JOURNAL INTERNATIONAL of OFFICIUM NOBILE 1 (1) January 2025, 31-39

Police Law In Indonesia: The Journey of Electronic Traffic Law

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ABSTRACT

Enforcement against traffic violations is an effort made to ensure safe traffic and minimize the risk of accidents and realize public order and security. The use of electronic devices in enforcement through ETLE is a breakthrough in enforcement against traffic violators, especially in Pekanbaru City. This study attempts to examine the phenomenon of ETLE use and the role of the police in Pekanbaru City. How can the implementation of ETLE run effectively in reducing violations of traffic regulations and what is the role of the police in realizing this. As well as seeing the obstacles faced. The use of ETLE does provide effectiveness in enforcement against traffic violators, where the ETLE camera sensor captures every violator who passes the camera. As well as reducing contact between road users and officers which can minimize the occurrence of illegal levies. However, of course ETLE has obstacles in its implementation, namely the lack of supporting facilities and infrastructure, and the habits of people who do not obey the law and the way people trick the ETLE system.

Keywords: ETLE System, Police, traffic violations

1. Introduction

As a country with a vast population and a complex and dynamic transportation system, Indonesia faces challenges regulating and supervising traffic.¹ This is because Indonesia is a country where citizens use private motorized vehicles as their main transportation. Therefore, based on data released by the Central Agency in 2023, in Indonesia itself, there were 157,080,504 motorized vehicles; this number consists of passenger cars, motorized vehicles - buses, motorized vehicles - trucks, motorized vehicles - motorcycles. From these data, Riau Province contributed 4,526,046 motorized vehicles and is the province with the second-largest number of motorized vehicles is a challenge in supervising traffic flow in Riau Province. Supervision of traffic flow is essential because public compliance with traffic rules can minimize the possibility of accidents. Moreover, accidents can be minimized. Moreover, if accidents can be minimized, traffic flow and community activities will run smoothly and create security and public order.

Safety and smoothness in traffic regulations in Indonesia rely on drivers' compliance with the rules, signs, and traffic laws. In formal Indonesian law, traffic regulations are

¹ Taufik Hidayat, Abdul Haris Semendawai, and Habloel Mawadi, 'Efektifitas Penindakan Tindak Pidana Pelanggaran Lalu Lintas Menggunakan E-Tilang (Studi Kasus Satuan Lalu Lintas Polrestabes Bandung)', *Veritas*, 8.2 (2023), pp. 166–90, doi:10.34005/veritas.v8i2.2068.

regulated in Law Number 22 of 2009 concerning Traffic and Road Transportation. Traffic regulations must be based on the principles of justice and equality and guaranteed by an independent and professional legal institution. Traffic regulations must also pay attention to the fundamental rights of individuals and society and be guaranteed adequate legal protection. In addition to its legal regulations, the police, as law enforcers, have a Traffic Unit tasked with maintaining all traffic regulations. The police, as law enforcers who can take action against violators, play an important role here so that the rules that have been made can be implemented and the purpose of the rules can be realized. Imposing fines on violators is one of the law enforcement efforts to provide a deterrent effect on drivers. Law enforcement must be based on the principles of justice and equality and guaranteed by an independent and professional legal institution. Law enforcement must also pay attention to the fundamental rights of individuals and society, guaranteed by adequate legal protection.² The police are the state civil force responsible for preventing and detecting traffic accidents and maintaining public order. As a professional and responsible organization, they implement a policing style responsive to the community's needs.³

However, of course, every law enforcement certainly faces challenges. The large number of violators and ineffective law enforcement processes are a challenge for the police in taking action against traffic violations. Therefore, in 2021, the Chief of Police implemented an electronic ticketing system, commonly called ETLE (Electronic Traffic Law Enforcement). Based on the statement of the Head of the Traffic Corps of the Indonesian Police, Inspector General of Police Istiono, the Indonesian Republic Police has formed a National ETLE Task Force. The task force will prepare facilities for implementing electronic ticketing nationally on highways. ETLE is a system where field officers no longer carry out the ticketing process it uses CCTV.⁴ At the ETLE location, surveillance cameras are ready 24 hours to record all types of violations on the highway. However, the implementation of ETLE also still faces several challenges, such as technical problems and high costs. Therefore, it is necessary to improve and develop this system to make it more effective and efficient in improving security and safety on the highway. The relevance of this topic in today's industry is considerable. With increasing business transactions being carried out online, legal protection for business actors and consumers is crucial. In addition, in the context of national security, legal regulations related to electronic traffic are also very important to prevent criminal acts involving information technology. This study aims to describe the development of electronic traffic law in Indonesia, focusing on the role of police law in maintaining public security and order. Thus, this study can contribute to a deeper understanding of how police law can be used as an effective tool in regulating and supervising traffic in Indonesia.

² Agus Priyono, 'Konstruksi Penegakan Hukum Lalu Lintas Elektronik Konsep Digitalisasi', 2023, pp. 1–129.

³ Sri Lestari Purnomo Rezki Fitrah Ramadhan, Sufirman Rahman, 'Efektifitas Fungsi Kepolisian Dalam Penegakan Hukum Tindak Pidana Kecelakaan Lalu Lintas: Studi Di Kepolisian Daerah Sulawesi Selatan', *Journal of Lex Generalis (JLS)*, 3.3 (2022), pp. 404–17.

⁴ Mashendri, Sufirman Rahman, and Anzar Makkuasa, 'Penerapan Hukum Terhadap Elektronik Tilang Dalam Penertiban Lalu Lintas Di Wilayah Polres Baubau', *Journal of Lex Theory (JLT)*, 1.6 (2022).

2. Research Method

This is empirical qualitative research in which the author analyzes a legal phenomenon in great detail and comprehensively based on existing legal rules and data. In this research, the author tries to explain the legal phenomenon, namely the development of the mechanism of action against violators of traffic regulations in the digital era and the impact of this development on society and adjust whether the impact is by the objectives or ideals of the law itself. This method is the proper method to explain the phenomenon of the development of the mechanism of action against violators of traffic regulations in the city of Pekanbaru.

3. Result and Discussion

3.1. Effectiveness of Law Enforcement Against Traffic Violators Through Means (ETLE) In Pekanbaru City

The law enforcement program is not oriented towards finding fault with road users but rather towards protecting, protecting and serving the road users who violate the law themselves.⁵ This is because establishing the above laws and regulations aims to create safe, secure, smooth, orderly and regular traffic and road transportation conditions. In addition, it is also intended to control the development of transportation, which is very fast and has high mobility in all areas such as ideology, politics, economy, society and culture of society. The technical function of traffic is one of the technical functions of the police, which organizes all efforts, activities, and work related to traffic functions, as well as the identification of drivers and motor vehicles and the assessment of traffic problems.

Traffic violations cannot be ignored. Violations committed mainly by the public include breaking traffic signs, not wearing helmets, not carrying complete driving documents such as STNK and SIM, and other violations. Not infrequently, traffic users cause traffic accidents, which increase the number of traffic accidents. For this reason, new strategies and steps are needed to improve the administration system, procedures and mechanisms for more effective enforcement of traffic violations. These strategies and steps create a state and condition in terms of smooth and orderly traffic. With the emphasis on the legal aspect in the form of legal sanctions, it is hoped that road users will comply more with traffic regulations. The Police are at the forefront of law enforcement against traffic violations, considering that the Police are given a mandate as maintainers of security and protection. Therefore, one of the law enforcement authorities of the Police is law enforcement in the field of traffic. This is by utilizing advances in information technology in the form of electronic cameras, namely enforcement of traffic violations with the Electronic Traffic Law Enforcement (ETLE) system.⁶

The legal basis for electronic ticketing can be seen in Law Number 22 of 2009

⁵ Elfrida Ade Putri, *Monograf : Penegakan Hukum Lalu Lintas Dan Angkutan Jalan Raya* (CV. Pena Persada, 2020).

⁶ Polda Metro Jaya and others, 'Penegakan Hukum Bagi....; Juli, Rudi Harianto, Abdul Komarudin, Sufiarina', 10.2 (2024), pp. 64-82.

concerning Traffic and Road Transportation ("LLAJ Law") and Government Regulation Number 80 of 2012 concerning Procedures for Inspection of Motor Vehicles on the Road and Action against Traffic and Road Transportation Violations. In the LLAJ Law, Article 272 states that electronic equipment can be used electronic equipment can be used to support the action against violations in the field of traffic and road transportation. The results of the use of this electronic equipment can be used as evidence in court.⁷

ETLE is an electronic system for monitoring and enforcing traffic laws in electronic form that utilizes supporting tools, namely CCTV. The use of ETLE to take action against violations of traffic regulations is a digitalization process. This can be seen from the ETLE work mechanism scheme, which changes the process of enforcing road traffic laws from being caught red-handed with the naked eye to implementing cameras with intelligence software to capture traffic violations.⁸ At first glance, the use of ETLE is similar to E-Tilang. ETLE has differences from the E-Tilang system. The ETilang system only uses an application on Android. In conventional ticketing, the police use a ticket, while in E-Tilang, the violations charged are entered into the application. ETLE, in addition to functioning as the effectiveness of law enforcement against traffic violations, also builds public awareness of driving. The previous ticketing method, namely through manual tickets, in its application was still considered less effective because the police, in their function in traffic as law enforcers, only carry out order and law enforcement at certain times, such as when there is a special police operation.⁹ Therefore, the presence of surveillance cameras that work 24 hours a day can provide effective law enforcement and a deterrent effect on the community, increasing public awareness to comply with traffic regulations.

The law enforcement mechanism with the ETLE system is cameras placed at several points to capture images of road users violating traffic regulations. After that, the captured images will be used as evidence and verified through the ERI (Electronic Registration and Identification) system. This system will identify the type of violation and proof of vehicle ownership. After proof of the vehicle owner's identity is obtained, the police officer will send a verification letter by post to the address that matches the existing data based on the motorbike plate. Then, the violator will receive a violation notification letter and must confirm and pay via bank using the payment code received.

The use of electronic evidence captured by ETLE itself has the power of proof as evidence in criminal law because Law Number 11 of 2008 concerning Information and Electronic Transactions expands the evidence used in criminal law. In Article 5, paragraph (1) of the law states:¹⁰

⁷ Pemerintah Indonesia, 'UU No.22 Tahun 2009.Pdf', 2009, p. 203.

⁸ Dian Agung Wicaksono, 'Jurnal Recht Vending', Jurnal Recht VendingMedia Pembinaan Hukum Nasional, Vol 9 (2020), pp. 311–29

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⁹ Sabiyan Yudhistira Hekmatiar and Wiwin Yulianingsih, 'Penerapan Sistem Etle Terhadap Pelanggaran Kendaraan Bermotor Dalam Berlalu Lintas', 6.1 (2023), pp. 493–504.

 $^{^{10}}$ Republik Indonesia, 'UNDANG-UNDANG REPUBLIK INDONESIA NOMOR 11 TAHUN 2008 DENGAN RAHMAT TUHAN YANG MAHA ESA PRESIDEN REPUBLIK INDONESIA , c . Bahwa

"Electronic information and/or electronic documents and/or printouts are valid legal evidence."

According to Eddy Army, electronic evidence is stored data transmitted through an electronic device, network or communication system. ¹¹ Therefore, data captured through an ETLE camera is valid evidence and can be used as evidence to take action against traffic violations. The implementation of ETLE in Indonesia has shown some success, such as a decrease in the number of Transjakarta lane violators by 27 per cent. This system has also helped improve security and safety on the highway, as well as facilitate enforcement of traffic violations. However, the implementation of ETLE also still faces several challenges, such as technical problems and high costs. Therefore, it is necessary to improve and develop this system to be more effective and efficient in improving security and safety on the highway.

Meanwhile, the implementation of ETLE in Pekanbaru began by providing facilities and infrastructure. In Pekanbaru, ETLE cameras are located at several points in the city. The first is located at Jalan Sudirman, the second is located at the red light on Jalan Imam Munandar, the third is located at Jalan Tuanku Tambusai, and the fourth is located at Jalan HR Subrantas.

When discussing the theory of legal effectiveness, we consider the extent to which a legal system can achieve specific desired goals.¹² From a legal breakthrough, we assess how the breakthrough has an impact on something that is intended in the Law. The implementation of the ETLE system aims to be effective in taking action against traffic violations. The mechanism where surveillance cameras are installed at several vulnerable points provides effectiveness where the police do not need to stop vehicles anymore and issue tickets manually and reduces the potential for human error where violators escape the police. Because with the ETLE camera, it can record and record every violation that occurs. From the data collected based on previous research, for the Riau Police area in 2021-2023, 126,364 violators were ticketed through manual tickets.

Meanwhile, the number of violators ticketed through electronic tickets in the same year amounted to 1,605,506.¹³ From these data, in terms of numbers, the electronic system mechanism is more effective in ticketing violators than manual tickets. In addition, the ETLE mechanism also provides effectiveness in resolving traffic violations. This mechanism reduces the interaction of violators with officers so that it can reduce the risk of bribery. This provides an easy and practical fine payment mechanism so violators no longer need to attend court.

Furthermore, the effectiveness of law in legal action or reality can be known if someone states that a legal rule has succeeded or failed to achieve its objectives. It

Perkembangan Dan Kemajuan Teknologi Informasi Yang Demikian Pesat Telah Menyebabkan Perubahan Kegiatan Kehidupan Manusia Dalam B', 2008.

¹¹ Eddy Army, Bukti Elektronik Dalam Praktik Peradilan (Sinar Grafika, 2020).

¹² Eka Surya Putra and Susi Delmiati, 'Jurnal Sakato Ekasakti Law Review Efektivitas Pelaksanaan Penindakan Terhadap Pelanggaran Lalu Lintas Berdasarkan Alat Bukti Elektronik Dalam Rangka Tertib Berlalu Lintas', 3.1 (2024), pp. 36–46.

¹³ Dinda Amelia and Universitas Muhammadiyah Riau, 'Journal Equitable', 9.3 (2024).

is usually known whether its influence has succeeded in regulating certain attitudes or behaviours so that they are according to its objectives.¹⁴ We know that what is expected from the ETLE mechanism is that in addition to providing effectiveness in taking action against violators of traffic regulations, it is also expected that the action can provide a deterrent effect on motor vehicle drivers who choose to obey traffic rules. That way, if the traffic flow is orderly, the risk of accidents can be minimized so that the community can carry out activities safely, and public order is created.

3.2. Obstacles in Etle Implementation

In law enforcement, it is natural to find obstacles because the obstacles themselves are part of the evaluation in law enforcement. This also applies to the use of the ETLE system. The success of implementing the ETLE system depends on the facilities and infrastructure, society, and the legal culture of the community itself. This is in line with what was expressed by Soerjono Soekanto, who stated that there are five causes of late law enforcement, namely due to law or statutes, due to law enforcers, due to supporting facilities or facilities for law enforcement, due to society, and due to culture.¹⁵

In fact, according to the rules, the use of ETLE is an implementation of Law Number 22 of 2009, which aims to ensure smooth, orderly, and safe traffic and maintain safety. To achieve this goal, this law, specifically in Article 272, permits using electronic devices to take action against violators. Furthermore, in addition to legal regulations in formulating policies, law enforcement has a role, especially the Police. The real purpose of Law Number 22 of 2009 is to ensure that traffic activities run smoothly so that order and security are created for the community. Also, the role of the Police, mandated by Law Number 2 of 2002 concerning the Indonesian National Police, to maintain public security and order, the role of the Police in the success of the ETLE system is vital. The police act as the party that operates ETLE identifies violations and motor vehicle owners, and takes action according to the procedure; the role of bureaucracy or structured law enforcement is also needed in implementing the policy. Then ETLE also requires a clear law enforcement bureaucratic system; in implementing Electronic Ticketing, an effective bureaucratic structure involves solid coordination between related agencies, such as the Police, Transportation Agency, and Courts.¹⁶

Infrastructure is an important factor because it is a supporting tool for success in law enforcement, including in the ETLE mechanism, which requires surveillance cameras equipped with sensors and sophisticated algorithms to identify traffic regulation

¹⁴ Winarno Yudho and Heri Tjandrasari, 'Efektivitas Hukum Dalam Masyarakat', Jurnal Hukum & Pembangunan, 17.1 (2017), p. 57, doi:10.21143/jhp.vol17.no1.1227.

¹⁵ Soerjono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*, 17th edn (PT. Raja Grafindo Persada, 2021).

¹⁶ Stevani K Panggabean and Elly Nielwaty, 'BAGI PELANGGAR RAMBU LALU LINTAS DI KOTA PEKANBARU (STUDI LITERATUR) IMPLEMENTATION OF ELECTRONIC TILANG (E-TILANG) FOR TRAFFIC SIGNS VIOLATORS IN PEKANBARU CITY (LITERATURE STUDY)', 2025, pp. 220–28.

violators. In the city of Pekanbaru, the location of the ETLE installation point is still relatively small; the number of ETLEs in Pekanbaru has never increased since the mechanism was first introduced, so monitoring of traffic violations cannot be carried out comprehensively. Another problem is public awareness; many people in the city of Pekanbaru still do not confirm violations and pay fines as fines; the problem is that many people still do not obey the rules. Even to outsmart ETLE, the license plate is covered, so it cannot be recorded.¹⁷ This becomes an obstacle to taking action because the ETLE system uses existing data based on the license plate number to find the violator's identity. We need to know that legal awareness is important in the ETLE mechanism because of the legal awareness of an individual or group of people regarding the applicable rules or laws to create order, peace, tranquillity and justice in society.¹⁸

Furthermore, one of the factors of legal success includes which values underlie the applicable law, which are abstract conceptions of what is considered good (so that it is followed) and what is considered harmful (so that it is avoided).¹⁹ The legal culture of our society, especially in traffic, is that our society's habits no longer consider traffic violations as unlawful acts, especially for minor violations such as not wearing a helmet or not having a driver's license. Therefore, people tend to obey traffic if they pass through roads with ETLE surveillance cameras or only in certain areas.²⁰ Namely, society's culture is already attached to the violations that occur, so people who violate the law are considered a habit. Therefore, it is essential to take a holistic approach to society to increase legal awareness and change society's culture.

4. Conclusion

Traffic order is significant to creating a smooth and safe traffic flow to create public order and security because the police have a role; therefore, the mandate by Law Number 2 of 2002 concerning the Republic of Indonesia National Police to maintain public security and order has an important role in realizing this based on Law Number 22 of 2009. the use of electronic devices based on Law Number 22 of 2009 takes action against violators implemented in the form of an ETLE use policy, namely a mechanism that relies on the use of camera sensors and sophisticated algorithms in capturing violations on the road.

Indeed, the ETLE system is more effective in catching traffic violators than manual tickets. ETLE surveillance cameras placed at several points can catch violators thoroughly so that law enforcement can be carried out evenly,uce contact between officers and drivers, and reduce the risk of illegal levies.

However, of course, every policy has obstacles. Regarding supporting facilities and infrastructure for ETLE, policies in Pekanbaru City are still inadequate because they

¹⁷ Farid Azis Abdullah and Feny Windiyastuti, 'Electronic Traffic Law Enforcement (ETLE) Sebagai Digitalisasi Proses Tilang', *Jurnal Kewarganegaraan*, 6.2 (2022), pp. 3004–8.

¹⁸ Yuli Armala and M. Yasir, 'Implementasi Electronic Traffic Law Enforcement (E-TLE) Di Wilayah Hukum Kepolisian Resor Bojonegoro', *Hukum*, 5.1 (2022), pp. 32–44.

¹⁹ MD Shodiq, Budaya Hukum (PT MAFY MEDIA LITERASI INDONESIA, 2023).

²⁰ Jurnal Ilmu and others, 'Penerapan Pasal 106 Ayat 1 UU NO . 22 Tahun 2009 Dengan Menggunakan ETLE', 7.2 (2024), pp. 180–86.

are only placed at four points. At the same time, many road points are still prone to traffic violations. Then, the community's disobedience to traffic rules has become a habit, and how people use fake license plates to trick ETLE is also an obstacle to enforcing the law against traffic violators.

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