

Conference Paper

Violations of Personal Transport Usage Which Break the Transcity Lines

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Abstract

The bus-only lane are specifically designated for usage by buses only, improving the appeal of public transportation by offering quicker travel. However, u private vehicles users continue to ignore the regulations regarding bus lanes, clogging these lanes and impeding bus services – especially during morning and evening rush hours. This study explores the context and consequences of these traffic violations using descriptive normative research methods.

Keywords: Violation; Special Line; Vehicle; Personal.

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1. Introduction

A vehicle is a tool used to move everyone to move from one place to another. The vehicle itself varies from two-wheeled (motorbikes) and four-wheeled (cars). Advances in technology in the field of transportation now have an impact on the development of road traffic and transportation. So that there is a modernization, such as in road infrastructure, transportation facilities and other traffic equipment. A factor other than technological development is economic growth which causes road users to increase in user intensity and volume. Indonesia is a country with a high level of motorized vehicle purchases. The high number of vehicles results in traffic congestion. Meanwhile, motorized vehicle users often do not have adequate traffic and driving knowledge. The low skills and knowledge of motorists are factors that can potentially lead to traffic accidents. The number of motorcycle accidents increases every year in various regions. Traffic accidents are a frightening thing for road users, if not careful, there is a danger that is ready to threaten life at any time.

Bus-only lane is a path specifically used to be used by the bus, which consists of one or more traffic lane. This lane is devoted to buses in order to improve the smooth running

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of the bus or maximize the movement of passengers in one lane so that it can attract private vehicle users to use public bus transportation. (Kamaluddin, Rustian. (2003). *Ekonomi Transportasi Karakteristik Teori dan kebijakan*. Jakarta: Ghalia Indonesia. p.13)

Transportation is an important means of smoothing the economy and influencing all aspects of life. The importance of transportation can be seen from its use as mobility for all people and goods to access all the needs that exist in society. The tool used to transport to the destination by main means is in the form of land transportation which is currently very much needed by the community, especially in urban areas. Land transportation itself has two types, namely public transportation and private transportation, both of which are the main means of transportation. Private transportation is transportation that uses private vehicles, such as private cars, motorbikes, bicycles. (P, Suwardjoko. (2002). *Warpani, Pengelolaan Lalu lintas dan Angkutan Jalan*. Bandung: ITB. p.60)

The development of science and technology are very fast causing humans to live more peacefully. But on the other hand, there are certain influences that cause disruption to the peace of human life. One of the disturbances comes from humans, vehicles and roads.

In various cities there is much debate about which is better, whether a transport system based on roads and private cars or a public transport infrastructure system. The voices supporting the public transport system are getting louder and louder. Because the public transport system is believed to be able to reduce congestion that occurs in big cities in general.

Cities, public transport and private vehicles have a unique and complex relationship. Therefore, cities have a need for transportation mechanisms within their "self" to function. The city also means that it requires socio-economic activity to support the stretch of life, like a body that requires the activity of organs and other parts to function. On the other hand, an urban area must have a plan and realization of the correct spatial planning and function so that its growth is controlled. Apart from that, it is also in the right "direction", like an organism that is living and growing healthily. Private vehicles, on the one hand, offer the city dwellers the flexibility of movement. Motorbikes as a mode of private vehicle even have the advantage of low operating costs.

The large number of people who choose to use private vehicles is caused by the perceptions and attitudes of consumers who think using public transportation is ineffective and inefficient. It is not uncommon for consumers who are not satisfied to

use public transportation services and switch to using private vehicles. Even inadequate infrastructure and comfort are felt again by consumers in consuming this public transportation service.

Public transportation is one way to reduce air pollution caused by motorized vehicles. If people use public transportation, of course the number of private vehicles will decrease on the roads so that air pollution caused by motorized vehicles can also be reduced. However, public awareness of the benefits of using public transportation is still very minimal due to a lack of knowledge about it.

You can still see the view of users of private vehicles crossing the trans-city route until they fill the route. (1) Phenomenon like this can occur almost every morning or evening, as if it has become an announcement. In addition, this violation was also committed by many motorists in many Tran's line corridors. In fact, it is clear that there is already a prohibition that this route is specifically for Tran's buses. In fact, the phenomenon of mutual cooperation arises from removing the motorbike from the Trans line in order to avoid police officers who will take action. The most prominent traffic problem is congestion. This is because, in general, roads have experienced over capacity. "This situation is exacerbated by the relatively low discipline of the road user community. Seeing the relatively quiet bus lane, they then break through the lane,"even though everyone knows that the bus lane is built for smoothness, security, safety and priority for public transportation buses. There are several things behind this phenomenon. It can be said that the number of traffic accidents in Indonesia is still quite high and has increased significantly from year to year. The increasing number of accidents on the Trans route shows that the safety and security of transportation in Indonesia is still low. One of the most powerful contributing factors is low levels.

Driver awareness, discipline and the very rapid growth of vehicles. The low awareness and discipline of motorists is reflected in the large number of two-wheeled, four-wheeled vehicles, and even non-Trans public buses that enter the Trans route. One of the reasons why these drivers are the traffic jam that has occurred in the city, so they take practical steps by entering or crossing the Trans line. As a result of the practical steps taken by these drivers, accidents and deaths occurred on the Transcity route. Other factors that cause accidents to cause death:

1. Lack of maximum supervision and
2. Still in conventional ways. Thus, it has not been able to reach all existing corridors
3. Relatively low road user discipline, coupled with the absence of officers and the traffic jam situation.

The existing laws and regulations are actually sufficient to provide security in traffic. It's just that the existing traffic system, for example the proper traffic light timing system, has not been seriously studied so that congestion often occurs at traffic lights. The existing legislation is complex enough to regulate road users and officials. The fundamental problem is the lack of discipline in traffic. Therefore, the need for compliance with existing regulations is very necessary to increase the level of safety on the road. (Ginanto, Novika. (2010). *Menciptakan Keamanan di Jalan Melalui Disiplin Diri dalam Berlalu Lintas*. Jakarta: Universitas Indonesia. p.6-7)

The Road Traffic and Transportation Law contain several articles regarding motorbikes and their use, both clearly and vaguely. These articles regulate the use and give sanctions for violations in traffic. Both regulations and sanctions in the use of motorbikes fall within the scope of administrative law, civil law and criminal law. The three legal spheres were stated by the legislators in the Road Traffic and Transportation Law in order to guarantee the implementation of traffic in an orderly and safe manner.

The Transcity route is a special route that is only passed by Transcity riders and is not allowed for other drivers to enter and pass the Trans route. But in fact, there are still many drivers who do not comply with the regulations. There was a motorcycle accident on the Trans route because the motorbike entered the Trans Line and was then hit by a Transcity bus that was passing on that route. This incident occurred due to the lack of discipline among non-Trans drivers. Order is order, a regular condition, for example, order must always be maintained for the smooth running of work. The context of order is basically order for the sake of smoothness. However, based on the reflected events, it proves that there is a lack of public awareness of the rules and order in driving.

(2) Psychologically, adolescence is an age where individuals become integrated into adult society, an age where children do not feel that they are below the level of older people but feel the same, or at least equal. Teenagers are more disobedient in traffic regulations because they prefer something new. Teens do not understand traffic ethics, about driving on the highway which can support the safety and comfort of driving on the highway. Teenagers prefer to ride at high speed and drive recklessly. (E. B, Hurlock. (1999). *Psikologi Perkembangan: Suatu Pendekatan Sepanjang Rentang Kehidupan*. Alih bahasa: Istiwidayanti & Soedjarwo. Jakarta: Erlangga. p.67)

Positive contribution to society such obeying traffic regulations are very important in daily life. Both are for personal safety and also for the comfort of other drivers. The problem of poor traffic discipline is a phenomenon that occurs in big cities and in developing countries. In Indonesia, the government has moved national discipline in social life starting from road discipline. Early January 2009 Law Number 22 of 2009

concerning road traffic and transportation or more known as UULAJ (Road Traffic and Transportation Law) was enacted.. It is hoped that the UULAJ society will be able to better understand and implement the law as a guideline in traffic discipline,

2. Research Methods

The type in this research is about normative research. According to Soerjono Soekanto, normative research is legal research conducted by examining library materials or secondary data alone. (Soekanto, Soerjono & Sri Mamuji. (1998). *Penelitian Hukum Normatif*. Jakarta: Rajawali Pres. p.18) This research is a descriptive normative research because in this normative research there is no need for legal sources in the form of numbers or data, but only legal materials that contain normative rules are needed. Therefore, in this study, library material is a basic legal material which in research science is classified as secondary legal material. (Soekanto & Mamuji. (2003). *Penelitian Hukum Normatif Suatu Tinjauan Singkat* Jakarta: Rajawali. p.23-24)

3. Result and Discussion

3.1. Road Transportation Traffic Problems

Traffic and road transportation which have their own characteristics and advantages need to be developed and utilized so that they are able to reach all remote areas of the mainland with high mobility and are able to integrate other transportation wheels. Traffic is one of the means of community communication which plays an important role in expediting the development we carry out. The traffic problem is one of the problems on a national scale that develops in tune with the development of society.

Under certain conditions, it is permissible for drivers to enter the bus lane. But this is done if the police officer gives permission to the driver or discretion due to certain circumstances. In principle, the busway lane is reserved for Trans Jakarta. Sometimes in a traffic jam the police can carry out police discretion, but it has to be an order from the police, not their own initiative. There are no special rules regarding the time when private vehicles are allowed to enter the bus lane. This discretionary act is within the authority of the field officers. What is clear is that each member of the police has the authority to exercise discretion by the police

Every person who commits a traffic violation on the road must be dealt with in accordance with the prevailing traffic laws. Attempts to take action against traffic offenders

are not easy for traffic officers to do so it is also necessary to have the participation of citizens as road users to participate in overcoming these violations. If someone while driving or driving his vehicle on the road commits a traffic violation, whether intentionally or unintentionally and is known to the traffic officer, he should not run away by driving his vehicle at high speed because this action can endanger him or others. Although not caught by a traffic officer, this act can not only cause danger on the road but is also dishonorable. For this reason, if someone commits a traffic violation on the road, they should not run away and admit their mistakes in accordance with the applicable traffic regulations.

Purwodarminto stated that discipline is an exercise in inner obedience and character with the intention that all his actions are always obeyed orderly. (Poerwadarminta, W.J.S. (2002). Kamus Umum Bahasa Indonesia. Jakarta: Balai Pustaka. p.124) Discipline does not happen by itself, but must be cultivated, developed and applied in all aspects by applying sanctions, rewards and punishments according to one's actions. Adolescence is considered the most vulnerable compared to other developmental phases. The classifies adolescents in internal status, which is a period of development that is between childhood and adulthood. (Monks, F.J. (1989). Psikologi Perkembangan. Yogyakarta: Gajah Mada University Press. p.53)

Traffic jams and chaos are the main problems of transportation where the volume of vehicles is not comparable to roads as a land transportation infrastructure. And traffic jams have many impacts on other sectors. Traffic jams are not only caused by a disproportionate ratio of the number of vehicles and roads, but also activities that disrupt road use can trigger congestion. For example, street vendors who use the sidewalk, park vehicles using the shoulder of the road, markets that spill over to the road and so on and also other problems that can trigger congestion. Congestion can occur due to things as follows:

1. The volume of vehicles in excess of road capacity

Roads are distinguished by class. This affects the number and types of vehicles passing the road. If the number of vehicles (vehicle flow) passing through the road has exceeded the road capacity, it will cause congestion. If this happens in various places, there will be a mass congestion which will be difficult to find a solution to the congestion.

2. There was a traffic accident

Accidents that occur on the road cause the vehicle to slow down. In addition to the location of the vehicles in the traffic lane that have not been removed, the desire

of the surrounding community to watch and seek first aid for accident victims will disrupt the smooth flow of traffic. This resulted in a jam.

3. Flooding

Floods that inundate traffic lanes make road drivers slow down their vehicles. This causes the flow of vehicles to slow down. This slowdown of the vehicle causes congestion

4. Repair of roads and excavation of water tanks / pipes / drains on the roadside

Of course, the road repair will use the road itself. Of course, motorists will slow down the speed of their vehicles in the vicinity of road repairs or excavations on the roadside. This will result in less smooth flow of vehicles and congestion.

5. There was panic at the alarm

When the sound of a danger signal such as a tsunami siren signal is sounded, there will be panic in the community. People will immediately leave the locations that may be hit by a tsunami. This resulted in all residents using the road to leave the location. The sudden panic caused the road to fill up suddenly and road users wanted to get ahead of each other. This resulted in a tremendous traffic jam.

One of the factors that influence discipline is the enforcement of existing rules. Discipline is a means of upholding norms and regulations so that the goal is to achieve life reasonable and good. According to Sukanto, law enforcement is a process of harmonizing legal values, legal principles and patterns of behavior in reality. (Klavert, Irene. (2007). *Kedisiplinan Berlalu Lintas Pengemudi Angkutan Kota di Kota Semarang Ditinjau Dari Persepsi Terhadap Penegakan Hukum Lalu Lintas*. Skripsi. Semarang: Universitas Katolik Soegijapranata. p.9) The process aims to uphold justice. In general, law enforcement is influenced by factors of obedience, avoidance or open opposition. In terms of the definition of public obedience to the law, it can be said that it is disciplined behavior, while the definition of avoidance is a violation of the rules.

Law enforcement is an effort to achieve order in society and the state. The implementation of a regulation is applied by law enforcement as an effort to achieve the goals of the law. The form of law enforcement can be in the form of supervision and sanctions, supervision which is carried out as a step to prevent violations and sanctions imposed if proven to have committed violations. According to Sujamto, the objectives of supervision are: (Anggriani, Jum. (20112). *Hukum Administrasi Negara*. Yogyakarta: Graha Ilmu.p.201)

1. As a precautionary measure, so that something undesirable does not occur, so the supervision does not have to be after the occurrence or there is a suspicion that a violation will occur.
2. To find out the occurrence of violations against the rules that has been made by the state administration. Article 43 paragraph (3) Regulation of the Minister of Transportation of the Republic of Indonesia Number PM 32 of 2016 concerning the Implementation of Person Transportation with Public Motorized Vehicles not on Routes states that "Supervision of public transportation of people with public motorized vehicles as referred to in paragraph (2) is carried out at:
 3. Refreshing place
 4. Roads
 5. Place of departure
 6. Other stops and transportation nodes.

Administrative sanctions are also mentioned in Article 50 paragraph (2) which reads: "Administrative sanctions as referred to in paragraph (1) are in the form of:

1. *Freezing of motorized transportation vehicle supervision cards and*
2. *Revocation of motorized transportation vehicle surveillance card"*

Permit is an approval from the ruler based on laws or government regulations, to in certain circumstances deviate from the provisions of the prohibition of legislation. The binding of activities to a permit regulation is generally based on the legislator's desire to achieve a certain order or to prevent bad conditions. (Hadjon, Philipus M. (1993). Pengantar Hukum Perizinan. Surabaya: Yuridika. p.2) By tying actions to a The licensing system, the making of laws, can pursue a number of purposes, permits are widely used by the authorities as an instrument to influence citizens to follow the method recommended by them in order to achieve a concrete goal. (Ibid)

It is known that violations of rules, regulations, ethics and traffic discipline can be carried out, whether intentionally or not, by anyone, including students, university students and other road traffic users. The forms of traffic discipline violations include:

1. Stopping the road vehicle suddenly;
2. Stop the vehicle at a bend or intersection;
3. Run the vehicle slowly in the middle of the road;

4. Overtake other vehicles in a relatively tight position;
5. Desperate to break traffic light signs;

3.2. Troubleshooting In Transportation Timing Problems

There is no one-size-fits-all solution to congestion problems because of the complexity of the problems. Existing solutions are usually specific only to certain areas. But in general, the bottleneck solutions are as follows:

1. Road Capacity Building

One way to overcome congestion is to increase road capacity are Both physically and system. Some of them are as follows:

- (a) Widen the road and add to the road sections.
- (b) Change the circulation of traffic flow to one direction.
- (c) Reduce conflict at intersections by limiting right turn flow or by using traffic lights.

2. Siding on public transportation

- (a) Public transportation is a more likely solution to dealing with congestion. Among them is by doing
- (b) Public service network development.
- (c) Development of special lanes for public vehicles, such as the busway.
- (d) Urban railway development such as subway.
- (e) Conducting direct subsidies for public transportation

4. Conclusion

(3) Private transportation is transportation that uses private vehicles, such as private cars, motorbikes, bicycles, but can also use buses which are usually used for private purposes, while public transport is defined as transportation used by the public for a fee. You can still see the view of users of private vehicles crossing the trans-city route until they fill the route. Phenomenon like this can occur almost every morning or evening, as if it has become an announcement. In addition, this violation was also committed by many motorists in many Tran's line corridors. In fact, it is clear that there is a prohibition that

this route is specifically for Tran's buses. In fact, the phenomenon of mutual cooperation arises from removing the motorbike from the Trans line in order to avoid police officers who will take action. The most prominent traffic problem is congestion. This is because, in general, roads have experienced over capacity. "This situation is exacerbated by the relatively low discipline of road users. Seeing the relatively quiet bus lane, they then break through the lane.

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