highway.

Humans as road users who do not obey traffic rules are the main factor in the occurrence of traffic accidents. Even though there are other causes other than the human factor such as flat tires, flat brakes, potholes, traffic jams, high volume of vehicles passing through certain road sections, road conditions, inadequate road infrastructure and others.

Road traffic and transportation in Indonesia has an important and strategic role so that its implementation is controlled by the state and its guidance is carried out by the government with the aim of realizing safe,

---

secure, fast, smooth, orderly, orderly, comfortable and efficient road traffic and transportation.

Law enforcement in the field of road traffic and transportation includes prosecution of violations and handling of traffic accidents. In the case of enforcement of violations, beforehand inspection of motorized vehicles on the road is carried out. The act of inspecting motorized vehicles on the road and taking action against violations is a series of law enforcement activities in the field of road traffic and transportation. In the Regulation of the Head of the National Police of the Republic of Indonesia Number 23 of 2010 it is stated that one of the functions of the police in the field of traffic is the implementation of police operations in the field of traffic in the framework of law enforcement and security, safety, order, smooth traffic (Kamseltibcar Lantas).

Personnel or officers in carrying out inspections of motorized vehicles must be equipped with an assignment order. The inspector himself when carrying out the inspection must wear uniform and attributes. Police officers, in this case Satlantas, are required to meet standards in carrying out motorized vehicle inspection activities (raids). This serves as proof that the inspection is official from the police and is not used by certain elements.

The result of carrying out the inspection of motorized vehicles on the road and if a violation is found, a ticket sanction will be given which is carried out by means of a quick program inspection. Sanctions are nothing but reactions, results or consequences violation against social norms\textsuperscript{2}.

In traffic, vehicle users often violate the rules or regulations that have been set. The sanctions given are in the form of proof of a ticket or better known as a ticket.

In carrying out a fine the police stop the violators must greet politely and show their identity clearly. The police must explain clearly to violators what mistakes have been made, what articles have been violated and a table containing the amount of fines to be paid by violators. After that the offender can choose to accept the mistake and choose to receive the blue slip, then pay the fine in court at the time stated in the Court\textsuperscript{3}. Or if you refuse the accused error, you can ask for a red slip.

\textsuperscript{2} Sudikno Mertokusumo, \textit{Penemuan Hukum Sebuah Pengantar} (Yogyakarta: Liberty, 2007), h. 76.

\textsuperscript{3} Republik Indonesai, "Undang-Undang Dasar 1945 Republik Indonesia" (UU No 4 tahun 2004 dan UU No 48 tahun 2009).
Along with advances in technology and information, law enforcement officials have begun to incorporate technological elements into their programs. In activities countermeasures violations and prosecution of traffic violations and road transportation. The Republic of Indonesia National Police runs the program using the help of electronic devices, namely electronic tickets (E-Tilang)\(^4\).

E-Tilang is a ticket system for traffic violations using electronic devices in the form of Android-based gadgets or cellphones. E-Tilang is a digitization of the ticketing process, by utilizing technology it is hoped that the entire ticketing process will be more efficient and also help the police in administrative management\(^5\). These are the values of state transformation that begin with administration for common needs and facilitating public access\(^6\). Even with the wrong status of a traffic offender, people still make their choices in the consequences of punishment. And this is what is called a decision or basis for choosing from society\(^7\).

Through Law Number 22 of 2009\(^8\) regarding Traffic and Road Transportation, the government and the DPR are trying to accommodate changes that occur in people's lives related to traffic problems. It is hoped that with the enactment of the new law regarding traffic, the community will be able to implement it as well as possible. Of course, this can only be achieved by all parties who want to be aware of and comply with the regulations that have been made.

In fact, expectations are inversely proportional to reality. In Indonesia itself there are still a lot of traffic violators on the highway. The problem is getting more complicated due to the frequent occurrence of bribery between law enforcers and the public. For this reason, law enforcement officials have begun to innovate in overcoming the problem of traffic violations that continue to occur, one of which is as a follow-up to the Supreme Court Regulation Number 12 of 2016 concerning Procedures for Settlement of Traffic Violation Cases. So,

\(^4\) Republik Indonesia, UU No. 2 tahun 2002 tentang Kepolisian Negara Republik Indonesia.


\(^8\) Republik Indonesia, “Undang-Undang Dasar 1945 Republik Indonesia” (Lalu Lintas dan Angkutan Jalan, 2017).
with the help of electronic equipment, law enforcement officials began to run an electronic ticketing system (E-Tilang). Therefore, in one form of transparent law enforcement, it requires a work ethic and hard work. The characteristic spirit “of” a culture, era, or community as manifested in its attitudes and aspirations.

There was an incident of traffic violations committed by motorists who were then arrested by the traffic police. Therefore it is necessary to have a legal responsibility for the perpetrators who commit criminal acts of traffic violations. Based on the above, the authors are interested in researching and studying issues regarding how far legal liability is for traffic violators. That in order to analyze it, the writer will put it in the form of a journal which the author gives the title: Analysis of the Power of Online Ticket Laws in Providing Convenience for Traffic Offenders.

**Metodology**

The problems contained in this journal research, researchers took two approaches, namely through a normative juridical approach and an empirical approach in order to obtain a correct and objective research result as follows.

a. **Normative Juridical Approach**
   Approach normative juridical, namely the approach by examining rules, norms, rules relating to the problem to be studied. This approach is intended to collect various types of laws and regulations, theories and literature that are closely related to the problem to be studied, namely the problem of the power of online ticketing in providing convenience for traffic violators.

b. **Empirical Approach**
   The empirical approach is carried out by researching and collecting primary data obtained directly through research on research objects by means of observation and interviews with sources related to the issues discussed regarding the power of online ticketing in providing convenience for traffic violators.

**Results And Discussion**

**Accountability Traffic Violators**

Traffic is a means of public communication which plays a vital role

---


in facilitating the national development that has been implemented. The traffic problem is a national scale problem that develops in tune with the development of society. The problem faced today is the high number of traffic violations on the highway. So that positive laws need to be carried out in a comprehensive manner, starting with providing balanced understanding, teaching and information\(^\text{11}\). And that's why improving the morals of the driver makes a step that is considered quite good\(^\text{12}\). With a review in providing an understanding around process safety in traffic.

According to Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit, there are many cases of traffic violations on the highways committed by road users which tend to result in accidents and increasing traffic jams. The majority of traffic violations are in the form of violations in terms of markings, traffic signs and traffic control lights such as prohibitions on stopping, parking in certain places, running red lights, without vehicle documents and accessories, and so on. The violation occurred precisely during rush hour when community activity on the highway increased. The development of the number of motorized vehicles in Indonesia has increased rapidly along with the increase in motorized transportation as well as an increase in traffic violations. along with the growth of modes of transportation.

According to Doni, S.H as a Judge at the Menggala District Court explained that Proof of Violation or abbreviated ticket is a fine imposed by the police on road users who violate the rules road users often violate the rules set by the traffic law. Tickets are expected to be able to handle traffic problems. Tickets are the main tool used in prosecution for violators of certain road traffic regulations, there are three main functions of a ticket, namely: 1) As a summons to the District Court, 2) As an introduction to pay fines to the Bank/Registrar and 3) As a sign confiscation of confiscated evidence either in the form of a driver's license, vehicle registration or motorized vehicle. By making this a managerial reference for online-based management so that accommodation problems easily accessible to the general public\(^\text{13}\).

According to Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit, when road users are seen violating the markings,

---


Police officers can take action by stopping them, this can be categorized as "caught red-handed". The definition of being caught red-handed is the arrest of a person while committing a crime, or immediately after a while the crime was committed, or a moment later being called out by the public as the person who did it, or if a moment later objects are found in him that are strongly suspected of having been used to commit the criminal act which shows that he is the perpetrator or participates in committing it and assisting in committing the crime. Doni, S.H as a Judge at the Menggala District Court said that criminal responsibility is among the community insured be held responsible by the criminal for the actions he has committed. Accountability criminal in foreign terms is called attribution or criminal responsibility which is aimed at punishment prosecution with the intention of determining whether a defendant or suspect is responsible for a criminal act that has occurred or not.

According to A.R Guntoro as the Prosecutor at the Menggala District Attorney’s Office, he explained that in order to be able to be subject to a criminal act committed by that person, he must fulfill the elements specified in the law. That criminal liability can be carried out against someone if they have a relationship with his deeds, namely intentional and negligent (omissions) and there is no reason to justify or eliminate reasons for accountability. Ability to be responsible or able held accountable from the maker, there is an unlawful act. In this case, the judge ordered a special examination of the state of the defendant's soul even if it was not requested by him. If the result still doubts the judge, it means that the ability to be responsible does not stop, so that mistakes do not exist and punishment cannot be imposed based on the principle of not being convicted if there are no mistakes.

Priyo, as the defendant said that he admitted to having committed a traffic violation because he couldn't show the documents of his motor vehicle. Whereas this is in accordance with Article 1 paragraph (1) of the Criminal Code which states that a person can only be said to have committed a criminal act if the act is in accordance with the formulation in the Criminal Code (the principle of legality). Even so, it is not certain that the person can be sentenced to a criminal sentence because it still has to be proven guilty whether the act or mistake can be held accountable for the crime in criminal law.

Criminal law enforcement is basically an enforcement of legal policies through three stages:

First, The formulation stage, namely the abstract law enforcement

---

stage by legislators which is also called the legislature or is a strategic stage in crime prevention and the legal functionalization process. formulation is also the stage that becomes the basis or guideline for the next functionalization stage.

*Second,* The application stage, which is the stage of criminal application by law enforcement officials or legal entities ranging from the police to the courts. This stage is also known as the judicial stage.

*Third,* The execution stage, namely the implementation stage of the criminal law in a concrete manner enforced by enforcerslaw as criminal executor.

Barda Nawawi Arief\(^{15}\) adding that the objectives can be identified with the following main points: Crime prevention and control support objective (goal), public welfare/social welfare (SW) and community protection/Social Defence (SD). The SW and SD aspects are very important immaterial aspects of social welfare/protection, especially the values of trust, truth/honesty/fairness.

Prevention and control of crime must be carried out with an integral approach, there is a balance of penal means and non penal. Viewed from the point of criminal politics, the most policy strategic through non-penal means because it is more preventive and penal policies have weaknesses/limitations (i.e. characteristic fragmentary/simplistic/not structurally functional: symptomatic/not causative/not eliminative: individualistic or "avenger-oriented/Novictim-oriented", is more repressive/non-preventive, must be supported by high-cost infrastructure).

Prevention and control of crime by means of penal is penal policy or penal law and enforcement policy \(^{16}\) whose functionalization or operationalization goes through several stages, namely the formulation stage, the application stage and the execution stage. With the formulation stage, efforts to prevent and overcome crime are not only the task of law enforcement officials, but also law-making apparatus (legislative apparatus): even legislative policy is the most important stage. strategic from "penal policy". Because of this, mistakes/weaknesses in legislative policies are strategic mistakes that can become an obstacle to efforts to prevent and overcome crime at the application and execution stages.

Based on the description of the facts of the trial, the Panel of Judges decided based on Article 288 of Law Number 22 of 2009\(^{17}\) Concerning

\(^{15}\) Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana* (Semarang: Kencana, 2008).


\(^{17}\) Republik Indonesia, Pasal 288.
Road Traffic and Transportation as well as legal provisions and other laws and regulations relating to this case, the Panel of Judges in their decision decided:

a) Declare that the Defendant Priyo has been legally and convincingly proven guilty of committing the crime of “Failure to complete the Vehicle Registration Certificate.

b) Sentenced a crime against Defendant Bayu Irawan Bin Tulus, therefore, with a fine of Rp. 49,000.00; (forty nine thousand rupiah).

c) Ordering the Defendant to pay court fees of Rp. 1,000,- (one thousand rupiah).

The form of the error is divided into 2 (two) kinds of forms namely Intentional (trick) and Negligence (Fault). In relation to the inner state of the person who acts deliberately, which contains wanting and knowing that, then in the science of criminal law two theories can be called as follows, namely:

a. Theory of will (theory of will). The essence of intention is the will to realize the elements of the offense in the formulation of the law.\(^1\)

b. Theory of knowledge/ imagining (performance theory)\(^2\). Deliberately means imagining the consequences of his actions; one cannot imagine the effect, but can only imagine it. This theory focuses on what is known or imagined by the perpetrator is what will happen when he will do.

According to the type of intention, there are 3 (three) types, namely: deliberately with intent, deliberately with certainty and intentionally with purpose.

First. Intentionally (doles director). Deliberately with intent is the simplest form because in the sense that the perpetrator wants the action, both the behavior and the consequences/circumstances that accompany it. According to Vos in his book P.A.F. Lamintang says that what is stated is intentional with the intention, if the maker wants the consequences of his actions. He never commits his actions if the maker


knows that the consequences of his actions will not occur\textsuperscript{21}.

Second. Deliberately with certainty. According to Moeljatno that deliberately with certainty or deliberately with awareness of certainty (intent with awareness of certainty or necessity) the word "Certainly" or "certainly", whereas "conscious or "aware" means aware of certainty\textsuperscript{22}. So it can be explained what he (the suspect) was doing based on the awareness that there would be other consequences than the one he really wanted.

Third. Deliberately on purpose. According to Moeljatno, that is intentionally with a purpose or deliberately with awareness of the possibility of it happening (setup with Ivaarschynly kjeidsbeustzyri) can be given that the perpetrator knows the impact of his actions or knows from his actions\textsuperscript{23}.

Furthermore, according to Roeslan Saleh\textsuperscript{24} theory accountability crime or guilt, consists of three conditions, namely; 1) Ability to be responsible or able held accountable from the creator, 2) There was an unlawful act, namely a psychic attitude of the perpetrator related to his behavior, namely: intentional and careless or negligent (negligence), and 3) There is no justification or reason to abolish accountability punishment for the maker\textsuperscript{25}.

Based on the theory of responsibility above, it can be analyzed that in order to be able to be subject to criminal acts committed by that person, they must fulfill the elements specified in the law\textsuperscript{26}. That a person will be held accountable for his actions if the action is against the law and there is no reason to justify or negate the unlawful nature of the crime he has committed, then the ability to be responsible for his actions, that in this case the perpetrator answered the panel of judges' questions consciously so that the perpetrator was able to be legally responsible\textsuperscript{27}. Then according to the theory of error above that a person can be held responsible for his mistakes, namely that there was an action

\textsuperscript{21} P.A.F Lamintang, \textit{Dasar-Dasar Hukum Pidana Indonesia} (Bandung: PT. Citra Aditya Bakti, 1997).

\textsuperscript{22} Moeljanto, \textit{Asas-Asas Hukum Pidana} (Jakarta: PT Rineka Cipta, 2005).

\textsuperscript{23} Lamintang dan Samosir, \textit{Hukum Pidana Indonesia} (Bandung: Sinar Baru, 1983).

\textsuperscript{24} Roeslan Saleh, \textit{Pikiran-Pikiran Tentang Pertangungjawaban Pidana} (Jakarta: Ghalia Indonesia, 2002).

\textsuperscript{25} Roeslan Saleh, \textit{Perbuatan Pidana Dan Pertanggungjawaban Pidana; Dua Pengertian Dasar Dalam Hukum Pidana} (Jakarta: Centra, 1983).

\textsuperscript{26} Mochammad Hilmi Alfarisi, "Urgensi Peran Peradilan Al-Mazalim Dalam Menyelesaikan Sengketa Administrasi," \textit{Minhaj: Jurnal Ilmu Syari'ah} 1, no. 2 (2020): 103–18.

that caused an effect that was prohibited by law and also fulfilled the remaining elements of the offense in question, in this case due to the negligence of the perpetrator causing a traffic violation.

Based on the description of the analysis above, it can be seen that the responsibility of the perpetrators of criminal acts of traffic violations is adjusted to the verdict of the Panel of Judges that the perpetrators are legally and convincingly proven to have committed criminal acts of traffic violations with a fine of Rp. 49,000.00; (forty nine thousand rupiah) and the defendant paid court fees of Rp. 1,000,- (one thousand rupiah).

**The Power of Online Ticket Laws in Providing Convenience for Traffic Offenders**

Cases of traffic violations are included in the express examination program. Defined in Criminal Code, for traffic violations, an inspection report is not required. The police who caught the hand then gave written notification to the perpetrator about the day, date, time and place he had to appear before the court and this was then properly recorded by the police. Furthermore, the notes together with the file are sent to the court at the latest on the occasion of the following first trial day. Online ticketing is a process for resolving traffic violation cases in lieu of ordinary ticketing in accordance with the Republic of Indonesia Supreme Court Regulations concerning Procedures for Settlement of Traffic Violation Cases.

The Main Function of Law, one of the problems faced is finding a system and implementation of law enforcement that can explain legal functions properly such as social control functions, dispute resolution functions, integrating functions, facilitating functions, renewal functions, welfare functions and others. It's no different when a regulation or law is applied, one of which is by using e-tickets, which is to facilitate payment in cases of digitization. And this practice is to hope that there will be no speculative concept of the pattern and method of implementation.

The main function of law is to protect the interests that exist in society. As discussed in the previous topic in the context of interests according to Roscoe Pound. The details of each of these interests are not an absolute list but change according to the development of society. So,

---


it is highly influenced by time and social conditions. If the arrangement of these interests is arranged as an arrangement that does not change, then the arrangement is no longer associate engineering but is a political statement (political manifesto)\(^\text{30}\).

Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit said that traffic violators (in this case road markings) were caught red-handed, no other evidence was needed to prove their violation. What applies in this traffic violation case is a special quick inspection program for traffic violations as stipulated in section six paragraph two of the Criminal Procedure Code regarding Speed Investigation Programs for Traffic Violation Case Investigations.

Doni as a judge at the Menggala District Court said that the fine for the crime of traffic violations is the main crime that must be paid by the violator in the amount specified in the court decision, including the remaining money deposited for the payment of fines that the violator did not collect in accordance with the provisions of the laws and regulations in the field of traffic. Explanation of Article 1 letter d Government Regulation No. 39 of 2016 concerning Types and Tariffs of Non-Tax State Revenues that apply to the Attorney General of the Republic of Indonesia.

According to A.R Guntoro as the Prosecutor at the Menggala District Attorney's Office, he explained that the application of online tickets is an effective option that achieves the goal of implementing fines for violators of traffic rules as well as valid evidence. However, not all people in Indonesia are technologically literate. There are still many of them who do not know about the existence of online traffic tickets, so there is a need for more intensive and equitable outreach to the public\(^\text{31}\). It cannot be said to be effective because the implementation of online ticketing tickets in Indonesia is still new and there has been no evaluation for further improvement of online ticketing services. However, the choice to implement online ticketing tickets is very effective by utilizing advances in technology and communication.

The existence of a road is one of the basic needs for the community and is a means to meet other basic needs, considering that the need to use transportation to connect between locations is very high and because this transportation gets to the destination location it requires access to roads and traffic. The purpose of human traffic itself is to be able to


meet their needs, on the other hand other people also have the desire to use the highway regularly and peacefully. Thus, it is necessary to have regulations that regulate as well as law enforcement officers whose function is to uphold justice on the highway so that desires are met public using the highway regularly and peacefully can be achieved.

Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit said that regarding the legal basis for electronic tickets, this can be seen in Law no. 22 of 2009 concerning Traffic and Road Transportation and Government regulations Number 80 of 2012 concerning Procedures Inspection of Motorized Vehicles on the Road And Enforcement of Traffic Violations And Road Transport.

Doni as a Judge at the Menggala District Court said that Online ticketing had advantages and disadvantages in the process of resolving traffic cases compared to ordinary ticketing. The drawbacks of implementing Online Ticketing are that the Server system that is centered at Headquarters often experiences errors because it houses the Online Ticketing network, police members who are still not very knowledgeable about technology, especially the Android system, the maximum fine provisions that make interaction between the police and offenders often experience problems because the violator does not have enough money to pay the fine.

Then according to Doni, that ticketing online has advantages in the process of resolving traffic cases, namely that it can prevent the practice of extortion because there are no transactions between the police and the violators, but ticket payments are made through banks, ATMs, or mobile banking, the amount of fines is transparent, streamlining ticket time because violation data as legal evidence is recorded electronically, providing a deterrent effect on violators as well as proof of payment of fines for traffic violators online.

Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit said that the Online Ticketing mechanism makes it easy for violators who commit traffic violations because they can pay fines via mobile banking or-banking to the designated BRI Bank account, which will later be deposited to the Attorney’s Office without having to come directly to the Court or the Prosecutor's Office. The use of the Ticket Online application is expected to be able to held throughout Indonesia in order to eliminate the practice of extortion committed by irresponsible individuals, and it is hoped that this will increase the PNBP of the Public Prosecutor's Office, which is fully paid to the state treasury for the benefit of the people.

Indonesia is a country based on law which has been mandated in Article 1 paragraph (3) of the Constitution of the Republic of
Indonesia In 1945, in this case, all community actions must be in accordance with the law. Likewise with the actions of the community on the highway which must be in accordance with the law as stipulated in Law no. 22 of 2009 concerning Road Traffic and Transportation, of course, every road user must understand each of the standardized rules so that later there will be on perception in every action and mindset while on the highway.

In the Criminal Procedure Code (KUHAP) Indonesia adheres to the theory of proof the theory of proof the theory of proof (Negative Theory), namely the mixing of theories according to the law in absolute terms positive the theory of proof with the judge's belief theory inner conviction. This can be proven by the type of evidence set forth in Article 184 paragraph (1) of the KUHAP, namely: Witness statements, expert statements, letters, instructions and statements of the accused.

Whereas Inner conviction can be proven in article 188 of the Criminal Procedure Code, namely: "Whoever by mistake (negligence) causes a fire, explosion or flood, shall be punished by a maximum imprisonment of five years or a maximum light imprisonment of one year or a maximum fine of four thousand five hundred rupiahs, if because of said act general danger arises to property, if because of that act a danger to the lives of other people arises, or if because of that action a person dies.

As well as regulated in article 183 of the KUHAP, namely: "The judge must obtain conviction based on at least two valid pieces of evidence that the defendant is guilty of committing a crime."

According to Gustav Radbruch, said that there are three purposes of law, namely expediency, certainty, and justice. In carrying out the three purposes of this law must use basic priority Gustav Radbruch said that there is a scale of priorities that must be carried out, where the first priority is always justice, then benefit, and finally legal certainty. Therefore, proof of payment of online ticket tickets is valid evidence and constitutes documentary evidence as a development of evidence in criminal procedural law.

Based on the description above, it can be analyzed that the legal force of online ticketing can make it easier for violators who commit

---


207 Maulida Fitrı dkk – Analysis Of The Power Of Online Ticket
traffic violations because they can pay fines via mobile banking or e-banking to the designated BRI Bank account, which will later be deposited to the Attorney's Office without having to come directly to the Court or the Prosecutor's Office.

**Efforts to Overcome Traffic Violations**

Efforts to deal with criminal acts are an attempt to tackle crime through enforcing criminal law, which is rational, namely fulfilling a sense of justice and efficiency. In the context of tackling crime against various means as a reaction that can be given to perpetrators of crime, in the form of criminal and non-criminal law facilities, which can be integrated with one another. If criminal means are summoned to deal with crime, it means that criminal law politics will be implemented, namely holding elections to achieve results of criminal legislation that are in accordance with the circumstances and situation at a time and for the future.

According to Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit, efforts to deal with crime are a means of reaction that can be given to perpetrators of crime, in the form of punishment (*penal*) and non-criminal law (*non penal*), which can be integrated with one another. If criminal means are used to tackle crime, it means that criminal law enforcement will be carried out, namely using laws and regulations that are relevant to criminal acts committed by criminals. The use of criminal law is a response to a symptom and not a solution by eliminating its causes.

G.P Hoefnagels quoted by Barda Nawawi Arief Crime prevention efforts can be pursued by:

a) Application of criminal law (*criminal law application*)

b) Prevention without punishment (*prevention without punishment*)

c) Influence the public's view of crime and punishment through the mass media (*influencing views of society crime and punishment/ media*)

Crime prevention efforts according to G.P Hoefnagels are broadly divided into two, namely:

a) Penal Measures (Criminal Law)

   Efforts that are more focused on repressive nature (suppression or eradication or crushing) after a crime has

---


36 Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana*. 

---

Volume 4, Nomor 2, Juli 2023 208
occurred. This is the same as applying criminal law (criminal law application) the real one.

b) Non Penal Effort (outside criminal law)
Efforts that are more focused on preventive nature (prevention/deterrence) before a crime occurs. This means by preventing the occurrence of crime through efforts that are considered relevant.

According to the A.S. Alam\textsuperscript{37} that efforts to tackle all forms of crime are always being pursued, the criminal law policies adopted so far are nothing but steps that are continuously explored and reviewed so that efforts to deal with these crimes are able to optimally anticipate criminal acts which in fact continue to increase. Efforts to deal with crime, especially hit-and-run crimes, can be carried out in three ways, namely pre-emptive efforts, preventive efforts (prevention), and repressive efforts (enforcement)\textsuperscript{38}.

a. Pre-Emptive Efforts
Pre-Emptive Efforts are the initial efforts made by the police to prevent criminal acts from occurring. Efforts made in pre-emptive crime prevention are instilling good values/norms so that these norms are internalized in one's self.

b. Preventive Efforts
Namely non-penal efforts (prevention/deterrence/control) before a crime occurs, the main goal is to deal with the factors conducive to the occurrence of a crime.

c. Repressive Efforts
Efforts to deal with crime through the penal route are more focus on on the nature of "repressive" (suppression / eradication / crushing) after the crime occurred by imposing or imposing criminal sanctions.

Based on the theory above and the explanation from Aipda Wahidin as a member of the Tulang Bawang Police Traffic Unit that efforts to deal with criminal acts of traffic violations in the Tulang Bawang Police area are carried out preemptively, preventively and repressively. According to Bluden\textsuperscript{39}, Traffic engineering is the study of traffic measurement and travel, the study of basic laws related to traffic flow and generation, and the application of practical professional knowledge.

\textsuperscript{38} Topo Santoso dan Eva Achjani Zulfia, \textit{Kriminologi} (Jakarta: PT. Raja Grafindo Persada, 2014).
about the planning, design and operation of traffic systems to achieve safety and efficient movement of traffic, people and goods\textsuperscript{40}. The efforts are as follows:

**First. Pre-emptive**
- Conduct socialization or provide directions or counseling to the public, students about proper and correct driving procedures and explain legal rules in traffic on the highway.
- Conduct driving safety education programs.
- Install traffic signs especially in areas prone to accidents.

**Second. Preventive**
- Carry out operations on the highway to identify motorists who do not have official papers.
- Carry out raids at night to identify illegal races or crimes that endanger other motorists who pass through the road.
- Placing traffic police officers in accident-prone areas such as red light intersections and others.

**Third. Repressive**
- Pursuing and arresting perpetrators who fled after committing criminal acts of traffic violations.
- Conduct investigations and investigations of perpetrators who commit criminal acts of traffic violations.
- Upholding the law, namely processing perpetrators in accordance with Law Number 22 of 2009 concerning Road Traffic and Transportation.

Based on the description above, it can be analyzed that according to A.S. It is natural that efforts to deal with criminal acts of traffic violations can be carried out in three ways, namely pre-emptive efforts, namely initial efforts made by the police to prevent criminal acts from occurring, preventive efforts (prevention), namely non-penal efforts (prevention/deterrence/control) before a crime occurs, the main goal is to deal with conducive factors that cause crime, and repressive efforts (enforcement)\textsuperscript{41}. Efforts to overcome crime through the penal route focus more on the nature of "repressive" (suppression/eradication/smashing) after a crime has occurred by imposing or imposing criminal sanctions. Based on this, efforts to deal with the occurrence of traffic violations in the Tulang Bawang Police area were taken in several steps, namely Pre-emptive including conducting socialization or giving

\textsuperscript{40} Ahmad Munawar, *Dasar-Dasar Teknik Transportasi* (Yogyakarta: Beta Offset, 2011).

\textsuperscript{41} A.S Alam, *Pengantar Kriminologi*.
directions or counseling to the community, students about good and correct driving procedures and explaining the rules-rule of law in traffic on the highway, carry out driving safety education programs, install traffic signs, especially in areas prone to accidents. Preventive measures include carrying out operations on the road highway to identify motorists who do not have official documents, carry out raids at night to identify illegal races or crimes that endanger other motorists who pass the road, placing traffic police officers in accident-prone areas such as red light intersections and others. Repressive measures include pursuing and arresting perpetrators who have fled after committing criminal acts of traffic violations, conducting investigations and investigations of perpetrators who have committed criminal acts of traffic violations, enforcing the law, namely processing perpetrators in accordance with Law Number 22 of 2009 concerning Traffic and Road Transportation.

Conclusion

Based on the results of the discussion and research on the problem, it can be concluded as follows.

The responsibility of the perpetrators of traffic violations is adjusted to the verdict of the Panel of Judges that the perpetrators are legally and convincingly proven to have committed criminal acts of traffic violations with a fine of Rp. 49,000.00; (forty nine thousand rupiah) and the Defendant paid court fees of Rp. 1,000,- (one thousand rupiah).

The legal power of online tickets can make it easier for violators who commit traffic violations because they can pay fines through mobile banking or-banking to the BRI Bank account that has been designated and becomes valid evidence, which will later be deposited to the Attorney's Office without having to come directly to the Court or the Attorney's Office.

Efforts to deal with the occurrence of traffic violations in the Tulang Bawang Police area are carried out in several steps, namely Pre-emptive including conducting socialization or giving directions or counseling to the public, students about good and correct driving procedures and explaining legal rules in road traffic, conducting driving safety education programs, installing traffic signs, especially in areas prone to accidents. Preventive measures include carrying out road operations to identify motorists who do not have official papers, conducting raids at night to identify illegal races or crimes that endanger other motorists, pass the road, placing traffic police officers in accident-prone areas such as red light intersections and others. Repressive measures include pursuing and arresting perpetrators who have fled after committing criminal acts of traffic violations, carrying out investigations and investigations of
perpetrators who have committed criminal acts of traffic violations, enforcing the law, namely processing perpetrators in accordance with Law Number 22 of 2009 concerning Traffic and Road Transportation.

Bibliography


Republik Indonesia. Undang-Undang Dasar 1945 Republik Indonesia (n.d.).


Utama, Esen Pramudyta, Nina Ayu, Puspita Sari, Yuli Habibah, sugianto, and