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Law Enforcement Against Traffic Law Violations Committed by Students in Ternate City

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Abstract: Traffic rules are created to guard the safety of everyone who travels on vehicles on the road every day. Rampantly occurring traffic violations that evoke concerns in society are traffic violations committed by students. This paper aims to analyze the factors that influence law enforcement against traffic law violations committed by students in the legal area of the Ternate City Police Resort Traffic Unit as well as the efforts carried out to prevent events of traffic law violations by students. This research used the socio legal methods or empirical methods. It was an approach model in the form of an action to see the legal reality in society. In this research, the researchers collected the data using field research, literary study, and documentation methods. From these three types of data collection, the data obtained were divided into two, namely primary and secondary data. this research found that the factors which influence law enforcement against traffic law violations committed by students in the legal area of Ternate City Police Resort Traffic Unit are the family factor, the education factor, and the environmental factor. There is enforcement of regulations, namely raids on motor vehicle drivers. Children who are caught driving a motorized vehicle for the first time will be given a warning, but if they are caught again they will be given a ticket. Legal efforts that may be applied to prevent the occurrence of traffic law violations committed by students in the legal area of Ternate City Police Resort Traffic unit with preventive and repressive legal enforcement.

Keywords: law enforcement; traffic law; violation; students; Indonesia.

INTRODUCTION

Motorized vehicles are society's main mode of transportation in Indonesia. They are used to ease travelling from one place to another so that people can arrive on time. Traffic rules are created to guard the safety of everyone who travels on vehicles on the road every day. Rampantly occurring traffic violations that evoke concerns in society are traffic violations committed by students. Such an issue is not a new thing in Indonesia. Rather, it often happens. Based on Law No. 22 of 2009 on Traffic and Road Transport, underage children are prohibited from driving vehicles. Children's emotions are still unstable and their ways of thinking are still immature. Therefore, they are unable to make quick decisions. They have a low sense of responsibility and they lack an understanding of the importance of traffic safety.¹ Thus, oftentimes, Traffic Police Officers find cases of traffic law violations committed by children and students during traffic order operations on roads.²

In Indonesia, modes of transportation currently experiencing great development, not only in the aspect of quality but also in terms of quantity. The law on traffic is clearly regulated in Law No. 22 of 2009 on Traffic and Road Transport. But there are still events of traffic law violations. There are rampant occurrences of traffic law violation cases committed by student drivers who drive two-wheeled or four-wheeled vehicles. Worse, it is not seldom for underage children to be involved in a traffic accident.³

Two types of efforts are carried out to prevent events of traffic law violations, namely preventive and repressive efforts. It is hoped that in every case that involves underage children, the mediation process is emphasized to prevent the disturbance of the children's psychological condition. One of the cases of traffic law violations by underage children happened in the South Ternate City area, specifically around Pertamina Road, around the road to enter Public Senior High School 3 of Ternate City, Gambesi District, Ternate City.

The chronology was as follows: A 15-year-old third-year male student of Public Junior High School 3 of Ternate City was riding a two-wheeled motorized vehicle with a high speed around the location of Public Senior High School 3 of Ternate City. After losing control, the victim crashed a vehicle that was parked on the side of the road. The victim was immediately bounced to the center of the road. Then, another vehicle simultaneously crushed him. Then, he died on the spot.

¹ Maidin Gultom, *Perlindungan Hukum Terhadap Anak Dalam Sistem Peradilan Pidana Anak Di Indonesia* (Bandung: PT. Refika Aditama, 2009).

² "Penegakan Hukum Pelanggaran Lalu Lintas," *E Jurnal*, 2017.

³ D.Y. Witanto, *Hak Dan Kedudukan Anak Luar Kawin* (Jakarta: Kencana, 2012), 59.

The analysis of the chronology of the case above from the perspective of traffic law violations committed by underage children is as follows. First, based on the educational background of the victim, the victim was still a third grader in Public Junior High School and he was still 15 years old. The victim did not have the official documents concerning the vehicle, especially a driver's license, because he was still underage. Then, there was a lack of a control function from the family, in this case, the parents of the victim. According to the writer, the second issue is the error of the parents, in the case of their negligence, because they allowed the student to drive a vehicle even though he was still a minor. It must be noted that children are prohibited by the law from driving two-wheeled or four-wheeled vehicles.

In upholding the law against traffic violations committed by students who drive two-wheeled vehicles, the police force found some obstacles, such as when stopping student drivers who ride two-wheeled vehicles. The students who see police officers often choose to make a U-turn and drive away against the road direction. The students who violate the traffic law do not want to be stopped. When the police try to stop them, they choose to escape from the officer.

An obstacle that is often met after stopping these students is that they often resist officers during the arrest. They are cooperative and they do not want to yield the motorcycle as evidence of traffic law violation during the arrest.⁴ Efforts carried out by the police towards student motorcycle drivers who violate the traffic law are preemptive legal efforts (guidance), preventive legal efforts (socialization), and repressive legal actions (taking action).

This paper offers novelty as no research has previously been conducted on the law enforcement against traffic law violations committed by students in Ternate City, Indonesia. This paper is urgent to be carried out to understand the factors causing traffic law violations. This is crucial because the violation of traffic laws may lead to traffic accidents that take the lives of both violators and innocent citizens. By knowing the factors that cause such violations, stakeholders may undergo necessary measures to handle such issues. Therefore, the rate of traffic law violations committed by students may decrease. This is to provide a sense of security and safety in society.

Departing from the description of the introduction and the issues above, the research problems of this paper are: (1) What factors influence law enforcement against traffic law violations committed by students in the legal area of the Ternate City Police Resort Traffic Unit? and (2) What legal efforts are carried out to prevent events of traffic law violations by students in the legal area of the Ternate City Police Resort Traffic Unit?

⁴ Soerjono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum (The Factors That Influence Law Enforcement)* (Jakarta: Raja Grafindo Persada, 2007).

RESEARCH METHOD

According to the title of this paper, this research was conducted in the area of Ternate City, specifically in the legal area of the Ternate City Police Resort Traffic Unit. This research used the socio legal methods or empirical methods. It was an legal research methods in the form of an action to see the legal reality in society.⁵ Factually, the implementation and emforcement of the positive law stipulations in the legal phenomenon was also analyzed in this empirical legal research which aims to make sure of the suitability between the results of the legal stipulations, their application and find the best solution for this problem.⁶

In this research, the researchers collected the data using field research, literary study, and documentation methods. From these three types of data collection, the data obtained were divided into two, namely primary and secondary data. The former was obtained through field research whereas the latter was obtained from literary study and documentation. By understanding research data through a socio-legal methods with qualitative approach, researchers can see the phenomenon of law enforcement related to traffic violations by underage students and can also find the best solution for dealing with traffic law violations that occur.

RESULTS AND DISCUSSION

A. Factors that Influence the Law Enforcement against Traffic Law Violations Committed by Students in the Legal Area of the Ternate City Police Resort Traffic Unit

Law No. 22 of 2009 strictly regulates drivers as they are part of the traffic. Based on Article 77 clause (1), everyone who drives a motorized vehicle on the road must have a driver's license according to the type of motorized vehicle driven. A driver's license is a proof of identification and registration issued by the Indonesian police force to a person who has fulfilled the indicated requirements. The requirements that need to be fulfilled include administrative requirements, physical and psychological health, understanding of the traffic law, and skills in driving motorized vehicles. A driver's license has the following functions: (a) it is proof of driving competencies; (b) it contains the driver's complete identity; and (c) it is a medium to support police investigation, indictment, and forensic identification activities. Then, the types of driver's licenses that exist in Indonesia are the private motorized vehicle driver's license and public motorized vehicle driver's license. According to Law No. 22 of 2009 on Traffic and Road Transport Article 80 private motorized vehicle driver's licenses are

⁵ Jonaedi Efendi, *Metode Penelitian Hukum Normatif Dan Empiris* (Jakarta: Prenadamedia Group, 2015), 150.

⁶ Ronny Hanitijo Soemitro, *Metode Penelitian Hukum Dan Jurimetri* (Jakarta: Alumni, 1988).

divided into:

- a. A-category driver's license which applies to drivers of passenger cars and personal goods with a maximum permitted weight of no more than 3,500 (three thousand five hundred) kilograms;
- b. BI-category driver's license which applies to drivers of passenger cars and personal goods with a maximum permitted weight of more than 3,500 (three thousand five hundred) kilograms;
- c. BII-category driver's license which applies to drivers of heavy equipment, towing vehicles, or motorized vehicles by pulling attached carts and individual trailers or private vehicles with a maximum permitted weight of outboard and trailer of more than 1,000 (a thousand) kilograms;
- d. C-category driver's license which applies to drivers of motorcycles; and
- e. D-category driver's license which applies to drivers of special vehicles for disabled people.

Prospecting drivers must have driving competencies that may be obtained through education, training, or self-teaching. Article 81 states the requirements for those who wish to apply for a driver's license as follows:

- a. To obtain a driver's license as aforementioned in Article 77, every person must fulfill the age, administrative, and health requirements as well as pass the test.
- b. Age requirements as stipulated in clause (1) are stipulated at least as follows:
 - 1) 17 (seventeen) years for A-category, C-category, and D-category driver's licenses;
 - 2) 20 years for a BI-category driver's license; and
 - 3) 21 years for a BII-category driver's license.
- c. Administrative requirements as stipulated in clause (1) include:
 - 1) Self-identification in the form of an ID card;
 - 2) Filled in application forms; and
 - 3) Fingerprint data.
- d. Health requirements as stipulated in clause (1) include:
 - 1) Physically healthy, shown by a letter from the doctor; and
 - 2) Mentally healthy, shown by a letter on passing the psychological test.
- e. Requirements for passing the test as stipulated in clause (1) include:
 - 1) Theoretical test;
 - 2) Practical test; and/or
 - 3) Skill test through simulators.
- f. Apart from the requirements stipulated in article (2), article (3), article (4), and article (5), every Motorized Vehicle Driver that will apply for:

- 1) BI-category driver's license must have an A-category driver's license for at least 12 (twelve) months; and
- 2) BII-category driver's license must have a BI-category driver's license for at least 12 (twelve) months; and

The application of Law No. 22 of 2009 which contains sanctions for traffic law violations is one of the efforts to prevent the high rate of such violations. It is also hoped to decrease the impacts caused by violations, such as traffic accidents. The sanctions for traffic law violations are part of the criminal law scope.⁷ The sanctions imposed on traffic law violators are those that are commonly called *tilang* in Indonesia (a ticket or proof of a violation). The application procedures of violation are carried out if legally valid investigators/assistant investigators see or know a certain event of traffic law violation as stipulated in the Traffic Law. The indictors have the right to act upon the perpetrators of traffic law violations according to the applicable law.⁸

Traffic issues are a phenomenon that often happens in large cities. These issues are often related to the increase in the urban population that increases road activities and the volume of vehicles on the roads. Various passing vehicles as well as the increase in the number of vehicles that exceeds the development of road facilities cause various traffic issues, such as traffic jams and traffic accidents. Concerning these traffic issues, the data on traffic law violations both in the forms of proofs of violations and warnings in Ternate City are generally shown below:

Table 1. General Data on Traffic Violations in Ternate City

| No. | Type of Violation | Cases in 2021 | Cases in 2022 |
|-----|--------------------|---------------|---------------|
| 1 | Proof of violation | 808 | 569 |
| 2 | Warning | 262 | 197 |

Source: Ternate City Police Resort Traffic Unit

The table shows the general number of violations without specific details on the number of student or non-student perpetrators. It can be seen that there was a high rate of violations in the forms of proof of violations and warnings in 2021, namely 808 people were proven to have violated the traffic law, whereas 262 people obtained oral warnings. But in 2022, the rate of traffic law violations decreased to 569 proven cases and 197 people obtained oral warnings.

⁷ Wirjono Prodjodikoro, *Asas-Asas Hukum Pidana Di Indonesia* (Bandung: Eresco, 1981).

⁸ Rusli Effendy and Poppy Andi Lolo, *Asas-Asas Hukum Pidana* (Ujung Pandang: Umithohs Press, 1989), 74; Gusti Ngurah Alit Ardiyasa, "Kajian Kriminologis Mengenai Pelanggaran Lalu Lintas Yang Dilakukan Oleh Anak," *Media Neliti*, n.d., <https://media.neliti.com/media/publications/149603-ID-kajian-kriminologis-mengenai-pelanggaran.pdf>.

Traffic law violations often happen. Such violations in this case mean violations against the prohibitions and obligations in the stipulations of the traffic sector. Therefore, a traffic law violation is the action or behavior of a person that violates the stipulations of the legal regulations on traffic and road transport and or other legal regulations. Concerning this data, violations that are carried out by students can be influenced by several factors, namely:

- 1) The family factor. This factor highly influences the events of traffic law violations by students, because it is the family which facilitates or lets the child drive a motorized vehicle. This happens even though according to the law, children under 17 years of age are prohibited from driving motorized vehicles as they must have a driver's license. When parents allow their children to drive motorized vehicles, it is the same as the family's support towards traffic law violations committed by children.
- 2) The education or the school factor. This factor also has a great influence on the occurrences of traffic law violations by students. It is commonly known that underage students often go to school using motorized vehicles even though they do not yet have a driver's license and the school lets them do so. This is a form of letting students violate the law on traffic.⁹
- 3) The factor of the students' social environment. The environment has a great influence on the behavior and development of students. Underage students often drive motorized vehicles as they see many peers doing the same act even though they do not have a driver's license. It is deemed a common thing in society, but it has great negative impacts on many people, as it can lead to unwanted occurrences such as road accidents.

From the factors that influence law enforcement against traffic law violations committed by students above, based on Law No. 2 of 2002 on the Republic of Indonesia's Police Force Article 13, the main tasks of the Indonesian Police Force are as follows:

- a. Maintaining order and security in society,
- b. Enforcing the law, and
- c. Protecting, safeguarding, and serving society.

From the data of the research results shown in Table 1 on the General Data on Traffic Violations in Ternate City which encompasses proof of violations and warnings, it can generally be seen that in 2021, the total issued proofs of traffic law violations were 808. Then, in 2022, it decreased to 569. According to the writer, this data did not significantly decrease, as the number of traffic law violations, i.e., 808 and 569, are still high. A similar case can also be seen in the number of warnings. In 2021, the total number of warnings was 262. Then, in 2022, it decreased to 197. This data also did not show an effective decrease in cases, as the

⁹ Mulyana W. Kusuma, *Hukum Dan Hak-Hak Anak* (Jakarta: Hukum dan Hak-Hak Anak, 1986).

numbers were still high. Therefore, it is hoped that the Ternate City Police Resort Traffic Unit will work harder to decrease the number of traffic law violations.

B. Legal Efforts to Prevent Events of Traffic Law Violations by Students in the Legal Area of the Ternate City Police Resort Traffic Unit

According to Sudarto,¹⁰ a violation is "*wetsdelict*, namely an action that is generally only deemed a criminal act as the law mentions it as an offense." Therefore, it is a violation because there is a law that threatens it with penal sanctions, such as parking a vehicle on the right side of the road. Article 1 clause (2) of Law No. 22 of 2009 on Traffic and Road Transport stated, "Transport is the movement of vehicles and people in the space of the road traffic." Article 1 clause (3) of Law No. 22 of 2009 on Traffic and Road Transport stated, "Transport is the movement of people and/or goods from one place to another using vehicles in the space of the road traffic."¹¹ Seeing the formulations of Article 1 clauses (1), (2) and (3) above, it can be concluded that Traffic and Road Transport are the movement of people or goods from one place to another using vehicles and road facilities provided for the public.¹²

In this case, the vehicles are meant to include both motorized and non-motorized vehicles. Meanwhile, the limited definition on what is meant is traffic law violations is not found in the general definition regulated in Article 1 of Law No. 22 of 2009 on Traffic and Road Vehicles Road Transport.¹³ According to Awaloedin, traffic law violation is the action or behavior of a person that violates the legal regulations on traffic as stipulated in Article 32 (1) and (2), Article 33 (1) letters a and b, Law No. 14 or 2002, or other legal regulations.¹⁴

Prevention in this case means the efforts to prevent and decrease the number of traffic law violations committed by students.¹⁵ Efforts to decrease such events tend to be directed to preemptive, preventive, and repressive efforts. This is according to the functions of the police force stated in Article 12 of Law No. 2 of 2002 the Republic of Indonesia's Police Force, which are maintaining security and order; enforcing the law; as well as providing protection, safeguarding, and serving society.¹⁶

The traffic law violations committed by students in 2021 and 2022 in Ternate City are as

¹⁰ Sudarto, *Hukum Pidana I* (Semarang: Yayasan Sudarto, 1990).

¹¹ Purnadi Purbacaraka, *Penegakan Hukum Dan Mensukseskan Pembangunan* (Bandung: Alumni, 1977).

¹² Yuwono, & Soviana. KAMPANYE KESELAMATAN BERKENDARA : PENGARUHNYA TERHADAP KEDISIPLINAN DALAM BERLALU LINTAS. *Jurnal Ilmiah Berkala Psikologi*, 12. (2010). 148–153.

¹³ Barda Nawawi Arief, *Kebijakan Hukum Pidana (Criminal Law Policy)* (Bandung: Citra Aditya Bakti, 2002), 109.

¹⁴ Naning Rondlon, *Menggairahkan Kesadaran Hukum Masyarakat Dan Disiplin Penegak Hukum Dan Lalu Lintas* (Jakarta: Bina Ilmu, 1983).

¹⁵ Andi Hamzah, *Terminologi Hukum Pidana* (Jakarta: Sinar Grafika, 2008).

¹⁶ Bahtiar Efendi, *Sejarah Kepolisian Republik Indonesia* (Yogyakarta: UGM, 1981), 1.

follows:¹⁷

Table 2. Traffic Law Violations Committed by Students in 2021 and 2022 in Ternate City

| No. | Age | Cases in 2021 | Cases in 2022 |
|-----|-----------------------|---------------|---------------|
| 1 | Under 15 years of age | 4 | 0 |
| 2 | Aged 16-21 | 269 | 261 |

Source: Ternate City Police Resort Traffic Unit

It can be seen from Table 2 above that in 2021 in Ternate City, there were four cases of traffic law violations committed by students under 15 years of age. However, there were no traffic law violations committed by students of that age group in 2022. On the contrary, there was a high number of cases of traffic law violations committed by students aged 16 to 21. In 2021, there were 269 cases, while in 2022, there were 261 cases in Ternate City. This data showed that the socialization level carried out by the Ternate City Police Resort Traffic Unit is still very limited and ineffective. Therefore, it is hoped that the Ternate City Police Resort Traffic Unit may maximize the socialization programs for society and education environments to decrease the number of traffic law violations committed by students.¹⁸

Table 3. Traffic Law Violations Committed by Students Based on Education in 2021 and 2022 in Ternate City

| No. | Education | Cases in 2021 | Cases in 2022 |
|-----|--------------------|---------------|---------------|
| 1 | Elementary School | 0 | 0 |
| 2 | Junior High School | 0 | 0 |
| 3 | Senior High School | 749 | 495 |
| 4 | College | 59 | 74 |

Source: Ternate City Police Resort Traffic Unit

Violations of traffic laws committed by students as shown in Table 3 above indicate that most violations were committed by students with a high school level of education. In 2021, there were 749 cases of traffic law violations committed by students, whereas in 2022, it decreased to 495 cases. This showed that the violation of traffic laws committed by high school students was very high. We can see that from 2021 to 2022, the number of violations decreased, but it was not very significant. Also, violations of traffic laws committed by college

¹⁷ Ibid.

¹⁸ Ibid.

students were 59 cases. In 2022, it increased to 74 cases. Thus, the writer suggests that there is a high rate of traffic law violations in Ternate City.¹⁹

Table 4. The Types of Traffic Law Violations Committed by Students in 2021 and 2022 in Ternate City

| No. | Type of Violation | Cases in 2021 | Cases in 2022 |
|-----|--|---------------|---------------|
| 1 | Not wearing helmet | 391 | 295 |
| 2 | Lacking important vehicle parts or gears | 48 | 181 |
| 3 | Lacking official documents | 186 | 0 |
| 4 | Bringing too many passengers | 0 | 0 |
| 5 | Violating road marks | 0 | 0 |
| 6 | Driving in the wrong direction | 126 | 91 |
| 7 | Others | 0 | 0 |

Source: Ternate City Police Resort Traffic Unit

From the description of the violations as shown in table 4 above, it is clear that the traffic law violations in 2021 and 2022 committed by students were relatively high. The types of violations committed by students which were recorded by the Ternate City Police Resort Traffic Unit included not wearing helmets, lacking important vehicle gear, lacking official documents, and driving in the wrong direction. Thus, when analyzed from the data above, the police force, especially the Ternate City Police Resort Traffic Unit, must carry out special actions in striving to decrease the rate of traffic law violations, so that students' behavioral patterns in driving vehicles become safer. The actions conducted by the Ternate City Police Resort Traffic Unit in handling traffic law violations were:

Forms of traffic violations that are often committed by teenagers, especially students, include the following:

1. Using the road in a way that could endanger traffic order or safety, namely driving speeding.
2. Driving a motorized vehicle without being able to show a valid driving license (SIM), valid STNK or other proof in accordance with applicable regulations (minors cannot have a SIM).
3. Does not comply with the provisions of road traffic laws and regulations regarding numbering, lighting, tools, equipment, vehicle loading and other requirements
4. Leaving motorized vehicles on the road without a valid vehicle number plate, in accordance with the vehicle number plate in question.
5. Violation of orders given by road traffic control officers, signs or markings on the

¹⁹ Ibid.

road surface.

6. Violation of the provisions regarding driving safety such as not wearing a helmet
7. Carrying sharp weapons that are swung at other drivers (this phenomenon exists in Yogyakarta)

How to resolve this problem:

- 1) Preventive efforts were forms of preventive actions carried out by the Ternate City Police Resort Traffic Unit against traffic law violations committed by students as drivers. One of the actions implemented by the police force in preventing traffic law violations includes giving suggestions, especially to parents, to always supervise their children and prohibit them from driving vehicles. Underage children are prohibited from driving motorized vehicles as they do not yet have a driver's license. According to the law, children under 17 years of age cannot yet have a driver's license. Therefore, they are violating the traffic law when they drive motorized vehicles. It is crucial to give suggestions to parents, as the rampant events of children driving motorcycles usually occur due to parent's lack of control and lack of supervision. Parents usually let their children drive motorcycles without thinking about the impacts that may occur to them. Children are often given the freedom to do anything such as driving motorized vehicles.

The traffic police must give socialization to parents to remind their children or to prohibit them from bringing their motorcycles to school or roads. Parents must act strictly with their children so that they understand the meaning of safety. To achieve a sense of justice and order, there need to be actions to manifest the sense of justice and comfort in society. This is also to guarantee legal certainty. To create a safe, orderly, peaceful, and harmonious life, the law-enforcing apparatus creates norms or principles that apply in society.

Next, actions are taken by the police force to prevent traffic law violations by students who drive motorcycles, such as by organizing socializations. These socializations at schools aim to provide an early introduction to traffic ethics and procedures to children and teach them to follow these regulations. The police force provides students with training programs on traffic safety. They provide knowledge and direction to every student on the importance of following traffic regulations as well as the dangers that come with violating traffic laws and ethics.

With these socializations, the Ternate City Police Resort Traffic Unit hopes that students may apply the norms and values well and obey the traffic laws. These socializations are routinely organized each month with the hope of making students become more aware of the law and not drive motorized vehicles to prevent violations of the traffic law and to decrease the rate of traffic accidents on the road.

Giving suggestions to children as perpetrators of traffic law is one of the actions applied to handle the violation of traffic laws committed by children. The suggestions include delivering that children cannot drive motorized vehicles on roads and introducing the dangerous impacts of driving motorized vehicles without the right gear. Children who commit traffic laws will obtain warnings. The Traffic Unit of the Police Force will check all appropriate driving gear of the students. For instance, a student who is caught using a racing exhaust pipe will be asked to substitute it with a standard one and the police will confiscate that exhaust pipe.

2) Repressive Efforts

Efforts carried out by the Ternate City Police Resort Traffic Unit to prevent traffic law violations committed by students as motorcycle drivers are as follows:

a. Giving a warning

In enforcing the law to students who violate the traffic laws in the legal area of Ternate City, the Police Force will first give a warning to those perpetrators. This warning is given once. But if the perpetrator still violates the traffic law after obtaining a warning from the police force, the police will give a ticket to that student as no positive changes are apparent. Mere warnings will not have a deterrent effect on students who violate traffic laws. To show that these students have obtained a warning, the police officers will record the plate number of the motorcycle as well as the identity of the student who violated the traffic law. This warning is only given to traffic law violators under the age of 17 (seventeen years). It does not apply to those over 17 because they are already eligible to obtain a driver's license. People over 17 years of age who do not have a driver's license will immediately obtain a ticket from the police force.

b. Giving a ticket

Children who have previously obtained a warning but still violated the traffic law will obtain a ticket from the police. This is carried out to give a deterrent effect to the law-violating children so that they do not repeat their illegal actions. By giving these tickets, the children will understand that they are actually not yet allowed to drive motorized vehicles as they are underage and they do not yet understand the impacts of violating the traffic laws. The ticket is proof of the confiscation of items by the police. Such a sanction, which is the most effective prevention effort, is given as a legal step to give a deterrent effect to children and students who violate the law so that they do not repeat such actions.

The reality in this process of implementing law enforcement in the traffic sector is that each apparatus has not worked professionally, this can be seen from several things, such as the application of the law not being carried out as it should; The judge's sentencing of perpetrators of traffic violations does not take into account criminal threats so that it does

not provide a deterrent effect for convicted violators; The ticketing system and the judicial process mechanism for traffic violations are not implemented according to the correct court trial mechanism, and even seem haphazard; Consistency in the implementation of law enforcement has not been projected into efforts to increase traffic safety and community legal compliance even though there is a concept regarding enforcement using the System Potential Point Target (SPPT) pattern and the implementation of orderly traffic areas.

CONCLUSION

Factors which influence law enforcement against traffic law violations committed by students in the legal area of Ternate City Police Resort Traffic Unit are the family factor, the education factor, and the environmental factor. Legal efforts that may be applied to prevent the occurrence of traffic law violations committed by students in the legal area of Ternate City Police Resort Traffic Unit are: (1) Preventive efforts, by organizing socializations especially for parents to always supervise their children and prevent them from driving motorized vehicles as underage children are not eligible to obtain a driver's license, as according to the law, a person must be at least 17 years old to obtain it and (2) Repressive efforts by giving a warning to students that violate the traffic laws. If perpetrators still commit violations after obtaining a warning, they will obtain a ticket. The police should be more firm in handling violations, even if violations require criminal proceedings (especially types of violations that endanger life). The preventive enforcement process is only for minor violations and serious violations should be immediately ticketed or punished according to the type of violation

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