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Barriers to the Implementation of Electronic Tickets

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Abstract: This study aims to determine forms of obstacles in the implementation of electronic ticketing. The method used in this research is empirical or sociological research methodology. This study uses a qualitative approach and sampling using purposive sampling. The results of this study showthat the obstacles in the implementation of the electronic ticket are several things that can affect the ticket not going as expected, including the lack of socialization where this will provide understanding to the public, especially for those road users to be obedient to traffic rules and be aware of function of the electronic ticket applied by law enforcement road traffic department. Furthermore, the second obstacle is that the vehicle plate does not match the owner, meaning that for example a vehicle has changed hands or for example the first party has sold its vehicle to a second party, so that once the second party violates traffic, the electronic ticket will only be sent to the first owner this is because the vehicle that has been purchased has not been reversed by the second party, so this can hinder the passage of the electronic ticket. While the third obstacle in electronic ticketing is the existence of motorbike rentals, where when the motorbike borrower commits a violation, the ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcement to impose sanctions on traffic violators through electronic tickets. where when a motorbike borrower commits a violation, a ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcement to impose sanctions on traffic violators through electronic tickets. where when a motorbike borrower commits a violation, a ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcement to impose sanctions on traffic violators through electronic tickets.

Keywords: Barriers; Implementation; E-Ticket

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1. Introduction

Indonesia is the highest agreement of the state-formers, even though it has experienced a constitutional test when the 1945 Constitution was changed to the Constitution of the Republic of the United States of Indonesia in 1949, even though the recognition of regions under the auspices of the Indonesian State is still recognized. In state life, there are various regulations that force people to submit and obey the applicable rules. The nature of public submission and compliance with regulations is due to legal awareness, namely understanding the meaning and purpose of the law for the benefit of social and state life, or because of fear of legal sanctions that will befall them if they violate applicable regulations so that like it or not the law must be obeyed. The implementation and enforcement of the law are elements of the legal system that must be continuously addressed in order to realize a legal position in a legal state that is beneficial to the interests of the community, nation and state. Soerjono Soekanto said that in order for the law to function in society, there needs to be harmony between four factors, namely first, there is a systematic synchronization between legal rules or regulations both vertically and horizontally so that they do not conflict with each other; secondly, law enforcement officers have clear guidelines regarding citizenship in carrying out their duties, as well as the personality qualities of officers to implement and comply with the applicable regulations; third, the degree of community legal compliance with the law greatly affects the implementation of the law. The degree of legal compliance depends on the law-making process. Fourth, the facilities or means to support the implementation of the law must be physically adequate.³The existence of these regulations provides equal rights for every citizen.⁴

Traffic problems are not only related to congestion and accidents, but also many things that happen in traffic. Traffic violations are the most common thing on the highway and are carried out by most people, both users of four-wheeled vehicles, two-wheeled vehicles, and users of buses or trucks. This is a big problem on the highway and an important task for the police. The behavior of the community towards the operation of evidence of violations (tickets) in current traffic is evidenced by the high number of traffic violations. One of the causes of the high number of traffic accidents that occur is that many road users ignore traffic rules so that it becomes a trigger for accidents. So indirectly the perpetrators must and must be processed legally. Law enforcement carried out by law enforcement agencies is only to protect the right to life of the community. The point is that if traffic is not regulated in such a way, accidents will occur everywhere, citing what Lisnawaty Badu said where it is said that even the right to

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¹Nggilu, Novendri M. (2020). Juridical Review of Criminal Sanction Arrangements in Gorontalo Provincial Regulations. Lambung Mangkurat Law Journal. 5(2), 110

²Ismatullah, D., & Saebani, BA Constitutional Law. (Bandung: Faithful Library, 2018), 11

³Soekanto, Soerjono. Introduction to Legal Research. (Jakarta: UI- Press, 2010), 11

⁴Wantu, Fence M., and Abdul Hamid Tome. (2021). Dynamics of Village Head Election Arrangements. Jambura Law Review. 3 Special Issues, 101

⁵Muhar Junef. (2014). Community Behavior Against Operation Evidence of Violations (Tilang) in Traffic. E-Journal Widya Yustisia. 1 (1), 53

⁶Fence M. Wantu. Criminal Procedure Law. (Yokyakarta: Reviva Cendekia, 2011), 13

life must be protected by the state, especially the rule of law. ⁷The benefit is so that it does not become a clash in the life of society and the state. ⁸

The development of technology today is very rapidly progressing, and the positive impact of information technology that is growing rapidly along with the increasing development of electronic technology, transmission systems and modulation systems, resulting in information can be delivered quickly and accurately. by utilizing information technology. The development of digitalization of information and communication technology in the form of social media exposes the public to a new reality, namely the mortal world that is visible from the screen of the device/gadget but synchronized with real world life. 10

Electronic Traffic Law Enforcement (E-TLE) is the digitization of the ticketing process. Through the use of CCTV technology, it is hoped that the entire Electronic Ticketing process can be more efficient and effective, as well as assisting the police in administrative management. The application is divided into two elements, the first is the police and the second is the prosecutor's office. On the police side, the system will run on tablets with the Android operating system, while on the prosecutor's side, the system will operate as an executor in the form of a website, such as a manual trial process.

The benefits of Electronic Ticketing (E-TLE) are transparency, responsiveness, authorization, and fairness. In terms of legal certainty, the system provides certainty for violators, namely the amount of the fine listed in the blue list and the contents of the violation. In terms of justice, all offenders who commit the same crime will be punished and fined the same. So it is clear, the current Electronic Ticketing System (E-TLE), in addition to convenience and benefits, is also a form of transparent and professional police law enforcement. In our daily life, even in society, to meet the needs of life there are often crimes and violations committed by certain people and people who threaten some members of the community, which in the science of law are known as criminal acts. The efforts and role of law enforcers play an important role in eradicating every crime. Crime is an act that is contrary to the habits or norms that have long lived in society, where in life that society has several norms / rules that regulate its members in detail because crime is very detrimental and must be minimized, but unfortunately that crime is very difficult Therefore, crime is categorized as a major problem in people's lives.

Based on the results of research and data that has been obtained by the author from the Ditlantas Polda North Sulawesi, the authors can show some results based on incoming reports received

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⁷ Lisnawaty Badu. (2012). Euthanasia and Human Rights. *Legality Journal*. 5(1), 1

⁸ Tijow, Luciana. Protection of Human Rights to the Right to Life of Children in the womb outside of a legal marriage. *Legality Journal*. 3 (2), 80

⁹M Rifki Ramadhan, Thesis: Juridical Analysis of the E-Ticket Mechanism in Handling Traffic Violations (Medan: UMS, 2020), 9

¹⁰ Puluhulawa, MRU, & Husain, R. (2021). Body Shaming Through Social Media As a Digital Crime In The Era of Disruption. Jambura Law Review, 3(1), 117

¹¹Ismail, DE, &Sarson, MTZ. (2021). Criminology Analysis of Women's as Perpetrators of Domestic Violence Crimes. Journal of Law Review. 3(3), 58

¹² A, Lakoro., Badu L & Achir, N. (2020). Weak Police in Handling Crimes of Online Togel Gambling. 13(1), 33

¹³AS Alam and Amir Ilyas. Criminology An Introduction. (Jakarta: Prenadamedia Group, 2018), 29

by the North Sulawesi Police in the Manado City area to describe the number of traffic violations recorded by CCTV for wheeled vehicle drivers. four related to violators not wearing seat belts.¹⁴

Table: Offenders Not Wearing Seat Belts

Month	Number of Offenders
August	677
September	38
October	132
November	217
December	254
January	118
February	96
March	200
Total 1.732	

Source: North Sulawesi Police, 2021

Based on the table above, it can be seen that the high number of violations against seat belt violators in Manado City is as many as 1,732 violators from August 2021 to March 2022. From the data obtained by researchers, seat belt violators are the most frequent violations of other violations. In order to create an obedient society, in this case traffic order and safety, it is necessary to continue to strive and socialize awareness of the importance of obeying the rules, maintaining order, and respecting others in traffic. So that it is hoped that the violations committed by the community can be reduced or even no longer exist. 15

2. Method

The research method used by the author in this study is empirical legal research where legal research will provide a complete understanding of the law in the context of norms when applied in a social context. 16Where to examine the Empirical Review of Obstacles in the Implementation of Electronic Tickets obtained through interviews and real actions obtained through direct observation. While the sampling used purposive sampling and data analysis using a descriptive qualitative research approach.

3. Forms of Obstacles in the Implementation of Electronic Tickets

Electronic ticket provides an opportunity for violators to deposit fines directly to the bank with the facilities he has, perhaps by e-banking, ATM, or coming to the teller himself. Motorists are required to pay a maximum fine according to the article violated. After completing the payment, the ticketing officer will receive a notification on his cellphone. Violators can redeem

¹⁴Interview with Aibda Candra Mamonto of Gakkum Sub-Directorate, April 26, 2022, 10:25 WITA

¹⁵Puluhulawa, P., Towadi, M, & Swarianata, V. (2020). Leato / Japanese Cargo Wreck Underwater Site Legal Protection. Journal of Legal Reform, 24(2), 197

¹⁶Fajar, Mukti & Achmad, Yulianto. Dualism in Legal Research (Normative and Empirical), (Yogyakarta: Pustaka Pelajar, 2010), 153.

the confiscated letter directly by simply submitting a proof of payment, or picking it up at the place mentioned in the notification. For fines that use a manual process or still use red slips but the violator wants to take part in the trial, the process is the same. The electronic ticket application is still integrated with the court and prosecutor's office. The judge will give the verdict, and the prosecutor will execute the verdict. Usually this process will take a week to two weeks. The ticketing process is based on the results of the ANPR (Automatic Number Plate Recognition) camera that has been installed at several points in the city of Manado. There are several location points that have ANPR ticketed cameras installed in the city of Manado, namely:¹⁷

- a. Jalan Piere Tendean Dragon Hotel Complex.
- b. Jalan Piere Tendean, Centro Mantos Complex.
- c. Jalan Piere Tendean HSBC Complex.
- d. Jalan Piere Tendean, Golden Shop Complex.
- e. Jalan Sam Ratulangi BCA Complex.
- f. Jalan Sam Ratulangi Setia Pharmacy Complex II.
- g. WR Monginsidi Street, Bantik Field Complex.
- h. Jalan Tololiu Supit BPJS Complex.
- i. Jalan Daan Mogot, BRI Unit Wisdom Complex.
- j. Santiago Street Tuminting Market Complex.
- k. City Hall Street, Manado Mayor's Office Complex.

There are many factors that influence the occurrence of traffic violations on the road every year. These factors include the paradigm of instant people's thinking in modern times, starting to lose sensitivity in driving each other, and the lack of driving ethics for orderly, mutual respect, mutual respect, resulting in the erosion of the sense of ownership of something. In the application of electronic tickets, there is an imbalance between expectations and reality. No matter how small a violation, law enforcers must provide warnings and take action in accordance with existing rules so as to provide a deterrent effect to violators and other motorists. Law enforcers must be responsible for taking action against any traffic violations that occur in the city of Manado. Law enforcement officers must act in accordance with existing procedures. There are several obstacles in the implementation of electronic ticketing in Manado City, namely:¹⁸

¹⁷Interview with AIPTU Asrul Arsyad, Section Kasigar, Sub-Directorate of Gakkum. Monday, April 25, 2022

¹⁸Interview with Aibda Candra Mamonto of Gakkum Sub-Directorate, April 26, 2022, 10:25 WITA

a. Lack of socialization

The very minimal socialization of the police regarding the application of electronic ticketing makes most people not aware that there is an electronic application in Manado City. People on the outskirts of the city who do not get information about the application of electronic ticketing assume that the application of electronic ticketing is just a discourse. According to the researcher, communication that exists between the police and the community is carried out through socialization such as distributing brochures, utilizing social media, print media and also notice boards on roads in the city center and in the suburbs that lack information. The lack of socialization carried out by the police makes the public do not understand or even know the procedures for ticketing using CCTV. Some people also know but think the solution is still very complicated. The police pay little attention to people who do not understand electronics.

b. Vehicle plate

This electronic ticket program will take action against violators and will be sent based on vehicle registration data. if there is a vehicle from outside the city that violates the city of Manado, the ticket can still be sent to the address of the owner of the vehicle registered on the identity of the vehicle. For example, "if there is a DM plate from the city of Gorontalo that violates the city of Manado, it can also be caught or a plate from outside the city of Manado who violates it in the city of Manado, we can send a confirmation letter and it will arrive at home even though he is out of town. The problem is that if the violator is outside the city, the violator does not know if the violator gets a ticket because the police will send it according to the address on the STNK and BPKB.

c. Ownership of the vehicle/ Haven't returned the name
Regarding vehicle ownership that violates traffic rules, it will be difficult to take
action if the vehicle has changed hands but has not been renamed, because the ticket
will be sent to the address of the first vehicle owner.

So, what if the owner of a motorized vehicle, either a motorcycle or a car, has not reversed the name of the vehicle. An electronic ticket violation letter will be imposed and sent by post in the name of the owner listed on the vehicle registration and BPKB. This is because the CCTV camera electronic ticketing system is based on automatic number plate recognition (ANPR). It will automatically record the violating vehicle. Thus, the number plates of vehicles that violate traffic rules become a reference. After the camera catches the violator, it will automatically issue data because it is connected to the data, a confirmation letter will be issued automatically, and not manually. If the STNK and BPKB plates have not been reversed, confirmation will reach the old owner. Processing the owner of the vehicle will be sent a ticket immediately, according to the address on the STNK and BPKB. Even if it has been sold, it is certain that the buyer of the vehicle can be found out and will know who the new owner is. The old owner will provide information on the web. The old owner will confirm the name and address, as well as a contact number. Then the obligations of the old owner have been completed. After that, the new data will be confirmed and it is the duty of the gakum post operator (law enforcement) to contact the new owner. This will be confirmed and questioned based on the photo and video evidence obtained. So the ticketed is not the old owner but

the new owner. From there, the new owner can be reminded to immediately change the name from the old owner to the new owner. it can be ascertained who the buyer of the vehicle is and will know who the new owner is. The old owner will provide information on the web. The old owner will confirm the name and address, as well as a contact number. Then the obligations of the old owner have been completed. After that, the new data will be confirmed and it is the duty of the gakum post operator (law enforcement) to contact the new owner. This will be confirmed and questioned based on the photo and video evidence obtained. So the ticketed is not the old owner but the new owner. From there, the new owner can be reminded to immediately change the name from the old owner to the new owner. it can be ascertained who the buyer of the vehicle is and will know who the new owner is. The old owner will provide information on the web. The old owner will confirm the name and address, as well as a contact number. Then the obligations of the old owner have been completed.

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Based on the results of the author's interview with police officers at the Manado Polda Ditlantas on January 5, 2022 in the ticket administration section, namely AIPDA Candra Mamonto, namely public awareness in violating traffic in Manado City is still very low and the lack of public regarding the clarity of procedures for resolving electronic tickets so that prosecution for violations explicitly makes the public do not care so that they are not indifferent to CCTV that has been distributed to monitor and become a means of proof for fines that can provide recordings of violations that take place at certain times and locations.¹⁹

It is said that the socialization process for the implementation of the electronic ticket program has not been maximally implemented because the socialization carried out by the police still does not cover the entire community so that there are people who

 $^{19} \text{Interview}$ with Aibda Candra Mamonto of the Gakkum Sub-Directorate. Wednesday, January 5, 2022

do not know that there is an application of electronic ticket. The ideal policy is also related to policies that are in accordance with the desires and needs of the target group, policies that meet the needs of the target will be reflected in the target's response to the implementation of the electronic ticketing program, based on the results of interviews it was found that there is still a response from the community who is the target of the policy, namely the lack of public understanding of the clarity of the procedure. electronic ticketing.

d. Vehicle rental

This policy certainly needs to be known, especially for travelers who travel with privately owned or rental vehicles. Electronic ticketing does not only apply within the city, but also on a number of inter-city toll roads that are enforced by all Polda areas in Indonesia.

Save the author The person who must be responsible for the fine for the rental vehicle ticket is the driver of the vehicle when a traffic violation occurs. In the criminal provisions regulated in the Traffic and Road Transport Law that "the legal subject/violator is anyone who drives a vehicle when a traffic violation occurs. By law, it is the person who is driving the vehicle at that time who is responsible for paying the fine. Although it seems practical, the mechanism for resolving ticketing cases in the electronic ticketing system still takes time. Violation data entered in the office needs to be analyzed and verified for the basis of making a confirmation letter to the vehicle owner in accordance with the STNK, as well as to ensure legal subjects and avoid blocking from investigators. To keep things that are not desirable in the future need to be anticipated by rental entrepreneurs. There needs to be management for rental entrepreneurs to record exactly the identity of the tenant and the time of the tenant so that when there is a problem related to the law it is easy to solve it. If necessary, there is a joint statement between the tenant and the rental owner relating to the matter, in relation to the responsibility to pay a fine if it violates.

According to the author, in overcoming the obstacles that occur in the application of electronic ticketing, the police must establish good cooperation and build cohesiveness so that the implementation of electronic ticketing in Manado City can be carried out properly. Police have issued new measures to enforce traffic order. By utilizing technology, it is hoped that the entire ticketing process will be more efficient and effective as well as assist the police in maximizing police performance in taking action against road users who are not orderly while driving. The Indonesian National Police implement this system in order to reduce the practice of extortion (illegal fees) and bribes. The ticketing process is assisted by the installation of CCTV cameras at every traffic light to monitor road conditions. Through this research,

Seeing the various descriptions of the obstacles above, with this the author offers several solutions so that the effectiveness of the application of the electronic ticketing system (E-TLE) can be ensured to run well over time, as for the solutions, namely:

a. Expanding socialization about the application of electronic ticket

Basically, the application of electronic ticketing has recently been implemented in Manado City. The lack of socialization by the police has caused many people who do not know or even do not know that an electronic ticket has been set in Manado City. The lack of information obtained by the public makes the police face several obstacles. The high level of traffic violations is not entirely the fault of the community, but partly from the police who do not provide a specific understanding regarding the application of this electronic ticket. The author's solution is that the communication that exists between the police and the community is carried out through the dissemination of brochures, the use of social media, print media and notice boards on the streets in the city center and in the suburbs are lacking in information. By expanding the information on this application, the police and the Manado City government are able to work together and involve the community directly in tackling and reducing the level of traffic violations and accidents.

b. Reduce vehicle transfer costs

Some people consider the implementation of electronic ticketing to be less effective because many vehicle drivers buy their vehicles through second or third parties or buy used cars. Vehicle drivers who buy vehicles use the name of the previous owner on the grounds that the transfer fee is high.

The two solutions above, according to the author, can at least provide convenience and effectiveness of traffic rules which in fact are monitored through E-Tilang, so that it can also help law enforcement officials to be able to take action against traffic violators who in fact violate the provisions of the regulations that have been regulated. So that society and every other person, including the government must heed it, by making laws on the basis of natural rights themselves. ²⁰As said by Prof. Fenty Puluhuawa in his writings also stated that the Government through the law has provided a starting point for the judiciary, which is carried out for the sake of justice based on the One Godhead. ²¹

To quote as said by Fence M. Wantu in his Journal that the essence of justice is an assessment from one person to another, which is generally seen from the party receiving the treatment only.²²Quoting as stated by Suwitno Yutye Imran that Justice serves as a guideline to distinguish between fair and unfair actions, elements of the aspect of justice can be contained in the substance.²³

The success of the process of implementing the application of electronic tickets is closely related to the ability of the existing implementing agencies to carry out their duties. The implementers can be in the form of organizations or individuals who carry out their policies in

²⁰ Daffodil, Dolot Alhasni. (2020). Determination of Legal Protection for Neighboring Right Holders. *Journal of Law Review*. 2(1), 67

Puluhulawa, Fenty., Lusiana M, Tujow & Sutrisno. (2020). Application of the Principles of Justice, Legal Certainty and Benefit in Judge's Decisions. Gorontalo Law Review Journal. 3, (2), 184

²² Wantu, Fence M. (2013). Judge's Obstacles in Creating Legal Certainty, Justice, and Benefits in Civil Courts. *Legal Pulpit Journal*, 25 (2), 206

²³Imran, Suwitno Y. (2021). The Urgency of Regulation of the Ultra Qui Judicat Principle in Criminal Judgments. Journal of Law Review. 3(2), 398

the field through their duties as implementers and supervisors. In the implementation of the electronic ticketing program at the North Sulawesi Regional Police Traffic Directorate, it was found that the implementing agency had carried out their respective duties well. The success of the implementation of the policy is seen from the performance of the ability and understanding of members as implementing bodies that are good in supporting the implementation of electronic ticketing, because the success of the electronic ticketing program carried out in the community also depends on the quality of good implementor performance. It's just that the support of infrastructure has not been able to maximize the performance of members in the supervision of electronic ticketing. The government creates order and peace in people's lives, and maximizes the potential for regional development.²⁴

The author believes that with regard to the implementation of the electronic ticketing program, this target group is the people who are ticketed. Based on this research, it shows that not all of the target groups, namely the people who have been ticketed, can accept and implement the policies of the electronic ticket program that have been determined consistently. It was found that the willingness and compliance of the community to complete the electronic ticketing was still lacking on the one hand, this was also influenced by the constraints from the community in terms of sending the ticket that had not been maximally conveyed due to the unclear delivery address in the form of a second vehicle that had not been renamed so that the mailing address was still sent to the address of the first party, then the data collection of vehicle addresses is incomplete so that it hampers the process of sending the ticket. Besides this, what influences the community so that they can obey and make adjustments to the implemented policies, one of which depends on communication between policy implementers (police) and policy recipients (community) whether or not the communication process is a determining point for achieving effectiveness of implementation Electronic Tickets.

c. Conclusion

Barriers to the implementation of electronic ticketing, there are several things that can affect the ticket not going as expected, including the lack of socialization where this will provide understanding to the public, especially for those road users to be obedient to traffic rules and be aware of the function than the electronic ticket applied by road traffic law enforcement. Furthermore, the second obstacle is that the vehicle plate does not match the owner, meaning that for example a vehicle has changed hands or for example the first party has sold its vehicle to a second party, so that once the second party violates traffic, the electronic ticket will only be sent to the first owner this is because the vehicle that has been purchased has not been reversed by the second party, so this can hinder the passage of the electronic ticket. While the third obstacle in electronic ticketing is the existence of motorbike rentals, where when the motorbike borrower commits a violation, the ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcement to impose sanctions on traffic violators through electronic tickets. where when a motorbike borrower commits a violation, a ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcers to impose sanctions on traffic violators

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²⁴Achir, Nuvazria, and Kamba, SNM (2021). The function of sharia-based Regional Regulations on Education and Social Services in the Regions. Jambura Law Review. 3 Special Issues, 16

through electronic ticketing. where when a motorbike borrower commits a violation, a ticket will only be sent to the motorbike owner from the first party. Therefore, this will make it difficult for law enforcers to impose sanctions on traffic violators through electronic ticketing.

Police communication to the community needs to be improved again by building wider socialization, such as distributing brochures, utilizing social media, and also notice boards on the roads. Not only in big cities that must be socialized but also in the suburbs with minimal notification, so that socialization can be realized properly to the whole community in the application of electronic ticketing.

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