

The Benefits of the E-Traffic Ticketing (E-Tilang) System in the Settlement of Traffic Violation in Indonesia

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Abstract— The use of technological development has an impact on the settlement of traffic violation cases to replace the manual ticket system. With the E-traffic ticket system, the drivers violating the traffic will be recorded through the application of the police. The purpose of this study is to analyze the benefits and constraints of E-traffic ticket system in the process the settlement of criminal cases of traffic violations in Indonesia. This research used empirical juridical approach, with primary and secondary data source, primary data obtained by conducting interview with police handling traffic violation, while secondary data obtained by doing literature study on primary, secondary and tertiary legal material. The results of research show that by using technology, the whole process ticket will be more efficient, effective and assist the police in administrative management. The implementation of E-Traffic ticket is an effort to make people obey traffic rules so as to create an orderly traffic culture based on CCTV recordings as valid evidence. The obstacles faced by the police are many people who do not understand how to solve the E-ticket, they do not have an E-traffic ticket application on their Android, the offender has no account at Bank, the accessibility of the application network with dualband 3G/4G, and the public assumption that the E-ticket system is as convoluted process.

Keywords— *E-ticket, violation, crime, traffic*

I. INTRODUCTION

Increased of traffic violation is a new challenge for the Police to be able to implement educational sanctions while still having a deterrent effect. One way to suppress the violation is to carry out administrative sanctions (ticketed) by the police. However, during this time the ticket system is often distorted by civilian and police officers to compromise each other in order to their respective interests can be achieved without following the prevailing procedures. Thus, any acts of violation committed by the public are only recorded in ticketed letters and infected in the Administration Division of traffic ticket then sanctioned, and only up to the final record level, so that when violations are repeated by the same person there is no significant increase in sanctions. The ticket system should be managed properly, so that in every implementation it will be a deterrent effect for the traffic violators. The information system of any violation by the drivers on the highway should be the basis for enforcement of violations in the next stage, it means that the information violations ever committed by each person must always be identified by every member of the police who made the ticket [1].

The Law of the Republic of Indonesia on Traffic and Road Transport explains the Information and Communication System of Traffic and Road Transport. It is a set of subsystems that are interconnected with through the incorporation, processing, storage, and distribution of data related to the operation of Traffic and Road Transport[2].

To achieve a relevant ticketing process, it is necessary to have an information system that is supported by network-

based software or website that allows the dissemination of information to every member of the police in real-time. The software is an application program that can retain information on every violation of traffic rules that the community conducts in a database, and when the violation is repeated by the same person, the application program or information system will review the violations committed previously, and re-reviewing violation data will serve as the basis for further action. Therefore, the offenders are not sanctioned at the same level but can be dealt with at a higher level, and this will surely have a deterrent effect on offenders.

It is clear that bribery when traffic operations are frequent. That is the reason underlying the Police of the Republic of Indonesia implements a new system called E-ticket. A trusted system can reduce *Pungli* (extra money) and bribery practices. The E-ticket will be applied simultaneously to the simultaneous launching in Indonesia on December 6, 2017. The E-ticketing system will replace the manual ticket system using blank paper/paper ticket, where the offending driver will be recorded through the application. With the E-ticket, it is easier for the public to pay a fine through the bank. However, not all communities can follow the E-ticket procedures provided by the police. Especially for ordinary people who do not understand about technology. Therefore, in this paper analyzed what are the benefits of E-ticket system in the settlement of cases of traffic violations of the Police of the Republic of Indonesia, and what are the constraints faced by the police in implementing the E-ticket system.

II. RESEARCH METHOD

The approach used in this research was the sociological juridical approach, with primary and secondary data sources. The primary data were obtained by conducting interviews with police handling traffic violations and citizens of motor vehicle users, as well as library studies as secondary data sources. The data has been collected and then analyzed by qualitative descriptive method.

III. RESULTS AND DISCUSSION

A. E-TICKETING SYSTEM IN THE SETTLEMENT OF TRAFFIC VIOLATIONS UNDER LAW NO. 22 OF 2009 ON ROAD TRAFFIC AND TRANSPORTATION

The implementation of E-Ticket is an effort directed to the community, so that people obey the traffic rules so as to create a culture of orderly traffic where the process of ticketing is done based on the CCTV recordings that have been installed at some point before.

All installed CCTVs have been connected and controlled directly with Automatic Traffic Control System (ATCS) at the Office of Transportation. Riders passing through this CCTV-installed area if it is indicated to be in violation, the CCTV will automatically capture the image of the offender complete with the license plate of the vehicle used during the offense so it is easy to be tracked.

Once caught by CCTV, the captured image will be processed by the related party and then the ticket will be sent to the vehicle owner's address according to the license plate. Because Vehicle ownership also attaches responsibility and everything that happens by the vehicle unit then the ticket will be directed to the owner of the vehicle.

In accordance with UU ITE, CCTV recordings are valid evidence, so it can be used as evidence. If the vehicle owner has received a ticket, the vehicle owner can pay the penalty through the bank and then proof of payment can be brought to the local District Attorney. The amount of penalty to be imposed is the maximum fine in accordance with the law of its subscribers in accordance with Law Number 22 Year 2009. The E-Ticket application is integrated with the court and the prosecutor's office. The judge will give the verdict, and the prosecutor will execute the verdict[3].

Tariffs for all traffic violators as well as the amount of the maximum fine applicable under the LLAJ Law No 22 of 2009 are detailed by classifying the types of cases and forms of violations, as follows:

1. Highway facilities. Any Rider/Person causing disruption to: road markings, traffic signs, traffic signaling facilities for pedestrian facilities, as well as road user safety devices can be charged with Article 275 paragraph (1) jo article 28 paragraph (2) with a fine of Rp 250.000.-
2. Traffic signs. For any road users who do not comply with the rules or orders given by the traffic officer/police as meant in Article 104 paragraph (3), which contains in certain conditions for order and also the smoothness of traffic, every road user shall be obliged to: Go ahead, pause, slow down, speed up, and/or divert the flow of

vehicles. As stipulated in Article 282 jo Article 104 paragraph (3) with a fine whose value is Rp. 250,000.

3. Vehicle Fittings (For all types of motor vehicles)
 - a) Cannot show the Driver's License (SIM). Driving a motor vehicle without a driver's license or not being able to show a driving license on the highway may be charged under Article 288 paragraph (2) in accordance with Article 106 paragraph (5) letter B with a fine of Rp. 250,000.
 - b) Do not have a Driver's License (SIM). Driving without a driver's license will be charged under Article 281 jo Article 77 paragraph (1) With a fine of Rp 1,000,000.
 - c) Unauthorized Vehicle Identity Number (STNK) or STCK. Driving a Motor Vehicle with no STNK or STCK is applicable as stipulated by the Police of the Republic of Indonesia (Polri). Arranged in Article 28 paragraph (1) jo Article 106 paragraph (5) letter A. with a fine of Rp. 500,000.
 - d) Unauthorized Vehicle number board/Vehicle Number (TNKB). Driving a Motor Vehicle that has no/fitted (Number Plate). The valid Vehicle Registration Number is stipulated by the Police of the Republic of Indonesia (Polri). Arranged in Article 280 jo article 68 paragraph (1) subject to the amount of Rp 500,000.
 - e) Motor vehicle accessories. Driving on a highway without standard equipment and may endanger the safety of self-traffic or others such as Bumper/horn and the use of dazzling lights. Regulated in Article 279 of Article 58 (Article 58) with the amount of Rp 500,000.
 - f) Safety Belt. Driver including passengers who do not use Safety belt will be charged with Article 289 jo Article 106 Paragraph (6) with the amount of Rp 250,000.
 - g) Main Lamp. Driving a motorized vehicle without turning on the headlights at night and also under certain conditions may be charged under Article 293 paragraph (1) jo Article 107 paragraph (1) with a fine of Rp 250,000.
 - h) Hitches. Motor vehicles that do not follow Approved way of coupling and attachment with other vehicles will be charged with Article 287 paragraph (6) jo article 106 (4) letter H with the amount of Rp 250,000
 - i) Motor vehicles without cover except Motorcycles. Drive a vehicle that is not equipped with cover/houses, without the use of safety belts and also without wearing Helmet gear will be charged under the Article 290 jo Article 106 (7) traffic law with a fine of Rp 250,000.
 - j) Driving Ethics. Driving a motor vehicle by conducting a traffic movement that violates traffic rules or stopping rules and also parking will be charged with Article 287 paragraph (3) jo Article 106 paragraph (4) letter e with a fine of Rp 250,000.
 - k) Speed Limit. Driving a motor vehicle without complying with the minimum and maximum speed shall be charged under traffic law Article 287 paragraph (5) jo Article 106 paragraph (4) letter (g) or also Article 115 letter (a) of the fine imposed shall be Rp 500,000.
 - l) Turn and reverse direction. Turning or reversing direction without giving a signal using a signaling light

or with hand gestures when turning and reversing direction can be charged under traffic law Article 294 jo article 112 (1), the penalty for this violation is Rp 250,000.

- m) Switching lane road. Moving lane or moving sideways without giving the signal before moving the lane the road will be snared with Article 295 jo Article 112 paragraph (2) with a fine of Rp 250.000.
- n) Traffic signs. Driving a motor vehicle by Breaking Signposts or road marks is governed by a traffic law Article 287 paragraph (1) jo article 106 (4) letter (a) as well as Article 106 paragraph (4) letter (b) with a fine of Rp 500,000.
- o) Apill Lamp. Riding a motorized vehicle by violating the invisible lamp of Apill (TL) or a prohibition declared by Traffic giver equipment, set forth in Article 287 paragraph (2) jo article 106 (4) letters (c) the amount of the fine is Rp 500,000.
- p) Driving in an unnatural way-driving a motorcycle by doing other activities driving time. It is influenced by circumstances resulting in impaired driving time on the road may be charged under traffic law Article 283 jo article 106 (1), with a fine of Rp 750,000.
- q) Emergency stop. In emergency conditions, stop by without installing safety warning signs/warning lights of hazard conditions or other cues at the time of stopping or being parked in an emergency condition on the road, will be charged under traffic law Article 298 jo Article 121 paragraph (1) the large penalty for this

primary rights marked with warning devices and sounds as well as light and/or vehicles escorted by officers.

- s) Fire Vehicles that are carrying out their duties.
- t) Ambulances that are transporting patients/sick people.
- u) Vehicles to provide relief to traffic accident victims.
- v) High-ranking vehicles/Leadership of State Institutions of the Republic of Indonesia.
- w) Vehicle Leadership as well as Foreign State Officials including International Institutions being guest of the State.
- x) Convoys of Introduction to the Bodies accompanying the accompaniment and/or vehicle for a particular interest in consideration of the officers of the Police of the Republic of Indonesia. Regulated in Article 287 paragraph (4) jo Article 59 as well as Article 106 (4) letters (f) jo Article 134 and also Article 135. The fine of this violation is Rp 250,000.
- y) Right of pedestrian or cyclists. Driving a motor vehicle with no priority for pedestrians or cyclists is provided in Article 284 jo 106 paragraph (2), subject to a fine of Rp 500,000.

B. BENEFITS OF E-TICKET SYSTEM IN THE SETTLEMENT OF CASES OF TRAFFIC VIOLATIONS OF THE POLICE OF THE REPUBLIC OF INDONESIA

The incidence of traffic accident cases in Rembang Police from year to year has increased quite worrisome as showed on Table 1.

Table 1 Data of Traffic Violations by Age at Rembang Police Station

violation is Rp 500,000.

- r) Main rights to special vehicles driving a motor vehicle without prioritizing roads for motor vehicles with

No	Year	Age of the Offenders						Number	Increase	Percentage
		0-15	16 -21	22-30	31-40	41-50	>50			
1	2014	40	4.688	12.064	7.704	2.259	341	27.096	5.416	26,40
2	2015	-	2.470	7.884	7.157	2.619	382	20.512	(1.168)	-5,39
3	2016	109	2.507	7.230	8.238	3.032	564	21.680	-	

Source: Polres Rembang, 2017

Traffic in Rembang has increased from year to year. Traffic violations in Rembang from 2015 to 2016 increased by 26.40% percent or 5,416 cases, from 20,512 violations to 27,096 cases. An increase in the number of traffic violations by 26.4%, was not a small number of violations. Based on the data in 2016 there were 27,096 cases that means in a day there were 76 cases of traffic violations [4]. The number of traffic violations by the student group has increased from year to year.

The choice to implement E-Ticket is very effective by utilizing advances in information and communication technology. In terms of efficiency, E-ticketing is very efficient. Without the use of paper all acts of traffic violation are recorded by the digital system thereby reducing the cost of

paper as a proof of infringement. Violent traffic rules do not need to go back and forth and line up to trial to solve the problem. Since, they will be sent digital notifications by the system when the case will be heard. By utilizing technology, the whole process of speeding tickets will be more efficient and also effective also help the police in administrative management. Applications are categorized into two users, the first is the police and the second is the judiciary. Through this E-ticket the community will know all the information about the actions that can be categorized as a traffic violation as well as punishment due to the action. So, it is expected that the public is aware of the law and does not violate anymore. Another benefit is transparency and accountability that manifest in the attitude and actions of police officers in

carrying out their daily duties and responsibilities, especially in the discipline of traffic violations.

E-tickets provide an opportunity for the offender to entrust a direct penalty to the bank with the facilities that he has, perhaps with e-banking, ATM, or come himself to the teller. Motorists/drivers are required to pay a maximum fine under the breached article. After completing the payment, the ticketing officer will receive a notification on his/her mobile phone. The offender can redeem the letter he or she directs by simply submitting the proof of payment or picking it up in the place mentioned in the notification. For a ticket that uses manual processes or still uses a red slip but the offender wants to follow the trial then the process is the same [5]. The E-ticket application is integrated with the courts and prosecutors. The judge will give the verdict, and the prosecutor will execute the verdict [6]. The process of ticketing is done based on the CCTV recordings that have been installed at some point in the previous Rembang Regency. All installed CCTVs have been connected and controlled directly with Automatic Traffic Control System (ATCS) at the Office of Transportation. Riders passing through this CCTV-installed area if it is indicated to be in violation will automatically CCTV will capture the image of the offender complete with the license plate of the vehicle used during the offense so it is easy to be tracked [7].

After being caught by CCTV, the captured image will be processed by the related party and then the ticket will be sent to the vehicle owner's address according to its license plate with CCTV record as valid evidence [8]. If the vehicle owner has received a ticket, the vehicle owner can pay the penalty through the bank and then proof of payment can be brought to the local District Attorney. The amount of the fine to be imposed is the maximum fine in accordance with the law of its subscribers in accordance with Law Number 22 Year 2009 regarding traffic and road transport.

The same process is carried out during the operation of Traffic Order Operation, where in case of violation the officer notes a violation through an application already available on his smartphone. The application system called the E-ticketing application system then issued a violation article and a maximum fine to be paid by the offender. After the exit number, the rider can directly pay through teller, ATM BRI, ATM Bersama (Joint ATM), or SMS/Internet Banking. After payment is done, the driver can show the proof of payment to the police and then take back the driver's license or vehicle registration confiscated by the officer [9].

E-Ticket aims to control in traffic and further minimize the occurrence of rigging by unscrupulous in the practice of traffic control by creating a deterrent effect as an interview with Waka Polres Rembang Kompol Pranandya Subiyakto, SH, M. Hum., On Saturday, 30 December 2017 at the Rembang Police Station stated that E-Ticket is enforced to enforce traffic rules, provide deterrent effect, and increase transparency of law enforcement apparatus. With the E-ticket, it is expected to minimize the illegal levies committed by members of the Police and no bribe bribery committed by unscrupulous officials and unscrupulous people. The E-Ticket implementation process does not make fundamental changes to the conventional ticketing, as if the conventional ticket when the violator commits a traffic violation will be

terminated by the officer and then the crossing will be held. However, in E-ticket the offender does not realize that he or she is committing an offense but receives a ticket. With the E-ticket is expected to provide a deterrent effect on traffic violators.

C. CONSTRAINTS FOR THE POLICE OF THE REPUBLIC OF INDONESIA OF THE CENTRAL JAVA REGION OF REMBANG RESORT IN PERFORMING ITS DUTIES IN APPLYING THE E-TICKET SYSTEM IN THE SETTLEMENT OF CRIMINAL CASES OF TRAFFIC VIOLATIONS

Data show that of 32,442 cases solved by E-ticket system only 6,516 cases were solved by E-ticket system. The result of interview with Waka Polres Rembang Kompol Pranandya Subiyakto, S.H., M. Hum., he stated that the implementation of E-ticket is newly encouraged so that people have not understood the new system. It is proven by the number of people who do not understand how to solve the case E-ticket and not yet have E-ticket application on their Android. At the time of the Prosecution, there was a frequent occurrence that not all offenders paid money to pay fines on the spot, which could hamper the E-ticketing process. The Offenders do not necessarily have an account at Bank BRI, so it hampers from the Attorney if return the rest of the ticket fine.

According to Kasat Lantas Ariffa AKP Gagah Nugraha, S.IK., M.H. he stated that some weakness of E-Ticket implementation flow is accessibility of application network where application system using 3G/4G dualband network, if signal availability is bad due to weather then service will be disrupted. There is still a lack of people who have HP with E-ticket applications making it difficult to implement E-Ticket on the ground and cause this part of the people who do not understand the E-ticket program and consider E-ticket as a complicated process. Not many people who have E-Ticket applications are due to lack of socialization, so that this indicates that the people need for socialization, in order to invite people to know the correct E-ticket mechanism and its benefits for the community.

Police data on vehicle ownership has not been integrated with data from cross-regional both regionally and nationally. The problem of vehicle data integration which presents different vehicle data makes the application of E-ticket not optimal. By using wireless service, this is the target of hacker attack. If not addressed early on, this attack could undermine the entire plan already drafted by the Police to improve the system in the Police[10].

Interview with Mr. Nur Rohman, SH. As the Prosecutor as the executor of the fine withdrawal of E-Ticket, he stated that the curbing of traffic violation with E-Ticket, it requires the violator to pay the fine at that time becomes not maximal if the offender is not having money. The conventional ticketing system provides a grace period of up to two weeks to resolve the breach in trial. But a just in time ticketing system causes the offender to immediately settle the payment of the pre-determined fee through an existing application.[11]

So, it can be concluded that the constraints faced by the Rembang Police in implementing E-ticket system are:

1. The number of people who do not yet understand how to solve the E-ticket and have no application E-Ticket on their Android.
2. At the time of the Prosecution, there is often the occurrence that not all offenders pay money to pay fines on the spot, which may hamper the E-ticketing process.
3. The Offenders do not necessarily have an account at Bank BRI thus hampering from the Prosecutor's Office if returning the rest of the ticket fine.
4. Accessibility of application network where application system using 3G/4G dualband network
5. Still the lack of people who own HP with E-ticket application
6. The community has not understood the E-ticket program and considers E-ticket as a twisted process.
7. Lack of E-ticket socialization

IV. CONCLUSION

The benefit of E-Ticket in the settlement of online traffic violations is the digitization of the ticketing process, by utilizing this technology in recording transnational offenses and the ticketing process will be more effective and efficient as well as assisting the police in administrative management. E-ticket is an application that can be utilized by the community where people can know the cost to be paid directly. This application can be used by two users, the first is the police and the second is the judiciary. On the police side, the system will run on a tablet computer with the Android operating system while on the prosecutor's office the system will run in the form of websites, as executor such as manual trial process.

The E-Ticket application does not apply the function as an introduction to pay a fine to the Bank/Registrar because the mechanism involves a form or a ticket paper, on an E-ticket form or a proof of violation paper is not used, this application only sends a reminder in the form of a ticket ID which stores all data or records Police regarding the chronology of a speeding ticket to be given to a court or prosecutor's office with a website with the same database integration. The obstacles are the number of people who do not yet understand how to solve E-ticket, have no E-ticket downloaded app on Android, violators have no account at Bank, network application accessibility with dualband 3G / 4G, and the public assumption that E-ticket system as a process convoluted.

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