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# Law Enforcement of E-Ticket Cases at the Bantul District Prosecutor's Office

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**Abstract:** Law enforcement of E-Tilang cases has an important role in maintaining traffic order and security in Indonesia. This study aims to determine the role of the Bantul State Attorney's Office in enforcing the law of e-tickets or electronic tickets for traffic violations and the obstacles to the role of the Bantul State Attorney's Office in enforcing the law of e-tickets or electronic tickets for traffic violations. The research method used in this research is empirical legal research. The approach used in this research is a juridical-empirical approach, namely analysing the legal problems that have been formulated by combining legal materials both primary legal materials, secondary legal materials and tertiary legal materials which are secondary data with primary data obtained in the field through interviews. This research is a new contribution to the understanding of law enforcement related to the E-Ticket case at the Bantul District Attorney's Office. From a series of previous studies, various points of view have been studied in depth. This research aims to provide a more comprehensive understanding of the role and constraints of E-Ticket law enforcement, as well as highlighting innovations and best practices in the context of traffic law enforcement. This research shows that the role of the Bantul State Attorney's Office in enforcing the law of e-tickets for traffic offences is as a protector of personal data, a guarantor of legal certainty and justice, and as an executor. Obstacles in the implementation of its role include the absence of detailed legal rules governing the implementation of electronic-based law enforcement, then in the aspect of resources, still limited technological infrastructure, such as unstable internet access and inadequate computers, in terms of human resources which are still very limited, another inhibiting factor is from the community, the lack of public awareness and understanding of the importance of orderly traffic..

**Keywords :** Law Enforcement, E-Tickets, Bantul State Attorney's Office

**Abstrak:** Penegakan hukum terhadap perkara E-Tilang mempunyai peranan penting guna menjaga ketertiban dan keamanan lalu lintas di Indonesia. **Penelitian ini bertujuan** untuk mengetahui peranan Kejaksaan Negeri Bantul dalam penegakan hukum e-tilang atau tilang elektronik pelanggaran lalu lintas dan kendala terhadap peran Kejaksaan Negeri bantul dalam penegakan hukum e-tilang atau tilang elektronik pelanggaran lalulintas. **Metode penelitian** yang digunakan dalam penelitian ini yaitu penelitian hukum empiris. Pendekatan yang digunakan dalam penelitian ini adalah pendekatan yuridis-empiris, yaitu melakukan analisis permasalahan hukum yang telah dirumuskan dengan memadukan bahan hukum baik bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier yang merupakan data sekunder dengan data primer yang diperoleh dilapangan melalui wawancara. **Penelitian ini merupakan kontribusi baru** dalam pemahaman penegakan hukum terkait kasus E-Ticket di Kantor Kejaksaan Negeri Bantul. Dari serangkaian penelitian sebelumnya, berbagai sudut pandang telah dikaji secara mendalam. Penelitian ini bertujuan untuk

memberikan pemahaman yang lebih komprehensif tentang peran dan kendala penegakan hukum E-Tilang, serta menyoroti inovasi dan praktik terbaik dalam konteks penegakan hukum lalu lintas. **Dalam penelitian** ini menunjukkan bahwa peranan Kejaksaan Negeri Bantul dalam penegakan hukum e-tilang pelanggaran lalu lintas sebagai pelindung data pribadi, penjamin kepastian dan keadilan hukum, serta sebagai eksekutor. **Hambatan** dalam pelaksanaan perannya meliputi belum adanya aturan hukum yang terperinci mengatur terkait pelaksanaan penegakan hukum yang berbasis elektronik, kemudian dalam aspek sumber dayanya, masih terbatasnya infrastruktur teknologi, seperti akses internet tidak stabil dan komputer yang belum memadai, dari segi sumber daya manusia yang masih sangat terbatas, faktor penghambat lainnya adalah dari masyarakat, kurangnya kesadaran dan pemahaman masyarakat tentang pentingnya tertib berlalu lintas.

**Kata Kunci** : Penegakan Hukum, E-Tilang, Kejaksaan Negeri Bantul

## INTRODUCTION

Indonesia is a state of law<sup>1234</sup>, which means a state in which there are various aspects of regulations that are compelling and have strict sanctions if violated.<sup>5678</sup> In the 1945 Constitution of the Republic of Indonesia Article 1 paragraph (3) it is affirmed that "the State of Indonesia is a State of Law".<sup>910</sup> The idea of the rule of law was created in order to develop the legal instruments themselves as a fair and functional system. Positive law that applies in a country, for example in determining a legitimate state leader, must be based on the applicable legal basis. Usually legal experts call the applicable law with the term positive law in the state.<sup>11121314</sup> This research focuses on the role of Bantul State Attorney's Office in

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<sup>1</sup> Indra Rahmatullah, "Meneguhkan Kembali Indonesia Sebagai Negara Hukum Pancasila," *Adalah: Buletin Hukum Dan Keadilan* 4, no. 2 (2020): 41, <https://doi.org/10.15408/adalah.v4i2.16108>.

<sup>2</sup> Widiatama, Hadi Mahmud, and Suparwi, "Ideologi Pancasila Sebagai Dasar Membangun Negara Hukum Indonesia," *USM Law Review* 2, no. 3 (2020): 312, <http://dx.doi.org/10.26623/julr.v3i2.2774>.

<sup>3</sup> Ias Muhlashin, "Negara Hukum, Demokrasi Dan Penegakan Hukum diIndonesia," *Al-Qadau* 8, no. 1 (2021): 88, <https://doi.org/10.24252/al-qadau.v8i1.18114>.

<sup>4</sup> Fikri Hadi, "Negara Hukum Dan Hak Asasi Manusia Di Indonesia," *Wijaya Putra Law Review* 1, no. 2 (2022): 172, <https://doi.org/10.38156/wplr.v1i2.79>.

<sup>5</sup> Taufik H. Simatupang, "Hak Asasi Manusia Dan Perlindungan Kekayaan Intelektual Dalam Perspektif Negara Hukum (Sebuah Pandangan Teoritik)," *Jurnal HAM* 12, no. 1 (2021): 112, <https://ejournal.balitbangham.go.id/index.php/ham/article/view/1627>.

<sup>6</sup> Laurensius Arliman S, "Mewujudkan Penegakan Hukum Yang Baik Untuk Mewujudkan Indonesia Sebagai Negara Hukum," *Doctrinal* 2, no. 2 (2017): 518.

<sup>7</sup> Annisa Halimatu Sholihah, "Penanganan Hukum Dalam Mengungkap Pengedaran Uangpalsu Di Karanganyar Tahun 2021(Studi Putusan Nomor104/Pid.B/2021/Pn Krg)," *Indonesian Journal Of Law and Shariah* 1, no. 1 (2024): 7.

<sup>8</sup> Salahudin Khairul Huda et al., "Mengenalkan Peran Serta Masyarakat Dalam Penegakan Negara Hukum Dan Hak Asasi Manusia Di Banjarsari, Surakarta," *AL HUKMU:Journal of Islamic Law and Economics* 1, no. 1 (2022): 25, <https://doi.org/10.54090/hukmu.78>.

<sup>9</sup> Fauzi Iswari, "Aplikasi Konsep Negara Hukum Dan Demokrasi Dalam Pembentukan Undang-Undang Di Indonesia," *JCH (Jurnal Cendekia Hukum)* 6, no. 1 (2020): 128, <https://doi.org/10.33760/jch.v6i1.285>.

<sup>10</sup> Sarudi, "Indonesia Sebagai Negara Hukum," *Widya Sandhi* 12, no. 1 (2021): 4, <https://doi.org/10.53977/ws.v0i0.290>.

<sup>11</sup> Aburaera Sukarno, Muhadar, and Maskun, *Filsafat Hukum* (Jakarta: Kencana, 2013), 31.

<sup>12</sup> Ahmad Zaini, "Negara Hukum, Demokrasi, Dan HAM," *Al Qisthâs; Jurnal Hukum Dan Politik* 11, no. 1 (2020): 15, <https://doi.org/10.37035/alqisthas.v11i1.3312>.

enforcing the law on cases handled through the e-ticket system. This system not only speeds up the enforcement process, but also aims to increase transparency and accountability in law enforcement.

Many cases of crime arise along with the times that are troubling for the community. Starting from minor crimes such as theft and mugging to serious crimes such as murder, terrorism and corruption.<sup>151617</sup> In the Criminal Code, criminal acts are divided into two, namely crimes and offences.<sup>18192021</sup> This has been stated in the Criminal Code where crimes are regulated in the second chapter of the Criminal Code while offences are regulated in the third chapter of the Criminal Code.<sup>2223</sup> Crimes are acts that, although not specified in the provisions of the law as criminal acts, have been perceived as onrecht as acts that are contrary to legal justice. Offences are unlawful acts that are known after the regulation prohibits them.<sup>24252627</sup>

Traffic offences are still often committed by drivers on the road.<sup>28</sup> Traffic violations are usually in the form of violations in terms of traffic signs, parking in inappropriate places,

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<sup>13</sup> Tubagus Muhammad Nasarudin, "Konsepsi Negara Hukum Pancasila Dan Implementasinya Di Indonesia," *Pranata Hukum* 15, no. 1 (2020): 45, <https://doi.org/10.36448/pranatahukum.v15i1.217>.

<sup>14</sup> Atika Thahira, "Penegakan Hukum Administrasi Lingkungan Hidup Ditinjau Dari Konsep Negara Hukum," *JCH (Jurnal Cendekia Hukum)* 2, no. 2 (2020): 261, <https://doi.org/10.33760/jch.v5i2.229>.

<sup>15</sup> Stenly Haurissa, L. M. Metekohy, and Fatima Sialana, "Peran Tim Cyber Crime Ditreskimsus Polda Maluku Dalam Mengatasi Masalah Pornografi Di Kota Ambon," *Jurnal Kewarganegaraan* 6, no. 1 (2022): 2329, <https://journal.upy.ac.id/index.php/pkn/article/view/2993>.

<sup>16</sup> Shiyam Faizal Ramli, Zainal Abidin, and Eka Yusup, "Pengaruh Pemberitaan Aksi Premanismeterhadap Tingkat Kecemasan Pedagang Dan Pengunjung GOR Panatayudha, Kabupaten Karawan," *Propaganda* 2, no. 1 (2022): 81, <https://www.doi.org/10.37010/prop.v2i1.546>.

<sup>17</sup> Dediyanasyah Putra Ginting, Taufik Siregar, and Wessy Trisna, "Penegakan Hukum Tindak Pidana Pencurian Dengan Kekerasan Di Wilayah Hukum Polsek Pangkalan Berandan," *Journal of Education, Humaniora and Social Sciences (JEHSS)* 4, no. 3 (2022): 1716, <https://doi.org/10.34007/jehss.v4i3.940>.

<sup>18</sup> Supriyadi, "Penetapan Tindak Pidana Sebagai Kejahatan Dan Pelanggaran Dalam Undang-Undang Pidana Khusus," *Mimbar Hukum* 27, no. 3 (2015): 391, <https://doi.org/10.22146/jmh.15878>.

<sup>19</sup> Chesye Liklikwati and Christin Sasauw, "Pinjam Pakai Barang Bukti Dalam Kasus Korupsi-Tinjauan Hukum Dan Implikasinya," *Jurnal Evidence of Law* 2, no. 2 (2023): 134, <https://jurnal.erapublikasi.id/index.php/JEL/article/view/374>.

<sup>20</sup> I Gede Made Widia Permana, Anak Agung Sagung Laksmi Dewi, and I Made Minggu Widyantara, "Efektivitas Sanksi Pidana Bagi Pelaku Pelanggaran Lalu Lintas Di Kabupaten Tabanan," *Jurnal Konstruksi Hukum* 3, no. 2 (2022): 467, <https://doi.org/10.55637/jkh.3.3.5305.465-470>.

<sup>21</sup> Ade Adhari et al., "Masalah Yuridis Tidak Ditetapkannya Kualifikasi Delik Dalam Ketentuan Pidana Pada Undang-Undang Yang Disahkan Dalam Kurun Waktu 2015-2019," *Jurnal Muara Ilmu Sosial, Humaniora, Dan Seni* 5, no. 1 (2021): 271, <https://doi.org/10.24912/jmishumsen.v5i1.11167.2021>.

<sup>22</sup> Joko Sriwidodo Sriwidodo, *Kajian Hukum Pidana Indoneia "Teori Dan Praktek"* (Yogyakarta: Kepele Press, 2019), 25.

<sup>23</sup> Didik Endro Purwoleksono, *Hukum Pidana* (Surabaya: Airlangga University Press, 2014), 45.

<sup>24</sup> Januari Sihite and Tubagus Ahmad Suhendar, "Analisis Yuridis Tindak Pidana Pencurian Dengan Pemberatan Ditinjau Dari Pasal 365 Ayat(1) Dan Ayat(2) Ke-2 KUHP: Studi Kasus Putusan No.751/PID.B/2021/PNJKT.TIM," *Jurnal Hukum Dan Demokrasi (JHD)* 23, no. 3 (2023): 137, <https://doi.org/10.61234/hd.v23i3.24>.

<sup>25</sup> Tofik Yanuar Chandra, *Hukum Pidana*, ed. Yasmon Putera (Jakarta: Sangir Multi Usaha, 2022), 47.

<sup>26</sup> Fitri Wahyuni, *Dasar - Dasar Hukum Pidana* (Tangerang Selatan: Nusantara Persada Utama, 2017), 26.

<sup>27</sup> Suyanto Suyanto, *Hukum Acara Pidana* (Sidoarjo: Zifatama Jawara, 2018), 8.

<sup>28</sup> Yoga Nugroho and Pujiyono, "Penegakan Hukum Pelanggaran Lalu Lintas Oleh Anak: Analisis Kepastian dan Penghambat," *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 50, <https://doi.org/10.14710/jphi.v4i1.49-60>.

not carrying helmets, running red lights, not carrying driving equipment in the form of SIM and STNK, and other violations.<sup>2930</sup> This can happen because of the lack of public awareness about driving discipline, mutual respect and respect for other drivers. The increase in traffic violations is a challenge for law enforcement agencies to be able to apply sanctions that are educational but still provide a deterrent effect. One way to reduce violations is by imposing administrative sanctions on motorists who violate traffic.<sup>31</sup>

Factors causing traffic violations are usually humans as road users, the number of vehicles, the condition of vehicles, and also the condition of traffic signs. Most of the violations occur because of the element of intent to pretend not to know the applicable regulations.<sup>32</sup> One of the main factors affecting traffic conditions is the behaviour of road users. Emotional control and tolerance between road users and each other is still low. Drivers will only obey if there are law enforcement officers on duty in traffic.<sup>33</sup> In addition, another factor that causes traffic violations to occur is the knowledge of regulations regarding road markings, traffic signs and others that make the violations continue to occur repeatedly. The factor that encourages a person to commit traffic violations is conformity, which is a person's behaviour to follow others.<sup>34</sup>

Traffic violations have serious consequences and risks. Violations such as running red lights, breaking the speed limit, and not wearing a helmet can increase the risk of traffic accidents leading to serious injury or even death. In addition, traffic accidents also have a significant economic impact, including medical expenses, vehicle repairs, and reduced productivity due to injuries. Traffic violations can also cause congestion, which reduces transportation efficiency and productivity. Furthermore, a large number of traffic violations place a burden on the legal system, including the police and prosecutors, in handling and prosecuting cases, and can undermine public confidence in law enforcement if not dealt with firmly. Bantul District Attorney's Office plays an important role in law enforcement of e-tickets cases, which can improve the efficiency of the legal process and reduce manual workload.

Evidence of violation or commonly abbreviated as Tilang is a fine imposed by the

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<sup>29</sup> Rahayu Nurfauziah and Hetty Krisnani, "Perilaku Pelanggaran Lalu Lintas Oleh Remaja Ditinjau Dari Perspektif Konstruksi Sosial," *Jurnal Kolaborasi Resolusi Konflik* 3, no. 1 (2021): 70, <https://doi.org/10.24198/jkrk.v3i1.31975>.

<sup>30</sup> M. Ikhwan Rays, "Faktor Penyebab Terjadinya Pelanggaran Lalu Lintas Oleh Anak Di Wilayah Kepolisian Resort Banggai," *Jurnal Yustisiabel* 6, no. 1 (2022): 27, <https://doi.org/10.32529/yustisiabel.v6i1.1573>.

<sup>31</sup> Rudolf Silaban and Indah Malau Pase, "Tinjauan Yuridis Sanksi Pidana Terhadap Pelaku Pelanggaran Lalu Lintas Menurut Undang - Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan," *Rectum* 3, no. 1 (2021): 109, <http://dx.doi.org/10.46930/jurnalrectum.v3i1.823>.

<sup>32</sup> A. Rahmah, "Tinjauan Kriminologis Terhadap Pelanggaran Lalu Lintas Secara Massal Dalam Masa Kampanye Pemilu," *El-Iqtishady* 1, no. 2 (2019): 14, <https://doi.org/10.24252/el-iqthisadi.v1i2.11487>.

<sup>33</sup> I Gede Krisna, I Nyoman Gede Sugiarta, and I Nyoman Subamiya, "Tindak Pidana Pelanggaran Lalu Lintas Dan Upaya Penanggulangannya Pada Masa Pandemi Covid-19," *Jurnal Konstruksi Hukum* 2, no. 2 (2021): 340, <https://doi.org/10.22225/jkh.2.2.3233.338-343>.

<sup>34</sup> Efendi, Yulia, and Hamdani, "Tindakan Kepolisian Dalam Menerapkan Restorative Justice Terhadap Pelaku Pelanggaran Lalu Lintas Yang Menyebabkan Kecelakaan Lalu Lintas (Studi Penelitian Di Polres Lhokseumawe)," *Suloh: Jurnal Fakultas Hukum Universitas Malikussaleh* 10, no. 2 (2022): 516, <https://doi.org/10.29103/sjp.v10i2.9160>.

police on road users who commit violations.<sup>35</sup> Road users often commit violations of traffic regulations, therefore traffic tickets are expected to deal with traffic problems.<sup>36</sup> Along with the times and by utilising technological advances, the manual ticketing system will be replaced with an E-ticket system so that it is expected to be more efficient and effective in the ticketing process. Electronic Traffic Law Enforcement (ETLE) is a traffic law enforcement system that uses technology by utilising electronic devices in the form of CCTV cameras, where this technology will detect various types of traffic violations that occur.<sup>3738</sup>

Apart from the Police, the Prosecutor's Office also has an important role in law enforcement of traffic offences. Law No. 8 of 1981 on Criminal Procedure (KUHP) and Regulation of the Attorney General No. PER-008/A/JA/01/2011 on Guidelines for the Investigation of Traffic Offences regulate the duties and authority of the Attorney General's Office in handling traffic offences. The duties and authorities include conducting prosecutions and executing court decisions that have permanent legal force. The Public Prosecutor's Office as a law enforcer is very important to ensure that traffic offenders are punished in accordance with applicable regulations.

The Bantul District Attorney's Office still has many problems in handling the E-tickets system. Lack of supporting facilities and infrastructure in the prosecution of traffic violations in e-tickets such as limited computers or adequate internet networks. Furthermore, regarding limited human resources, there are a limited number of prosecutors at the Bantul State Prosecutor's Office which creates a greater workload and is not effective in enforcing the law on traffic violations. Then another problem is that not all perpetrators can be prosecuted using the e-ticket system, because there are several cases where the perpetrator does not have a personal identity number (KTP), which makes the criminal offence process difficult. Because the problems in the E-ticket system are still not optimal, it still causes problems related to the implementation of the E-ticket system, such as the lack of socialisation with the public and road users, difficulties in processing ticket data and limited human resources have caused many cases of traffic violations through the E-ticket system not to be followed up. The reason the author chose the Bantul State Attorney's Office as the research location is because criminal traffic offences in the Bantul area often occur due to the high density and intensity of vehicles. Bantul State Attorney's Office in this case has also implemented the E-ticket system in enforcing traffic law and order. So it is hoped that this research can provide an overview of the enforcement of E-tickets in practice by the Bantul State Attorney's Office.

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<sup>35</sup> Patricia Julia Abrahams, "Aspek Hukum Surat Tanda Nomor Kendaraan Yang Pajaknya Telah Habis Masa Berlaku Saat Dilakukan Pemeriksaan Oleh Polisi Lalu Lintas," *Pattimura Legal Journal* 2, no. 2 (2023): 188, <https://doi.org/10.47268/pela.v2i2.10635>.

<sup>36</sup> Singgamata, "Penegakan Hukum Lalu Lintas Melalui E-Tilang Dalam Meningkatkan Kesadaran Hukum Berjalan Lintas," *Jurnal Hukum Progresif* 11, no. 1 (2023): 24.

<sup>37</sup> Fuadhi Faktawan and Izzy Al Kautsar, "Prinsip Berkeadilan Tilang Elektronik Dengan Sistem E-TLE (Studi Kota Yogyakarta)," *Wajah Hukum* 6, no. 1 (2022): 87, <http://dx.doi.org/10.33087/wjh.v6i1.727>.

<sup>38</sup> Sulis Aditya and Andi Safriani, "Problematika Penerapan Tilang Elektronik Dalam Mengurangi Pelanggaran Lalu Lintas," *AlauddinLaw Develompent(ALDEV)* 2, no. 1 (2020): 76, <https://doi.org/10.24252/aldev.v2i1.13274>.

This research is a new contribution in understanding law enforcement related to E-Ticket cases at the Bantul District Attorney's Office. One of the novelty of this research is the emphasis on the protection of personal data in the context of law enforcement of e-tickets cases at the Bantul State Attorney's Office. Based on an interview with Rendy Indro Nugroho, the Bantul State Attorney's Office stated that they comply with applicable laws related to personal data protection. Bantul State Attorney's Office implements the provisions stipulated in the Personal Data Protection Law as well as other regulations related to information security and user privacy. They ensure that the collection, use and processing of personal data is carried out in accordance with applicable legal provisions. In addition, Ika Bening explained that in the e-ticket system, access to data relating to violators can only be done by the violators themselves and the prosecutor's office handling the case. This ensures that confidential data cannot be accessed by unauthorized parties.

This research raises the aspect of personal data protection as part of the evaluation of the e-ticket system, which has not been widely discussed in previous studies. This research not only assesses the effectiveness of law enforcement, but also how this system ensures the security and privacy of personal data of violators, which is an important issue in today's digital era. As such, this research makes a significant contribution to understanding and developing best practices in personal data protection in the realm of traffic law enforcement. From a series of previous studies, there are various points of view that are studied in depth. Aditya Putra Wardana and Adhy Nugraha<sup>39</sup> explored the effectiveness of the implementation of the E-Tilang programme in increasing public legal awareness of traffic rules in Klaten City. In contrast, Dhana Dharu Rindang P. and Pramukhtiko Suryo K<sup>40</sup> focus on the implementation of E-Tilang for traffic violators in Jember Regency, taking into account relevant government regulations. Elina Nurrohmah and Agus Machfud Fauz<sup>41</sup> highlighted the urgency of implementing E-Tilang as an effort to enforce traffic laws in Surabaya City in general. The study by Taufik Hidayat, Abdul Haris Semendawai, and Habloel Mawadi<sup>42</sup> evaluated the effectiveness of traffic offence enforcement using E-Tilang in the Bandung Police Traffic Unit. In addition, research by Rahman Amin, Alfin Pratama, and Iren Manalu<sup>43</sup>

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<sup>39</sup> Aditya Putra Wardana and Adhy Nugraha, "Efektifitas Penerapan Program E-Tilang Dalam Meningkatkan Kesadaran Hukum Masyarakat Dalam Berlalu Lintas Di Kota Klaten," *Madani Hukum* 1, no. 2 (2023).

<sup>40</sup> Dhana Dharu Rindang and Pramukhtiko Suryo, "Implementasi E-Tilang Bagi Pelanggar Lalu Lintas Di Kabupaten Jember Berdasarkan Peraturan Pemerintah Nomor 80 Tahun 2012 Tentang Tata Cara Pemeriksaan Kendaraan Bermotor Di Jalan Dan Penindakan Pelanggaran Lalu Lintas Dan Angkutan Jalan," *Journal of Contemporary Law Studies* 1, no. 1 (2023).

<sup>41</sup> Elina Nurrohmah and Agus Machfud Fauzi, "The Urgency of Implementing E-Tickets as an Effort for Traffic Law Enforcement in the City of Surabaya," *Hasanuddin Journal Of Sociology* 5, no. 1 (2023).

<sup>42</sup> 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: Jurnal Program Pascasarjana Ilmu Hukum* 8, no. 2 (2022).

<sup>43</sup> Rahman Amin, Alfin Pratama, and Iren Manalu, "Efektivitas Penerapan Tilang Elektronik Terhadap Pelanggaran Lalu Lintas Di Wilayah Hukum Polda Metro Jaya," *Krtha Bhayangkara* 14, no. 2 (2020).

reviews the effectiveness of the implementation of electronic tickets for traffic offences in the jurisdiction of Polda Metro Jaya, including the factors that influence its implementation. Through this diversity of perspectives, this research aims to make a valuable contribution to a more comprehensive understanding of the role and constraints of E-Tilang law enforcement, as well as highlighting innovations and best practices in the context of traffic law enforcement.

## **METHOD**

This research USES an empirical legal research approach that DOES a direct assessment of the existing law in society. Data collection was conducted through in-depth interviews with the Bantul State Attorney's Office, which provided direct insight into the law enforcement process of e-tickets in the region. In addition, researchers also conducted document studies to gain a more comprehensive understanding of the issues that were the focus of the research. A literature study approach was also used to support the understanding of the theoretical framework and legal practices related to electronic ticketing. The data collected was analyzed descriptively qualitatively to describe in detail the phenomena observed.

## **DISCUSSION**

### **The Role of Bantul State Attorney's Office in the Enforcement of E-Tickets for Traffic Violations**

The implementation of E-Tilang or electronic ticketing itself was only implemented by the Bantul State Attorney's Office around 2019 or early 2020. In the last 3 years after the implementation of e-tickets, there has been significant progress. The purpose of this system is to increase the effectiveness of law enforcement related to traffic violations, with the hope of creating security and order on the road more optimally. The public appreciates the ease and speed of the handling process of e-tickets. But on the other hand, there are also some people who feel skeptical about the implementation of this e-ticket because many argue that this system can be vulnerable to misuse and data falsification.<sup>44</sup> Based on an interview with Sampurno, Section Manager of Evidence and Confiscated Goods at the Bantul District Prosecutor's Office on July 4, 2023, it was found that, the implementation of E-ticket system, manual tickets or ticketing processes carried out conventionally by manual means are still in effect at this time following the still not optimal law enforcement through the E-Ticket system alone.<sup>45</sup>

Bantul State Attorney's Office plays a significant role in law enforcement related to traffic violations that are dealt with through the e-ticket system. In 2023 – 2024 there are 142.063 cases handled. As one part of the electronic ticketing law enforcement system, the Bantul

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<sup>44</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023.

<sup>45</sup> Interview with Sampurno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023.

State Attorney's Office has an important responsibility in handling traffic violation cases recorded in the system. Broadly speaking, the role of the Bantul District Attorney's Office is to maintain justice, apply the law fairly, and impose sanctions in accordance with what traffic violators have violated."<sup>46</sup> The roles are :

1. Role as protection of data infringers.

In today's digital era, the use of information technology to manage and process data has become an unavoidable necessity. However, in the midst of this development, it is important for all to ensure that the personal information collected in the e-ticket system is safe and well protected. Bantul State Attorney's Office understands its role in protecting the personal data of the people involved in the system. According to Article 1 paragraph (1) of the Regulation of the Minister of Communication and Information of the Republic of Indonesia Number 20 of 2016 concerning Protection of Personal Data in Electronic Systems, the definition of personal data is:<sup>47,48,49,50</sup>

"Personal data is certain individual data that is stored, maintained, and maintained for the truth and protected for confidentiality,"

The role of the Prosecutor's Office, in this case the Bantul District Attorney's Office, related to personal data based on the results of an interview with Rendy Indro Nugroho said, We from the Bantul District Attorney's Office comply with or are subject to applicable laws. In this case related to the protection of personal data, the Bantul State Attorney's Office complies with and applies the provisions stipulated in the Personal Data Protection Law and other regulations related to information security and user privacy. We will ensure that the collection, use and processing of personal data is carried out in accordance with applicable legal provisions.<sup>51</sup>

Further explained by Ika Bening based on the results of interviews with her, that in this e-ticket system or electronic ticketing that can access data related to the interests of the violator only the violator himself and also from the prosecutor's office that takes care of issues related to the problem. So, other people who are not interested cannot access data that is confidential.<sup>52</sup>

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<sup>46</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023.

<sup>47</sup> Refaldy Braif Carundeng, Anna S. Wahongan, and Presly Prayogo, "Perlindungan Hukum Terhadap Data Pribadi Konsumen Yang Diredas Berdasarkan Peraturan Menteri Komunikasi Dan Informatika Nomor 20 Tahun 2016 Tentang Perlindungan Data Pribadi Dalam Sistem Elektronik," *Lex Privatum X*, no. 1 (2022): 190, <https://ejournal.unsrat.ac.id/v2/index.php/lexprivatum/article/view/38083>.

<sup>48</sup> Setyawati Fitri Anggraeni, "Polemik Pengaturan Kepemilikan Data Pribadi: Urgensi Untuk Harmonisasi Dan Reformasi Hukum Di Indonesia," *Jurnal Hukum & Pembangunan* 48, no. 4 (2018): 817, <https://doi.org/10.21143/jhp.vol48.no4.1804>.

<sup>49</sup> Hanifan Niffari, "Perlindungan Data Pribadi Sebagai Bagian Dari Hak Asasi Manusia Atas Perlindungan Diri Pribadi (Suatu Tinjauan Komparatif Dengan Peraturan Perundang-Undangan Di Negara Lain)," *Jurnal Yuridis* 7, no. 1 (2020): 111, <https://doi.org/10.35814/selisik.v6i1.1699>.

<sup>50</sup> Muhammad Satria and Susilo Handoyo, "Perlindungan Hukum Terhadap Data Pribadi Pengguna Layanan Pinjaman Online Dalam Aplikasi Kreditpedia," *Jurnal de Facto* 8, no. 2 (2022): 113, <https://jurnal.pascasarjana.uniba-bpn.ac.id/index.php/jurnaldefacto/article/view/113>.

<sup>51</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023.

<sup>52</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023.



2. Role as a guarantor of legal certainty.

Legal certainty can be achieved with the establishment of law in a concrete event. The applicable legal principles must be consistent and must not deviate from the established rules, this is often referred to as fiat Justitia et pcreat mundus (even though the world is crumbling the law must be upheld). The existence of legal certainty aims to protect individuals from arbitrary actions, so that a person can get what is expected in a particular situation. Society in general expects legal certainty because this will bring order to their lives.<sup>535455</sup>

As an effort to realize legal certainty, the role of the Bantul State Attorney's Office regarding this electronic ticket, based on the results of an interview with Rendy Indro Nugroho, is to ensure that the legal process runs in accordance with applicable regulations and there is no discrimination. The second effort is to carry out strict internal supervision of the law enforcement process of the E-Ticket case. With a supervisory mechanism, errors or actions that violate ethics and law enforcement standards can be identified and corrected. This supervision can also improve the quality of law enforcement and avoid potential abuse of authority. In addition, the Bantul State Attorney's Office needs to periodically evaluate the performance in law enforcement of the E-Ticket case. So that from the results of the evaluation, areas that need to be improved or improved can be identified in order to increase justice and legal certainty.<sup>56</sup>

3. Role as a guarantor of legal justice, while justice is an expectation that must be fulfilled in law enforcement efforts. Justice has subjective, individualistic, and non-generalizing characteristics. If law enforcers only focus on the value of justice without paying attention to the value of expediency and legal certainty, then the law cannot run well. Vice versa, if law enforcers only prioritize the value of benefits without paying attention to legal certainty and justice, the law will also not function properly.<sup>575859</sup> Based on the results of an interview with Randy Indro Nugroho, the

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<sup>53</sup> Sri Mustika Wardani et al., "Analisis Kesadaran Hukum Masyarakat Guna Mewujudkan Ketertiban Dan Keamanan Dalam Bermasyarakat, Berbangsa Dan Bernegara (Studi Kasus Di Desa Kwarakan Kecamatan Kaloran Kabupaten Temanggung)," *Jurnal Dwija Kusuma* 11, no. 2 (2023): 96.

<sup>54</sup> M.Gazali Rahman and Salhan Tomayahu, "Penegakan Hukum Di Indonesia," *Jurnal Al-Himayah* 4, no. 1 (2020): 143, <https://journal.iaingorontalo.ac.id/index.php/ah/article/view/1625>.

<sup>55</sup> Muhammad Ikhsan Maula, "Analisis Ketaatan Hukum Masyarakat Mewujudkan Konsep Negara Hukum," *De Cive: Jurnal Penelitian Pendidikan Pancasila Dan Kewarganegaraan* 2, no. 8 (2022): 291, <https://doi.org/10.56393/decive.v2i8.1593>.

<sup>56</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023.

<sup>57</sup> zulfahmi Nur, "Keadilan Dan Kepastian Hukum (Refleksi Kajian Filsafat Hukum Dalam Pemikiran Hukum Imam Syâtibî)," *Misykat Al-Anwar Jurnal Kajian Islam Dan Masyarakat* 6, no. 2 (2023): 254, <https://doi.org/10.24853/ma.6.2.247-272>.

<sup>58</sup> Melisa et al., "Kedudukan Hukum Dalam Mewujudkan Keadilan Dan Kesejahteraan Di Indonesia," *Al-Manhaj: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 1 (2023): 245, <https://doi.org/DOI: 10.37680/almanhaj.v5i1.2084>.

<sup>59</sup> Ferdian Rinaldi, "Proses Bekerjanya Sistem Peradilan Pidana Dalam Memberikan Kepastian Hukum Dan Keadilan," *Jurnal Hukum Respublica* 21, no. 2 (2022): 180, <https://journal.unilak.ac.id/index.php/Respublica/article/view/10153>.

role of the Bantul State Attorney's Office in terms of upholding justice is openness in providing clear information to the public regarding the stages of law enforcement, the rights and obligations of violators, and the procedures that will be carried out.<sup>60</sup>

4. The role of facilitating the provision of information and legal sanctions.

The Bantul State Attorney's Office still provides legal sanctions against traffic violators through the e-ticket system or electronic ticketing. Based on the results of the interview Samporno explained, after going through the process of handling the E-tickets case, the Bantul State Attorney's Office is responsible for deciding and implementing the legal sanctions applied to violators. After receiving an electronic ticket, the Bantul State Attorney's Office will verify and validate the data and information contained therein. If the violation is proven valid, the Bantul State Attorney's Office can impose legal sanctions based on applicable laws and regulations. In addition to providing legal sanctions, the Bantul State Attorney's Office is also responsible for providing legal protection for offenders who appeal or have legitimate reasons to defend themselves. They will process the appeal and ensure that the decision taken is based on the principles of justice and the applicable rules of law.<sup>61</sup> The e-tilang application is one of the innovations of the Bantul State Attorney's Office as its role in resolving traffic violations. The Prosecutor's E-Tilang application is a platform that plays a role in managing data related to traffic violations that have been decided by the Court, including payment of fines and ticket cases, depositing into the State treasury, deletion due to expiration and reporting.<sup>62</sup> There are several benefits in using the prosecutor's e-ticket application, including:<sup>63646566</sup>

- a. Increase the accountability of ticket case settlement;
- b. Making it easier for ticket officers to settle ticket cases through deposits to the state treasury;
- c. Reducing the workload of ticket officers in registering cases;
- d. Reducing the workload of ticket officers in making case settlement reports;
- e. Improving the quality of financial reports so as to minimize findings during the

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<sup>60</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023.

<sup>61</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023.

<sup>62</sup> Kejaksaan Republik Indonesia, *Buku Panduan E-Tilang*, 2021.

<sup>63</sup> Mara Haris Pospos, Hafrida, and Herry Liyus, "Penyelesaian Perkara Lalu Lintas Berbasis E-Tilang Dalam Perspektif Sistem Peradilan Pidana," *Hangoluan Law Review* 1, no. 1 (2022): 179, <https://hhr.unja.ac.id/index.php/hlr/article/view/10>.

<sup>64</sup> Mashendri, Sufirman Rahman, and Anzar Makkuasa, "Penerapan Hukum Terhadap Elektronik Tilang Dalam Penertiban Lalu Lintas Di Wilayah Polres Baubau," *Journal of Lex Theory (JLT)*, 4, no. 1 (2023): 330, <https://doi.org/10.52103/jlt.v4i1>.

<sup>65</sup> Kejaksaan Republik Indonesia, *Buku Panduan E-Tilang*.

<sup>66</sup> Eko Rohmat Efendi, "Enerapan Hukum Terhadap E - Tilang Dalam Upaya Penertiban Lalu Lintas Pada Undang - Undang No 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan," *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance* 2, no. 2 (2022): 530, <https://doi.org/Doi: 10.53363/bureau.v2i2.86>.

- audit by BPK;
- Make it easier for the leadership to monitor the settlement of ticket cases, both at the provincial and national levels;
  - Minimize the practice of extortion and misuse of ticket fines;
  - Realizing transparency in the management of ticket fines;
  - Increase public trust in the Prosecutor's Office;
  - Improving the payment service of ticket fines by the public.
- Meanwhile, for the process of e-ticket administration in the prosecutor's office, see the following figure:

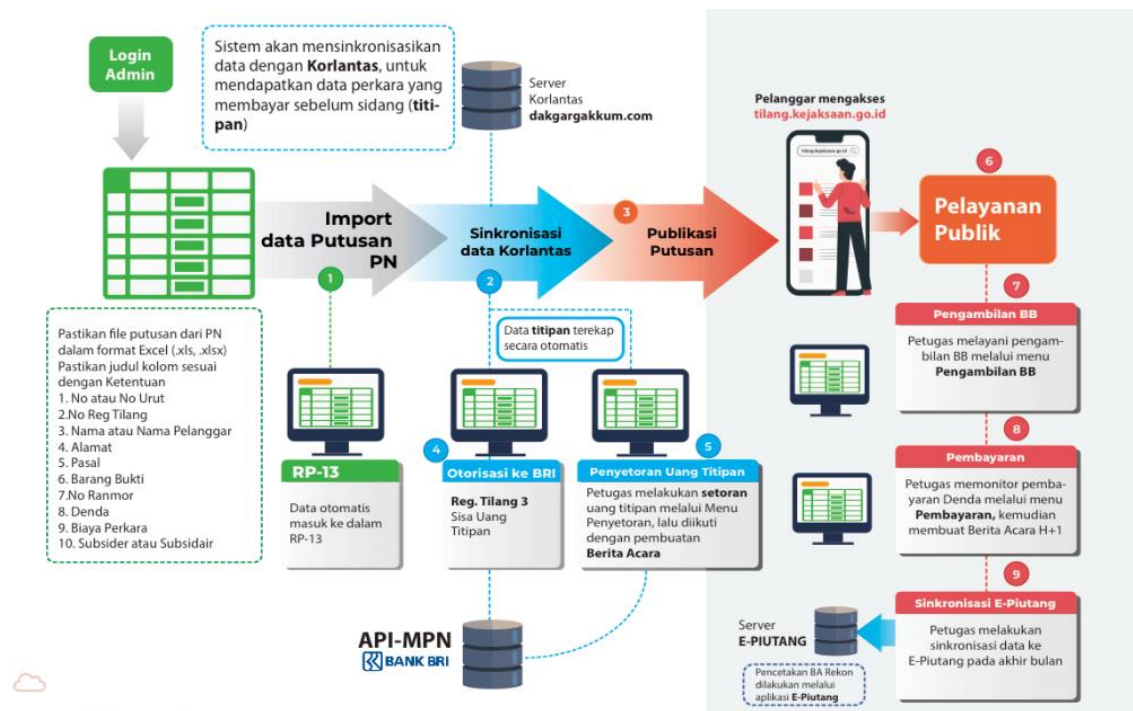


Figure 1

### E-Ticket Administration Process from [tilang.kejaksanaan.go.id](http://tilang.kejaksanaan.go.id)

Based on the picture above, the process of handling e-tickets cases at the Bantul District Attorney's Office can be explained as follows: The Prosecutor's Office receives the decision file from the District Court in Excel format, then the file is imported into the E-Tilang application. The ticketing officer synchronizes the ticket data to the Korlantas server. If the case has been paid during the law enforcement process, the application will retrieve data such as Briva code 22955, the date of payment, and the amount of money deposited from the Korlantas server. Next, the officer publishes the decision data so that the violator can access the decision on the AGO's E-Tilang website ([tilang.kejaksanaan.go.id](http://tilang.kejaksanaan.go.id)).

The officer also verifies the deposit data and authorizes BRI to return the remaining deposit money through the National Tilang Account Debit. The ticket

money that has been decided by the District Court is deposited by the officer by debiting the National Tilang Account to the State Treasury through the Deposit Menu. Offenders can view the amount of fines and court fees, and make payments via the MPN Payment Code at available banks or perception posts. Offenders can also view and withdraw excess deposit money or settle deposit deficiencies through available payment methods.

In addition, ticket officers serve evidence collection and record the date of collection in the Evidence Collection menu. They also monitor fine payments through the Fine Payment menu and make an official report the day after (H+1). At the end of each month, ticket officers synchronize data to E-Payable. This process illustrates how the integration of technology in the e-ticket system simplifies the handling of traffic violation cases, ensures transparency, and speeds up the legal process, from the receipt of the verdict to the return of the remaining deposit and the collection of evidence.

5. The role of fine payment and evidence retrieval services.

Article 10 of Supreme Court Regulation Number 12 Year 2016 on Procedures for Settlement of Traffic Violation Cases explains the payment of fines and evidence retrieval which reads:<sup>6768</sup>

- a. Violators pay fines in cash or electronically to the Prosecutor's account;
- b. The violator takes the evidence to the Prosecutor as the executor at the Prosecutor's office by showing proof of payment of the fine

The ease in the process of paying ticket fines is one of the roles of the Bantul District Attorney's Office in providing effective services to the community. Based on the results of an interview with Samporno, he explained that currently violators can pay ticket fines in advance from home before coming to the Prosecutor's Office to collect evidence so that in this case it can reduce the queue at the prosecutor's office. Regarding the procedure for paying ticket fines from home, among others:<sup>69</sup>

- a. On the day of the trial, open the website ([tilang.kejaksaan.go.id](http://tilang.kejaksaan.go.id)), then enter the ticket register number. Then the system will automatically inform the amount of fines that must be paid;
- b. Then in the system, you are told to enter the date of arrival to the Prosecutor's Office from the violator to collect evidence;
- c. Then enter the payment, at this stage a payment code is given which can then be made payments through channels that cooperate with the Prosecutor's Office;

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<sup>67</sup> Jupri, Yoslan Koni, and Roy Marthen Moonti, "Penyelesaian Perkara Lalu Lintas Berbasis Elektronik Dalam Upaya Mengurangi Penumpukan Perkara Dan Pungutan Liar," *Al-Ishlah* 23, no. 2 (2020): 180, <https://doi.org/10.56087/aijih.v23i2.52>.

<sup>68</sup> Bayu Apriliyantomo, "Pertimbangan Putusan Pengenaan Denda Dalam Pelanggaran Lalu Lintas Jalan Raya," *Mimbar Yustisia* 4, no. 2 (2020): 84, <https://doi.org/10.52166/mimbar.v4i2.3246>.

<sup>69</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023.

- d. After making payment, violators can collect evidence at the Prosecutor's Office by showing proof of payment that has been made.

Taking evidence can be done by violators after completing payment of ticket fines. Based on the results of the interview with Samporno, there are several methods related to the collection of evidence at the Bantul State Prosecutor's Office. The first method is by coming directly to the Bantul State Attorney's Office, which in this case the service for parking tickets is held on Friday, both for payment of fines and collection of evidence. Then for the second method by using the evidence delivery service where the Prosecutor's Office has collaborated with the Post Office to deliver evidence from the prosecutor's office to the place of residence of the violator.<sup>70</sup>

Bantul State Attorney's Office related to deposit (deposit money) in the e-ticket system or electronic ticketing makes it easier for officers to deposit deposit money into the state treasury by using a debit ticket fine deposit account. With this system, ticket officers no longer need to come to the bank to deposit the deposit money paid before the trial to the state treasury.<sup>71</sup>

The deposit is the amount of the fine paid prior to the court's decision.<sup>7273</sup> For offenders who have paid the deposit before the hearing and when the court decides that the fine is less than the deposit, the offender has the right to collect the remaining deposit. The nominal amount of the deposit paid before the hearing is not necessarily the same as the nominal fine decided by the Court. Therefore, on the day of the hearing it is better to check the amount of the fine decided by the court. If there is any money left over, the offender can collect it by taking the following steps:<sup>74</sup>

- a. Open the website ([tilang.kejaksaan.go.id](http://tilang.kejaksaan.go.id)) and then enter the ticket register number, after entering the violator can see the nominal amount of fines and court fees and the remaining deposit money on the system;
- b. Then press the "take the remaining deposit money" section to take the remaining deposit money which can use 2 ways:
  - 1) The first way is to come directly to the bank that cooperates with the prosecutor's office in handling traffic tickets, in this case BRI Bank by downloading a cover letter. Then the bank will verify the data is correct or not. If it is true, the violator will immediately receive the remaining money;

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<sup>70</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023.

<sup>71</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023.

<sup>72</sup> Sri Setiawati and Sri Hartati, "Implikasi Pidana Denda Terhadap Pelanggaran Aturan Lalulintas Menurut Undang-Undang Nomor 22 Tahun 2009," *AL-BALAD: JOURNAL OF CONSTITUTIONAL LAW* 5, no. 2 (2024): 1, <http://urj.uin-malang.ac.id/index.php/albalad/article/view/6926>.

<sup>73</sup> Uni Sabadina, "Penerapan E-Tilang Dalam Penyelesaian Tindak Pidana Pelanggaran Lalu Lintas," *Indonesian Journal of Criminal Law and Criminology (IJCLC)* / 1, no. 1 (2020): 61., <https://doi.org/10.18196/ijclc.v1i1.9157>.

<sup>74</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023.

- 2) The second way is by transfer, by entering the bank name and account number, entering personal data. Then the system will send an OTP code to the violator's device and then enter the OTP code on the available form, if appropriate, the remaining deposit money will be transferred directly to the account number that was registered earlier.

It should be noted that based on Article 268 paragraph (2) of Law Number 22 Year 2009 concerning Road Traffic and Transport that the remaining fine money that is not taken within 1 (one) year from the determination of the Court's decision is deposited into the state treasury.<sup>75767778</sup>

Article 1 letter d of Government Regulation Number 39 of 2016 concerning Types and Tariffs on Types of Non-Tax State Revenue Applicable to the Attorney General's Office of the Republic of Indonesia states that the types of Non-Tax State Revenue (PNBP) applicable to the Attorney General's Office of the Republic of Indonesia include revenue from payment of fines for traffic offences.<sup>79</sup> Then the results of all Non-Tax State Revenues (PNBP) received by the Prosecutor's Office are required to be deposited immediately to the State Treasury. Based on this, if it is related to current law enforcement, the role of the prosecutor's office is limited to monitoring the movement of money into the State Treasury, both payments made before the trial and after the trial. After that the prosecutor's office makes a report related to this matter to be sent to the Ministry of Finance.<sup>80</sup>

#### 6. The role as executor.

A decision that has obtained permanent legal force (*inkracht van gewijsde*), it is mandatory for the Prosecutor's Office to carry out the decision (execution). Execution in this case is the final stage of the examination process of a criminal case. In accordance with statutory regulations, the Public Prosecutor's Office of the Republic of Indonesia is a government agency that has authority in terms of prosecution and other fields. Execution as part of state policy is given to the Attorney as the executor of the task. In the context of law enforcement related to traffic and road transport offences, the Public Prosecutor's Office is responsible for carrying out the execution

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<sup>75</sup> Riona Herika, "Tinjauan Yuridis Terhadap Tindak Pidana Kelalaian Lalu Lintas Yang Mengakibatkan Korbannya Luka Berat (Studi Kasus Putusan Nomor 1539/Pid.Sus/2019/Pn Tng Dan Putusan Nomor 157/Pid.Sus/2019/Pn Tng)," *INNOVATIVE: Journal Of Social Science Research* 3, no. 2 (2023): 6, <https://doi.org/10.31004/innovative.v3i2.1380>.

<sup>76</sup> Iyah Faniyah and Shahum Yovino Harz, "Efektivitas Penerapan Jumlah Denda Terhadap Tingkat Kepatuhan Pengendara Kendaraan Bermotor Roda Dua Dalam Berlalu Lintas Di Wilayah Hukum Polres Bukittinggi," *UNES Law Review* 6, no. 2 (2023): 4404, <https://doi.org/10.31933/unesrev.v6i2.1277>.

<sup>77</sup> Bayu Apriliyantomo, "Pertimbangan Putusan Pengenaan Denda Dalam Pelanggaran Lalu Lintas Jalan Raya," 77.

<sup>78</sup> Ubaidillah Arya Wahyu Airlangga and Pramukhtiko Suryokencono, "Sinkronisasi Hukum Pengaturan Electronic Traffic Law Enforcement (ETLE) Menurut Undang-Undang No. 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan," *Indonesian Journal of Law and Justice* 4, no. 1 (2024): 4, <http://dx.doi.org/10.47134/ijj.v1i4.2278>.

<sup>79</sup> Pande Komang Novia Arsita Wijaya et al., "Pemidanaan Terhadap Korporasi Dalam Tindak Pidana Dumping Limbah Ke Media Lingkungan Hidup Tanpa Izin (Studi Putusan Nomor: 247/Pid.B/Lh/2021/Pn.Sng)," *UNES Law Review* 5, no. 4 (2023): 2134, <https://doi.org/10.31933/unesrev.v5i4>.

<sup>80</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023.

of decisions given by the Court.<sup>8182</sup>

The legal basis of the execution carried out by the Public Prosecutor's Office includes Article 270 of the Criminal Procedure Code "The execution of court decisions that have obtained permanent legal force is carried out by the Prosecutor, for which the Registrar sends a copy of the decision letter to him."<sup>838485</sup> Furthermore, Article 54 paragraph (1) of Law Number 48 Year 2009 on Judicial Power states: "The execution of court judgements in criminal cases shall be carried out by the prosecutor."<sup>8687</sup> Further contained in Article 30 paragraph (3) letter b of Law Number 16 Year 2004 on the Prosecutor's Office of the Republic of Indonesia which states: "In the field of criminal prosecution, the prosecutor's office has the duty and authority to implement judges' decisions and court decisions that have obtained permanent legal force."<sup>8889</sup> Regarding its role as an executor, based on the results of an interview with Rendy Indro Nugroho said that the Bantul State Attorney's Office still acts as an executor in the law enforcement of e-tickets or electronic tickets for traffic violations. After the court gives a verdict regarding a traffic offence, the task of the Prosecutor's Office is to execute the verdict by taking the necessary steps. The Prosecutor's Office will ensure the implementation of court decisions, including monitoring the execution of fines that now use the prosecutor's e-ticket application whether it goes to the State Treasury, issuing vehicle detention orders, and taking other steps in accordance with the verdict.<sup>90</sup>

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<sup>81</sup> Jana Satyaputri Gimka, Binatara Sura Priambada, and Herwin Sulistyowati, "Pelaksanaan Eksekusi Denda Dan Biaya Perkara Pelanggaran Lalu Lintas Oleh Kejaksaan Negeri Sragen," *Jurnal Hukum Pidana Delict* 7, no. 1 (2021): 34.

<sup>82</sup> Viona Damayanti and Vincentius Patria Setyawan, "Pelaksanaan Eksekusi Denda Tilang Oleh Kejaksaan Negeri Surakarta," *Verstek* 9, no. 4 (2021): 790, <http://dx.doi.org/10.20956/halrev.v1i1.212>.

<sup>83</sup> Irhas Novianti Yasma'un and Emmilia Rusdiana, "Kajian Yuridis Penerbitan Surat Edaran Mahkamah Agung Berkaitan Dengan Dasar Hukum Pelaksanaan Putusan Perkara Pidana," *Novum: Jurnal Hukum* 7, no. 2 (2020): 74, <https://doi.org/10.2674/novum.v7i2.32162>.

<sup>84</sup> Roceberry Ceristanthy Damanik and T. Erwinsyahbana, "Kewenangan Jaksa Dalam Penerapan Sanksi Pidana Mati Terhadap Pelaku Tindak Pidana Penyalahgunaan Narkotika" 1, no. 1 (2022): 170, <https://jurnal.umsu.ac.id/index.php/DOKTRIN/article/view/12883>.

<sup>85</sup> Dfigo Michael Karuntu, Vecky Yanni Gosa, and Marthin Doodoh, "Suatu Tinjauan Terhadap Pelaksanaan Putusan Pengadilan Dalam Melaksanakan (Eksekusi) Yang Telah Memeperoleh Kekuatan Hukum Tetap Berdasarkan Undang-Undang Nomor 8 Tahun 1981 Tentang Hukum Acara Pidana," *Lex Administratum* 10, no. 2 (2022): 5, <https://ejournal.unsrat.ac.id/v3/index.php/administratum/article/view/40399>.

<sup>86</sup> Tri Nada Sari, Elly Sudarti, and Yulia Monita, "Eksekusi Putusan Pengadilan Oleh Jaksa Terhadap Pidana Pembayaran Uang Pengganti Pada Tindak Pidana Korupsi Di Kejaksaan Negeri Muaro Jamb," *PAMPAS: Journal Of Criminal Law* 2, no. 1 (2021): 58, <https://doi.org/10.22437/pampas.v2i2.13716>.

<sup>87</sup> I Wayan Edi Kurniawan, Anak Agung Sagung Laksmi Dewi, and I Made Minggu Widyantara, "Jaksa Selaku Eksekutor Dalam Putusan Pengadilan Tindak Pidana Pembunuhan," *Preferensi Hukum* 1, no. 2 (2020): 156, <https://doi.org/10.22225/jph.1.2.2353>.

<sup>88</sup> Mohd. Yusuf Daeng M. et al., "Analisis Yuridis Peranan Kejaksaan Dalam Sistem Peradilan Pidana Di Indonesia," *Journal on Education* 5, no. 4 (2023): 11672, <https://doi.org/10.31004/joe.v5i4.2120>.

<sup>89</sup> Michael Darmawan Sagitta Pongsitanan, Hambali Thalib, and Mohammad Arif, "Optimalisasi Penegakan Hukum Tindak Pidana Pencabulan Terhadap Anak," *Journal of Lex Generalis (JLG)* 2, no. 2 (2021): 560, <https://doi.org/10.52103/jlg.v2i2.350>.

<sup>90</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023

Based on the results of the interview with Samporno, the role of the Bantul State Attorney's Office in the execution of traffic violation ticket fines before and after the implementation of the electronic ticketing system has changed. Before the implementation of e-tickets or electronic tickets, after the court handed over a decision that was legally binding, the violators went directly to the prosecutor's office to make fine payments. Then after completing the payment of fines from violators, the prosecutor's office calculates the amount of fines paid and immediately goes to the bank to deposit the fine into the State Treasury.<sup>91</sup>

Furthermore, Ika Bening explained that after the implementation of e-tickets or electronic tickets, the execution of ticket fines carried out by the Bantul State Prosecutor's Office is only limited to monitoring violators who pay ticket fines. The ticket fines will go directly to the State Treasury without having to go through a third party that was previously carried out by the Prosecutor's Office as an intermediary. Then with the E-Tilang application, it can be used by the prosecutor's office to match the number of violators who pay fines with the amount of fines paid. When it is finished, the prosecutor's office then makes a report regarding this matter to be submitted to the Minister of Finance. Then related to the collection of evidence, the Bantul District Attorney's Office has a role to collect data on violators who have taken evidence.<sup>92</sup>

Cases that have not been resolved during the period January-June 2023 at the Bantul District Attorney's Office are 965 cases out of 5271 incoming cases. Based on the results of data collection at the Bantul District Prosecutor's Office for the period January-June 2023, of these 4306 cases have been executed. then the amount of fines that have entered the State Treasury is IDR 341,652,000, - and those that are still receivable by the Bantul District Prosecutor's Office are IDR 88,585,000, -. From these data, it can be said that the role of the Bantul State Attorney's Office in the Law Enforcement of E-tickets or electronic tickets for traffic violations has been running effectively, because the percentage of cases resolved is greater than the unfinished cases. However, the arrears of ticket fines still require further handling in accordance with the role of the Prosecutor's Office as the executor of a criminal offence.<sup>93</sup>

### **Constraints faced by the Bantul District Attorney's Office**

First, in the legal aspect, law enforcement is strongly influenced by several factors. Factors such as public awareness of the law, the availability of adequate resources, and good coordination between law enforcement agencies also play an important role in determining the success of law enforcement. In addition, other factors that influence law enforcement can be seen from the regulations. In relation to traffic offences, the governing regulation is Law Number 22 Year 2009 on Road Traffic and Transport.

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<sup>91</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023

<sup>92</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023

<sup>93</sup> Statistics on the resolution of traffic ticket cases in 2023 at the Bantul District Prosecutor's Office



However, when discussing the settlement of traffic cases that are electronically based, one of the things that becomes an obstacle is the related legal aspects. Based on the results of the interview with Rendy Indro Nugroho, in Law Number 22 Year 2009 concerning Road Traffic and Transport, there is no article that specifically regulates the mechanism for resolving electronic-based traffic cases. The legal basis for e-ticket-based case settlement implemented since 2019 at the Bantul District Attorney's Office is only found in Supreme Court Regulation (PERMA) Number 12 of 2016 which regulates the Procedure for Settling Traffic Offences. Therefore, it is not surprising that the implementation of e-ticket settlement of traffic cases has not been optimal in law enforcement.<sup>94</sup>

The lack of optimality in the settlement of cases based on e-tickets is due to the lack of clear provisions in Law Number 22 Year 2009 concerning Road Traffic and Transport Offences. In fact, internal derivative regulations such as the National Police Chief Regulation (PERKAP) are also not regulated in detail. Currently, the settlement of electronic-based traffic cases only refers to PERMA 12/2016. Ideally, the procedure for resolving electronic-based traffic cases should be expressly regulated in Law No. 22/2009 on Road Traffic and Transport, so that it is clear to the institutions involved in law enforcement. Because the PERMA is only a policy regulation that is more internally binding, while law enforcement against traffic offences involves various law enforcement officials.

Second, the resource aspect, the obstacles faced related to resources for law enforcement of e-tickets or electronic tickets at the Bantul District Attorney's Office include several aspects. Limited technological infrastructure, including stable internet access and adequate computers, can hinder the processing and management of e-tickets data. Weaknesses in technological infrastructure can slow down case handling and impact on the efficiency of e-tickets law enforcement. Limited human resources with knowledge and technical skills in e-ticket law enforcement can also be an obstacle. The number of human resources at the Bantul State Prosecutor's Office who have this expertise is limited, therefore this hampers the effectiveness of e-tickets law enforcement. In addition, budget limitations are also an obstacle in resources for e-ticketed law enforcement. A limited budget can limit the development of technological infrastructure, training of human resources, and procurement of equipment required in e-ticket law enforcement. This has the potential to affect the quality and speed of handling e-tickets cases.<sup>95</sup>

Third, the community aspect, law enforcement is rooted in society and aims to create harmony in society. In this context, seen from a certain perspective, society has an influence on the level of compliance with the law. The obstacles in this case, based on the results of an interview with Rendy Indro Nugroho, are related to public awareness and understanding of the importance of traffic order. People who violate may not realise that

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<sup>94</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023

<sup>95</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023

there are serious impacts that can harm themselves and even others if they commit these traffic violations.<sup>96</sup>

In addition to awareness related to the rule of law, based on the results of interviews with Ika Bening explained, that the lack of knowledge about technology is also an obstacle in handling electronic tickets for traffic violations. Not a few people still come to the Bantul District Attorney's Office to pay ticket fines which result in queues piling up, even though violators can pay ticket fines anywhere without having to come directly to the District Attorney's Office by utilising technological sophistication. So this makes the law enforcement of electronic tickets less than optimal if the application is still like handling manual tickets.<sup>97</sup>

To overcome the inhibiting factors of the role of the Bantul State Attorney's Office in law enforcement of e-tickets or electronic tickets, there are several steps that can be taken. Law enforcement consists of repressive and preventive measures. Preventive action is a preventive measure that aims to prevent violations of applicable norms. This is done by trying to prevent the factors of intention and opportunity to violate from meeting, so that public security and order are maintained, safe, and controlled. With reference to this definition, it can be concluded that preventive efforts include all actions taken to prevent the occurrence of an event. In the legal context, preventive efforts refer to steps taken to prevent the occurrence of legal offences.

Based on the results of the interview with Samporno, one of the preventive efforts by conducting socialisation or education to the public regarding the use of E-tickets is an important step that is often carried out by the Bantul State Attorney's Office. Socialisation is carried out by the Bantul State Attorney through mass media, such as radio, newspapers, and online media. Bantul State Attorney also provides educational materials, such as brochures, pamphlets, or leaflets containing important information about E-tickets. Then the Bantul State Attorney's Office also held socialisation events in public places, such as in the past at the Sultan Agung Stadium in Bantul where officers could provide direct explanations to the public.<sup>98</sup>

Other efforts made by the Bantul State Attorney's Office based on the results of an interview with Rendy Indro said, by collaborating with related parties, such as courts and other agencies, to ensure effective law enforcement and good coordination. The Bantul State Attorney's Office collaborates with the Court in the submission of files after being decided by the court and also the implementation of E-Tilang case decisions. In addition, it also collaborates with the police where the police provide notifications regarding the holding of on-site hearings to reduce traffic violations. So far have held several on-site

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<sup>96</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023

<sup>97</sup> Interview with Ika Bening, Ticketing Officer at Bantul District Attorney's Office 4 July 2023

<sup>98</sup> Interview with Samporno, Evidence and Confiscated Property Management Section at the Bantul District Prosecutor's Office 4 July 2023

hearings, and this will continue.<sup>99</sup>

## CONCLUSION

The Bantul State Attorney's Office plays a crucial role in enforcing e-ticket laws for traffic violations. This involves executing law enforcement, safeguarding personal data, ensuring justice, and facilitating administrative tasks for fine payment and evidence collection. The introduction of the prosecutor's e-ticket application has streamlined the resolution of e-ticket cases, allowing violators to settle fines remotely and retrieve deposits and evidence without visiting the office. However, obstacles hinder effective execution. The absence of comprehensive regulations for electronic law enforcement, reliance on Perma Number 12 of 2016, poses a significant challenge. Moreover, inadequate technological infrastructure and human resource limitations affect operational efficiency. Additionally, community factors, such as a lack of public awareness, further complicate ensuring orderly traffic conduct and compliance with e-ticketing procedures.

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<sup>99</sup> Interview with Rendy Indro Nugroho, Head of Evidence and Confiscated Property Management at the Bantul District Prosecutor's Office, July 4 2023

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