
Effectiveness Of Traffic Operations On Increasing Helmet Use In Gorontalo City

Ayis Nusi^{1*}, Weny A. Dungga², Taufiq Zulfikar Sarson³

¹ Faculty of Law, Universitas Negeri Gorontalo

² Faculty of Law, Universitas Negeri Gorontalo, Indonesia.

³ Faculty of Law, Universitas Negeri Gorontalo, Indonesia

Korespondensi: ayisnusi99@gmail.com

ARTICLE INFO

ABSTRACT

Keywords :

Effectiveness; Traffic Operations; Helmet

How To Cite :

Nusi, A., Dungga, W.A., Sarson, T. Z. (2021). *Effectiveness Of Traffic Operations On Increasing Helmet Use In Gorontalo City*. *Estudiante Law Journal*. Vol. 3 (1): 1-15

DOI :

This study aims to determine the effectiveness of the implementation of traffic operations to increase compliance with helmet use for motorcyclists in the city of Gorontalo. The type of research used in this research is empirical legal research. This research is located at the Gorontalo City Police Traffic Unit. The data used in this study were obtained using observation and interview techniques. The results of this study indicate that there are still many violations of the use of helmets so that the implementation of traffic operations to increase compliance with using helmets for motorbike riders in the city of Gorontalo has not been effective, other efforts need to be made by the Satlantas Polres Gorontalo City, namely: Police friends of children, school security patrols , Provide socialization and traffic education, Install billboards containing the rules and the importance of helmets, Cooperate with agencies.

@2021 Nusi, A., Dungga, W.A., Sarson, T. Z.

Under the license CC BY-SA 4

1. Introduction

The Indonesian nation does not only carry out infrastructure development and also economic recovery during the pandemic, but also in the legal field. As the ideals and goals of the Indonesian nation as mandated in the Fourth Paragraph of the 1945 Constitution of the Republic of Indonesia. The direct elaboration of the state's goals is concretized in Article 1 paragraph 3 which stipulates that "the State of Indonesia is a state of law".

Violation of the law will be subject to sanctions in the form of punishment. In fact, humans do bad deeds both to themselves and to others.¹ therefore the law is not always obeyed so that there is an interest in monitoring and preventing the law from being violated. The task of supervising and preventing the law from being violated is known as the task of the police and is carried out by an organ called the police. Thus it can be said that the law is a normative community organizer which for its effectiveness requires law enforcement, namely the police as an effective community organizer.

Law enforcement is a system in which there are members of the government who act in an organized manner with the aim of enforcing the law by finding, preventing, recovering, or punishing people who violate the laws and legal norms that govern the society in which the law enforcement members reside. Although this term usually includes the police, courts, and community corrections agencies, this term is usually used also for people (including those who are not members of the official police force) who are directly involved in patrols and surveillance to prevent or hinder and detect criminal activity and for people who investigate crimes and arrest criminals, both individually and in the form of law enforcement organizations, be it the police or others.

The National Police of the Republic of Indonesia or commonly called the National Police is the Indonesian National Police which is directly responsible under the President. The National Police carry out roles and functions which include the implementation of public security and order, law enforcement, protection, protection and public service in the context of maintaining domestic security and also creating a sense of security in people's lives.

In carrying out its duties, the state police of the republic of indonesia are regulated in law number 22 of 2002 concerning the state police of the republic of indonesia. In the law there are articles that regulate the main tasks of the Indonesian National Police, namely: 1). As a maintainer of security and order; 2). Enforce the law; 3). Provide protection, protection, and service to the community.

¹ Sarson, M.T.Z. (2020). Criminal Acts Performed by Children in the Perspective of Criminology (Case Study in Gorontalo City on 2008-2012). *Indonesian Journal of Advocacy and Legal Services*, 1(2), 206

The focus in this research is one of the areas that is the task of the police on the road in providing protection, shelter, and service to the community so as to create security, safety, order and smoothness in traffic as described in Law No. 22 of 2009 concerning Traffic and Traffic. road transport.

Traffic violation cases are simple cases so that they are categorized as fast inspections. However, when the volume of cases reaches thousands of cases and must be heard in court within a day, in fact it has caused problems.²

One of the traffic violations is not wearing a helmet. so that if there is a violation, then indirectly the perpetrator must and must be processed legally.³ The use of helmets for motorized vehicle drivers is important considering the helmet as a protection for the head from collisions when a traffic accident occurs.

Helmets are intended to reduce the risk of severe head and brain injury by reducing the risk of impact forces on the head. A review of motorcycle helmet use that includes 53 studies conducted by WHO (2014) and a summary of a systematic review of the effectiveness of motorcycle helmets i.e. wearing a helmet can reduce the risk and severity of injury by about 72%, reducing the probability of death by 39%, depending on speed. involved motorcycles from accidents, reducing maintenance costs associated with accidents. While not wearing a helmet increases the risk of suffering a head injury, increases the length of hospital stay and increases the chance of dying.⁴

Traffic order can be achieved not only supported by law enforcement against traffic violators, but also by efforts to create compliance in traffic itself. Order and smooth traffic will occur and be implemented if traffic compliance as a form of legal compliance is carried out properly and correctly. If the users of public roads, including pedestrians and motorized vehicle users, have complied with the traffic rules and manners as self-determination, then the traffic violations that occur can be nil or non-existent. The behavior of road users in complying with traffic rules must be carried out as well as possible in order to create security, safety, order and smooth traffic.

The enforcement of traffic violations consists of two types, namely educative and juridical. Educatively, it is a friendly or sympathetic action carried out by officers by giving a warning to violators. This matter shows the emergence of indications that

² Ariefulloh. (2019). Dilema Penerapan Sanksi Pelanggaran Lalu Lintas Terhadap Anak. *Jurnal Law Review*, 1 (2), 199.

³ Fence M. Wantu, *Hukum Acara Pidana*. (Yogyakarta: Reviva Cendekia, 2011), 13.

⁴ Fricilia Kawengian. (2017). Hubungan Helm Dengan Derajat Cedera Kepala Akibat Kecelakaan Lalu Lintas Darat di RSUP. Prof.DR.R.D. Kandou Manado dan RS. Bhayangkara Tk. III Manado, *eJurnal Keperawatan*, 5 (1), 433

bring hope for improvement in law enforcement efforts.⁵ Meanwhile, legally, it is a repressive action by traffic officials by giving sanctions to traffic violators. The action taken is by carrying out traffic law enforcement operations in the form of inspections of motorized vehicles, equipment, documents, and completeness of drivers in driving carried out by a traffic unit. Where law enforcement is carried out is to provide a ticket. A ticket is evidence of a violation that will be given to violators who are caught in operation for violating traffic provisions that have been determined by law and may be subject to fines based on court decisions regulated by law.

The implementation of traffic law enforcement by means of traffic operations has long been implemented. Based on the data obtained by prospective researchers from the traffic ticket unit at the Gorontalo City Police traffic unit that the implementation of traffic operations in the city of Gorontalo consists of routine daily operations and centralized operations, centralized operations are operations carried out by traffic units that apply nationally. by the instructions of the Korlantas Polri. Centralized operations are carried out 3 times a year, namely obedient operations which are held 2 weeks before Ramadan, sympathetic operations, namely operations carried out for 21 days routinely every year, and zebra operations, namely centralized traffic operations which are usually carried out towards the end of the year. One of the goals of its implementation is to create compliance and a culture of security and safety in traffic. However, until now we still find many people who violate traffic laws. Therefore, it is questionable regarding the effectiveness of the implementation of this traffic operation to achieve its goal of creating compliance. Do not let the traffic unit carry out traffic operations continuously but the community also continuously violates this traffic law. Which will later illustrate that traffic laws are made to be broken.

2. Method

type of research used is empirical legal research, according to Mukhti Fajar that Empirical research is legal research that will provide a complete understanding of the law in the context of norms and when applied in a social context.⁶ Where to examine the effectiveness of traffic operations on increasing helmet use in Gorontalo City through interviews and real actions obtained through direct observation and interviews. This research was analyzed qualitatively, namely by collecting data, qualifying then connecting theories related to the problem and drawing conclusions to determine the results.

⁵ Muhtar, H. Mohamad. (2019). "Model Politik Hukum Pemberantasan Korupsi Di Indonesia Dalam Rangka Harmonisasi Lembaga Penegak Hukum". *Jambura Law Review*, 1 (1), 74.

⁶ Mukti Fajar & Yulianto Achmad, *Dualisme Penelitian Hukum (Normatif dan Empiris)*, (Yogyakarta: Pustaka Pelajar, 2010), 153.

3. Analysis or Discussion

3.1 Effectiveness of Traffic Operations on Increasing the Use of Helmets in Gorontalo City

The function of law, both as a rule and as an attitude or behavior, is to guide human behavior. The problem of legal influence is not only limited to the emergence of obedience or compliance with the law, but includes the total effect of the law on positive or negative attitudes or behavior. The effectiveness of law enforcement is closely related to the effectiveness of the law itself. In order for the law to be effective, law enforcement is needed to enforce sanctions from the impact of law violations as a result of the ineffectiveness of the law itself. A sanction can be actualized only to the community in the form of obedience, with these conditions indicating an indicator that the law has become effective. Therefore, any enactment of rules or laws that are enforced means nothing if they do not reach the target of effective law.

Legal effectiveness can be defined as the ability of the law to create or create conditions or situations as desired or expected by law. Law does not only function as social control, but can also carry out the function of social engineering (social-engineering or instrument of change). Thus, the effectiveness of the law can be seen both from the point of view of the social function of control and from the point of view of its function as a tool for making changes.

Problems with law enforcement in Indonesia Faced with obstacles related to the development of society that occurred.⁷ However, law enforcement is one of the main milestones in the country even being placed as a separate part of the legal system. What is more important is that currently law enforcement has become one of the most efficient steps in doing business.⁸ Furthermore, with law enforcement, any existing dispute can be resolved, whether it is a dispute between fellow citizens, between citizens and the state, the state and other countries. Thus, law enforcement is an absolute requirement for efforts to create a peaceful and prosperous Indonesian state.

Law enforcement can be started by paying attention to, among others, through the role of law enforcement. How inevitable. That the role of law enforcement is very important as a guard fence that prevents and eradicates all forms of fraud or deviant behavior, both within the government and in the life of the community, nation and state.⁹

Traffic operations are actions or efforts by the police to enforce the law, especially Law

⁷ Weny Almoravid Dunga. (2009). Eksistensi Hukum Dalam Pemanfaatan Teknologi Transaksi E-Commerce. *Jurnal Aplikasi Manajemen*, 7 (2), 383.

⁸ Mohamad Rivaldi Moha. (2020). Urgensi Pendaftaran Penyelenggara Sistem Elektronik Bagi Pelaku Usaha E-Commerce. *Jambura Law Review*, 2 (2), 115

⁹ Fence M, Wantu. *Idee Des Recht Kepastian Hukum, Keadilan, Dan Kemanfaatn (Implementasi Dalam Proses Peradilan Perdata)*. (Pustaka Belajar: Yogyakarta, 2011). 5

No. 22 of 2009 concerning road traffic and transportation. The implementation and procedures for traffic operations are regulated in Government Regulation No. 80 of 2012. In Government Regulation No. 80 of 2012 concerning procedures for inspection of motorized vehicles on the road and prosecution of traffic violations and road transportation, article 2 explains the purpose of conducting traffic operations. The objectives of carrying out traffic operations according to these regulations are: (a). Fulfillment of technical and roadworthy requirements for motorized vehicles; (b). Fulfillment of completeness of registration and identification documents for drivers and motorized vehicles as well as licensing documents and completeness of motorized vehicles for public transport; (c). Supported disclosure of criminal cases; and D). The creation of compliance and a culture of security and safety.

Whether or not a legal action is effective to resolve a legal problem, of course, we must first confirm whether the legal action has been carried out or has been carried out by the party implementing it, in this case the police, especially the traffic unit. Therefore, the author has conducted research at the Gorontalo City Police Resort (Gorontalo City Police). From the results of the author's interview with Bamin Tilang Satlantas Gorontalo City Police Brigadier Bambang Indrajit obtained information that "Gorontalo City Police in carrying out traffic operations have been very maximal. As stated, the Gorontalo city police traffic unit performs daily routine operations and centralized operations 3 times a year. Centralized operations are operations carried out by the Traffic Police which apply nationally by the instructions of the Korlantas Polri. The three centralized operations in question are: first, obedient operations which are carried out 2 weeks before the month of Ramadan; the second is sympathetic surgery, which is an operation that is performed routinely for 21 days every year; and the third is the zebra operation, which is a centralized traffic operation which is usually carried out towards the end of the year"¹⁰.

Based on the data that the researchers got regarding the number of violations of not wearing a helmet in the city of Gorontalo, it was classified as very large. Researchers obtained data on violations of helmet use for the last 4 years. In 2018 there were 2209 cases of helmet use violations. then in 2019 there was an increase of 2488 cases. Then in 2020 there was a very significant decrease so that it became 961 cases. However, in 2021 there will be a significant increase as well, bringing the number of violations to 2332 cases.

Regarding the effectiveness of traffic operations to increase compliance with helmet use, if the review is based on the opinion of Prasetyo Budi Praksono who said that effectiveness is defined as how much the level of output attachment is achieved with the expected output from a number of inputs.¹¹ And also Richard M. Steers who

¹⁰ Wawancara dengan Bamin Tilang Bapak Briptu Bambang Indrajit, 14 Mei 2022.

¹¹ Barda Nawawi Arif, *Kapita Selekta Hukum Pidana*, (Bandung: Citra Aditya Bakti, 2003), 85.

measures effectiveness based on a comparison of his present and past existence.¹² The author tries to use this opinion to answer the effectiveness of the implementation of this traffic operation. The implementation of traffic operations has been carried out optimally by the Gorontalo City Police Traffic Unit with the aim of creating compliance with the use of helmets. Then the data obtained regarding the number of violations related to the use of helmets which are still quite high and also very many people who drive vehicles do not use helmets, the researchers conclude that the implementation of traffic operations which has the aim of creating compliance in traffic, especially in terms of using helmet is ineffective.

The existence of laws and the importance of helmet functions in driving should be enough to be the reason for us to use helmets. But what is happening now is the opposite, even after repeated law enforcement, there are still many cases of violations of helmet use. Bamin Tilang Satlantas Gorontalo City Police Brigadier Bambang Indrajit said that this happened due to the low legal awareness of the community in using helmets and felt concerned and disappointed with the behavior and mindset of people who underestimated the use of helmets considering that helmets are very important in protecting motorcyclists in the event of an accident. In fact, frequent traffic operations have not deterred people from violating the rules for using helmets. While the purpose of carrying out traffic operations is not just to do fines or provide penalties for violators but is to create compliance in traffic.

Traffic operations that are only carried out at certain points make motorists more shrewd to avoid being penalized for violations committed. Even now with the existence of social media, especially social media that has a group chat feature, information about the location of the implementation of traffic operations will be very quickly known by the wider community so that they will choose to go through other roads even through narrow streets or small alleys in order to avoid traffic operations. This is also one of the shortcomings of the implementation of police operations which from the results of the interview with Brigadier Bambang Indrajit also said that one of the obstacles in carrying out traffic operations is the limited number of personnel. So that the implementation of the operation is also limited to one point at a time.

Because law enforcement by means of traffic operations is not effective, it is necessary to have other efforts from the police to overcome traffic violations. One of the functions of the police in the field of traffic is to introduce, provide knowledge and provide educational facilities to the public so that they can understand the points regulated in traffic, about what should be done and what cannot be done, why the rules are punished, what which is a benefit to the community, as well as what the consequences and sanctions will be for violating these rules. It cannot be done solely through traffic operations. It takes a forum between the traffic police and the community which

¹² Steers, Richard M, Terj:Magdalena Jamin. Efektivitas Organisasi. (Jakarta:Erlangga, 1980), 46-48.

contains traffic education.

To enforce the traffic law, there are several efforts that the Gorontalo City Police Satlantas can do in increasing compliance with helmet use:

1. Friends of Children Police

Is an activity to instill awareness and order in traffic from an early age to build understanding from an early age about the importance of obeying a law. With this legal awareness, we will witness that there are no violations so that the ideal life will be met. Formal, informal and non-formal educational institutions need to be invited to jointly develop legal awareness and intelligence from an early age. Legal education is not limited to formal education only in school. But it can also be done outside of school. Learning about law from an early age must be taught to children. So that later embedded in them a sense of the need for the rule of law. So that legal awareness will be formed from an early age.

2. School Security Patrol

Is a coaching and learning program for school students to practice and learn to find the root of social problems in the school environment and efforts to deal with them. In this case, children are also taught to care and be sensitive to social problems and play an active role in supporting teaching and learning in schools. School security patrols do exist in each high school, but their existence seems to have no function and purpose. It is hoped that the police, especially the traffic unit, can provide training to this school security patrol. through school security patrols who have received training can be an example to their friends or provide insight to other school friends to be obedient in wearing helmets.

3. Direct Socialization to Offenders

An organized activity by providing understanding, learning and debriefing to motorcycle riders, notification to two-wheeled users both riding and riding about the obligation to wear riding equipment and obey traffic rules and also the possible impacts that could occur if not wearing a helmet. The provision of socialization regarding the use of helmets must be carried out evenly, not only in the district capital but also in the sub-district area. Current technological advances can also be used as a means to disseminate information regarding the importance of helmet use. Through social media, the police can provide understanding, learning and debriefing to anyone who uses social media.

4. Installing Billboards The Importance of Helmets

Making billboards containing traffic rules can be an effort that can be a means to

provide knowledge to the public regarding the use of helmets. This is a written socialization to anyone who sees the billboard. So that it is expected to increase legal awareness which results in community compliance.

5. Cooperation with Agencies

Agencies in the Big Indonesian Dictionary mean General Government agencies. At present, many agencies use security units or security guards to guard the entrance of the agency. During this pandemic, to enter a place, including government agencies, you must use a mask to protect and maintain the transmission of the Covid-19 virus which can cause death in humans. If you do not wear a mask, you will not be allowed to enter the place or institution. It is the duty of the security guard who supervises the use of masks when entering the agency. This can also be applied in terms of the use of helmets, where the helmet is also one of the protectors that can protect humans, especially on the head in the event of an accident. Cooperation between the Police, especially Traffic Traffic Units with related agencies with the entry requirements of the agency. The requirement is the mandatory use of a helmet for every motorcyclist who will enter the agency. This according to the author can increase compliance with helmet use in the community.

The use of helmets is a form of legal awareness. Wignjosoebroto defines legal awareness as a form of people's willingness to behave in accordance with existing laws. He then divides this legal awareness into two dimensions, namely cognitive and effective. Cognitive is defined as knowledge about what regulates human behavior which is legally ordered or prohibited to do so. And effective is a self-awareness that the law is to be obeyed. Meanwhile, Soerjono Soekanto views the concept of a broader problem that legal awareness is compliance with existing laws, namely related to issues of knowledge of the law, how to recognize it, and how to respect the law. Knowledge is the axis of legal awareness, which will ignite an acknowledgment of the law so that it will give birth to legal compliance as a form of legal appreciation.

From these two opinions, the researcher draws the conclusion that legal compliance is a form of law enforcement based on legal awareness as a form of appreciation for the law.

According to Soerjono, the nature of legal compliance has three factors that cause citizens to obey the law, among others:¹³

1. *Compliance,*

A form of community legal compliance caused by sanctions for violators of these rules, so that the purpose of compliance is only to avoid existing legal sanctions, such as if the police as law enforcers carry out operations aimed at checking the completeness of

¹³ Soerjono Soekanto, *Kesadaran Hukum dan Kepatuhan Hukum*, (Jakarta: Rajawali, 1982), 152.

driving, the violators will choose another way to avoid the operation.

A compliance based on the expectation of a reward and an effort to avoid punishment or sanctions that may be imposed if someone violates the provisions of the law. This compliance is not at all based on a belief in the purpose of the law in question, and is more based on the control of the power holder. As a consequence, legal compliance will exist if there is strict supervision of the implementation of these rules.

2. *Identification,*

A form of legal compliance in the community due to maintaining a pleasant relationship with other people or groups, such as a minor who has a desire to drive but because one of the child's parents is a law enforcer, the minor prefers do not use motorized vehicles.

Occurs when compliance with the rule of law exists not because of its intrinsic value, but so that group membership is maintained and there is a good relationship with those who are authorized to apply the rule of law. The attraction to obey is the advantage derived from these relationships, thus compliance depends on the good and bad of the interaction.

3. *Internalization,*

A form of community legal compliance because the community knows the purpose and function of the law, thus causing the community to comply with these regulations, such as parents of minors who prohibit their children from using motorized vehicles because children after underage are usually still less able to control emotions, maturity thinking less, awareness of responsibility is low and plus a lack of understanding of the importance of safety.

At this stage a person obeys the rule of law because intrinsically that obedience has a reward. The content of the rule is in accordance with the values of the person concerned, or because he changed his original values. The result of the process is a conformity based on intrinsic motivation. The central point of the strength of this process is the person's belief in the purpose of the rules in question, regardless of their influence or values on the group or power holder or their control. This stage is the highest degree of compliance, where obedience arises because the applicable law is in accordance with the values adopted.

4. **Conclusion**

The Gorontalo City Police Traffic Unit has carried out Traffic Operations to a Maximum but still Ineffective to increase the Use of Helmets in the Gorontalo City Community. The ineffectiveness of traffic operations that are carried out optimally to increase the use

of helmets, it is necessary to have other efforts to increase the use of helmets. Among them are the police who are friends with children, school security patrols, providing direct socialization to violators, installing billboards about the importance of helmets, collaborating with agencies. It is hoped that in the future the government will make changes to laws and regulations as well as those related to traffic, especially the use of helmets so that how to use helmets when traveling is something that the community must pay attention to.

References

Book:

Arif, Barda N. & Bunga Rampai. *Kebijakan Hukum Pidana*, Jakarta: Prenada Media Grup, 2011.

Fajar, Mukti & Yulianto Achmad, *Dualisme Penelitian Hukum (Normatif dan Empiris)*, Yogyakarta: Pustaka Pelajar, 2010

Soekanto, Soerjono. *Kesadaran Hukum dan Kepatuhan Hukum*. Jakarta: Rajawali, 1982.

Steers, Richard M, Terj:Magdalena Jamin. *Efektivitas Organisasi*. Jakarta:Erlangga, 1980.

Wantu, Fence M. *Hukum Acara Pidana*. Reviva Cendekia: Yokyakarta, 2011.

Wantu, Fence M. *Idee Des Recht Kepastian Hukum, Keadilan, Dan Kemanfaatan (Implementasi Dalam Proses Peradilan Perdata)*. Yogyakarta: Pustaka Belajar, 2011.

Jurnal

Ariefulloh. Dilema Penerapan Sanksi Pelanggaran Lalu Lintas Terhadap Anak. *Jurnal Law Review*. 1 No. 2 (2019), 192-211.

Fricilia Kawengian. Hubungan Helm Dengan Derajat Cedera Kepala Akibat Kecelakaan Lalu Lintas Darat di RSUP. Prof.DR.R.D. Kandou Manado dan RS. Bhayangkara Tk. III Manado, *eJurnal Keperawatan*, 5 No. 1, (2017). 432-440

Moha, Mohamad Rivaldi. Urgensi Pendaftaran Penyelenggara Sistem Elektronik Bagi Pelaku Usaha E-Commerce. *Jurnal Law Review*, 2 No. 2, (2020), 101-119.

Muhtar, H. Mohamad.. "Model Politik Hukum Pemberantasan Korupsi Di Indonesia Dalam Rangka Harmonisasi Lembaga Penegak Hukum". *Jambura Law Review*, No 1, (2019) 68-93

Sarson, M.T.Z. Criminal Acts Performed by Children in the Perspective of Criminology (Case Study in Gorontalo City on 2008-2012). *Indonesian Journal of Advocacy and Legal Services*, 1 No. 2, (2020) 205-222

Weny Almoravid Dunga. Eksistensi Hukum Dalam Pemanfaatan Teknologi Transaksi E-Commerce. *Jurnal Aplikasi Manajemen*, 7 No. 2, (2009) 380-386