

## Electronic Traffic Law Enforcement to Reduce Traffic Violations in Indonesia

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**Abstract.** *UULLAJ as a form of legal certainty in terms of protecting human rights, especially in driving on the road, must be strengthened by good and integrated law enforcement officers. The Indonesian National Police are traffic law enforcement officers who have an important role in providing services to the community in the traffic sector, such as order, smoothness, and improving the quality of the community in driving, because the main factor supporting modern human productivity is traffic. The legal basis for taking action against violations on the road using electronic devices or ETLE is regulated in Article 272 of Law Number 22 of 2009 which states that to support the activities of taking action against traffic and road transportation violations, electronic equipment can be used, and the results can be used as evidence in court. Based on Article 23 Government Regulation (PP) Number 80 of 2012 Regarding the Procedures for Inspecting Motor Vehicles on the Road and Enforcement of Traffic and Road Transportation, enforcement of traffic and road transportation violations is also regulated based on findings in the inspection process of motor vehicles on the road, reports, and/or electronic equipment recordings. Based on data from the Dirgakkum Korlantas Polri from national accident data in 2023, there were almost 152 thousand accidents, almost 18,357 fatalities, 11,689 serious injuries, and 134,800 minor injuries throughout Indonesia. The implementation of ETLE in the East Java Regional Police area has only been installed in several areas or police stations with several points, namely the East Java Regional Police Traffic Directorate (21 points), Surabaya Police (24 points), Madiun Loc. city Police (4 points), Gresik Police (5 points), Lamongan Police (2 points), Tulungagung Police (2 points), Batu Police (1 point), Sidoarjo Police (3 points).*

**Keywords:** *Electronic; Law; Reduce; Traffic; Violations.*

### 1. Introduction

UULLAJ as a form of legal certainty in terms of protecting human rights, especially in driving on the road, must be strengthened by good and integrated law enforcement officers. The Indonesian National Police are traffic law enforcement officers who have an important role

in providing services to the community in the traffic sector, such as order, smoothness, and improving the quality of the community in driving, because the main factor supporting modern human productivity is traffic.<sup>1</sup>In carrying out its duties and authorities, the police are based on the UULLAJ. This UULLAJ is expected to be able to overcome the problem of ticketing and can provide a deterrent effect for road traffic violators.

The legal basis for taking action against violations on the road using electronic devices or ETLE is regulated in Article 272 of Law Number 22 of 2009 which states that to support the activities of taking action against traffic and road transportation violations, electronic equipment can be used, and the results can be used as evidence in court. Based on Article 23 Government Regulation (PP) Number 80 of 2012 Regarding the Procedures for Inspecting Motor Vehicles on the Road and Enforcement of Traffic and Road Transportation, enforcement of traffic and road transportation violations is also regulated based on findings in the inspection process of motor vehicles on the road, reports, and/or electronic equipment recordings.<sup>2</sup> Basically, the implementation of the ETLE (Electronic Traffic Law Enforcement) system is due to the increasing number of vehicles crossing public roads and the high number of traffic violations each year, for example, traffic violations in Indonesia are still a very common and concerning problem, although various law enforcement efforts have been made, the number of violators remains high. As stated by the Director of Traffic Law Enforcement of the Indonesian National Police, Brigadier General Raden Slamet Santoso, during the period from January to September 2024, traffic violations were dominated by two-wheeled vehicles.<sup>3</sup>Based on the existing data for traffic violations in 2024 from January to September, the most were two-wheeled vehicles, then four-wheeled vehicles, then there were passenger cars and goods vehicles. Furthermore, two-wheeled violators often do not wear helmets and do not carry complete vehicle documents, while four-wheeled drivers often do not use seat belts, of course this endangers the safety of drivers and other road users.

Based on data from the Dirgakkum Korlantas Polri from national accident data in 2023, there were almost 152 thousand accidents, almost 18,357 fatalities, 11,689 serious injuries, and 134,800 minor injuries throughout Indonesia. The high number of traffic violations resulting in injuries and even death shows the low level of traffic law awareness of the Indonesian people. According to Adelia Fatin Faadihilah, legal awareness in the field of traffic and road transportation is currently still very lacking. Therefore, efforts are needed to follow up on the quality and quantity, this is intended to minimize the occurrence of traffic violations.<sup>4</sup> Traffic law awareness is essentially talking about the awareness or values that exist within humans regarding existing laws or about the laws that are expected in traffic for the safety of all.

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<sup>1</sup>Yuli Armala and M. Yasir, Implementation of Electronic Traffic Law Enforcement (ETLE) in the Jurisdiction of the Bojonegoro Police Resort, JUSTITIALE-Jurnal Hukum, Volume 5 Number 1 July 2022, p. 33.

<sup>2</sup><https://setkab.go.id/tilang-manual-dihapus-adaptasi-perubahan-sistem-elektronik/>, accessed 25 September 2024

<sup>3</sup><https://korlantas.polri.go.id/index.php/2024/10/09/tingginya-angka-pelanggaran-lalu-lintas-dirgakkum-pelanggar-didominasi-kendaraan-roda-dua/>, accessed April 2025

<sup>4</sup>Adelia Fatin Faadihilah, Ari Wibowo, Law Enforcement of Traffic Violation Crimes Through Electronic Ticketing in Madiun Loc. city, Journal of Actual Law Seminar Proceedings, Volume 1, Number 2, July, 2023, p. 1.

The implementation of ETLE in the East Java Regional Police area has only been installed in several areas or police stations with several points, namely the East Java Regional Police Traffic Directorate (21 points), Surabaya Police (24 points), Madiun Loc. city Police (4 points), Gresik Police (5 points), Lamongan Police (2 points), Tulungagung Police (2 points), Batu Police (1 point), Sidoarjo Police (3 points). However, in Gresik Police and Sidoarjo Police, ETLE cannot be operated because the availability of cameras is not yet equipped with the availability of poles and networks.<sup>5</sup> Meanwhile, at the DIY Regional Police, the implementation of ETLE is at the Banguntapan intersection in Bantul Regency, the Ngabean intersection in Yogyakarta Loc. city, the Maguwoharjo intersection in Sleman Regency and the Temon intersection in Kulon Progo Regency.<sup>6</sup>

## 2. Research Methods

The approach method used in this research is research with sociological juridical. The sociological juridical approach technique is used to analyze and provide answers to legal problems according to the intended target.<sup>7</sup> Furthermore, according to Amiruddin, it is explained that "sociological legal research is legal research that uses secondary data as its initial data, which is then continued with primary data or field data, examining the effectiveness of a law and research that seeks to find a relationship (correlation) between various symptoms or variables as a data collection tool consisting of document studies, observations, and interviews."<sup>8</sup> According to Soerjono Soekanto, sociological legal research is a research conducted on the real conditions of society or the community environment with the intent and purpose of finding facts (fact-finding), which then leads to identification (problem-identification) and ultimately leads to problem solving (problem-solution)".<sup>9</sup>

## 3. Results and Discussion

### 3.1. Electronic Traffic Law Enforcement in Indonesia

Traffic and road transportation have a strategic role in supporting national development and integration as part of efforts to advance public welfare as mandated by the 1945 Constitution of the Republic of Indonesia. The development of traffic and road transportation is carried out jointly by all related agencies (stakeholders). The strategic role of traffic in efforts to support national development and integration will not be realized if traffic violations continue to increase, the increase in traffic violations is a new challenge for the police to be able to apply sanctions that educate but still have a deterrent effect. One way to reduce violations is to impose administrative sanctions (tickets) carried out by the police, but what has happened so far is that the ticketing system is often distorted by civil servants and police officers to

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<sup>5</sup>Vita Mayastinasari, Benyamin Lufpi, Op. Loc. cit, p. 67.

<sup>6</sup><https://otomotif.kompas.com/read/2023/02/01/122200615/catat-ini-lokasi-kamera-etle-di-yogyakarta>, accessed on 25 September 2024

<sup>7</sup>Burhan Ashshofa, Research Methods. Media Press, Semarang, 2007, p. 46.

<sup>8</sup>Amiruddin and Asikin Zainal, H, Introduction to Legal Research Methods, Raja Grafindo Persada Jakarta, 2012, p. 37.

<sup>9</sup>Soerjono Soekanto, Introduction to Legal Research, UI Press, Jakarta, 2007, p. 10.

compromise each other so that their respective interests can be achieved without following applicable procedures.<sup>10</sup>

Basically, administrative sanctions (tickets) have been carried out before Law Number 22 of 2009. However, in practice, there are many deviations in its implementation in the field and the number of traffic violations continues to increase. Therefore, in order to overcome this, in 2018 the government created Electronic Traffic Law Enforcement (ETLE) or Electronic Ticketing, it is hoped that the Electronic Traffic Law Enforcement (ETLE) Mobile Handhled will be a solution in improving the handling of minor criminal acts of traffic violations and reducing the number of traffic violations in Indonesia.

The implementation of a system such as E-Tilang is basically an effort made by the Indonesian National Police so that the practice of extortion or bribery can be minimized. In addition, modernization has also led to the increasing development of crime and criminal acts in society which can lead to new types of criminal acts.<sup>11</sup> Implementation of a system such as E-Tilang requires the use of CCTV recording technology. The definition of CCTV recording is a media that can record an event, so that the recording will later become information that can be seen and heard again. The use of this electronic device relies on the sophistication of a video camera with the recording and display of an image at a certain time and place according to the location where the device is installed, so that it can be seen that this device is not the same as a regular television that uses a broadcast signal, but uses a closed signal.<sup>12</sup> Furthermore, CCTV was chosen as a tool for monitoring road conditions to support the use of ETLE in areas where electronic ticketing has been implemented, this is as regulated in the provisions of Article 272 of Law Number 22 of 2009 which states that "to support the activities of taking action against violations in the field of traffic and road transportation, electronic equipment can be used."

According to Singgamata, electronic ticketing or E-ticketing will make it easier for the police to process traffic violations by utilizing information digitalization. One of the conveniences of E-ticketing can be seen in the fine payment system which can currently be done through a bank account with a fee that refers to the article that has been violated. After the payment of the traffic ticket fine has been made and there is a notification of success, the violator can immediately show the evidence to the officer which is then continued with the collection of confiscated goods. In this case, the violator will receive a refund on the fine that has been paid previously when the court has determined the verdict regarding the nominal amount of the traffic ticket fine.<sup>13</sup> The implementation of electronic ticketing or E-ticketing can be said to be successful if measured based on 5 (five) indicators of a program's effectiveness, namely as follows:<sup>14</sup>

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<sup>10</sup>Farid Azis Abdullah, Feny Windiyastuti, Op. Loc. cit., p. 3005.

<sup>11</sup>Singgamata, Traffic Law Enforcement through E-Tilang in Increasing Traffic Law Awareness, Progressive Law Journal, Volume 11, Number 1, April 2023, p. 25.

<sup>12</sup>Herman Dwi Surjono, Development of IT Education in the Global Era, UNY, Yogyakarta, 1996, p. 18.

<sup>13</sup>Singgamata, Op. Loc. cit., p. 27.

<sup>14</sup>Chusminah, Chusminah, R. Ati Haryati, and Desi Kristiani. "Effectiveness of Implementation of Motor Vehicle E-Tickets in Orderly Traffic in the Traffic Corps of the Indonesian National Police." Widya Cipta: Journal of Secretary and Management, Volume 2, Number 2, 2018, p. 220.

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- a. Its productivity;
- b. Work adaptability;
- c. Job satisfaction;
- d. Profitability;
- e. Resource search.

Law enforcement, especially in the enforcement of electronic ticketing, is expected to be able to carry out deviant legal actions carried out by legal subjects both in court or litigation or outside the court. Law enforcement is not merely the implementation of legislation, but there are also factors that influence it, namely:

- a. Legislative Factors (Legal Substance);
- b. Law Enforcement Factors;
- c. Facilities and Amenities Factors;
- d. Community Factors; and
- e. Cultural Factors.<sup>15</sup>

According to Satjipto Raharjo, law enforcement is not only a definite action, namely implementing a definite action, namely implementing the law to an incident, which can be likened to drawing a straight line between two points.<sup>16</sup> Furthermore, law enforcement as a system as stated by Lawrence M Friedman has several components in it as quoted by Esmi Warassih, namely as follows:<sup>17</sup>

- a. The components referred to as structures are institutions created by a system such as district courts, administrative courts which have the function of supporting the functioning of the legal system itself;
- b. The substantive component is in the form of norms, be it regulations, decisions and so on, all of which are used by law enforcers and by those who are regulated;
- c. The cultural components of law consist of ideas, hopes and opinions about law, legal culture. This legal culture is distinguished between internal legal culture, namely the legal culture of lawyers and judges and external legal culture, namely the legal culture of society in general.

There are three stages in law enforcement of electronic ticketing or E-ticketing, namely as follows:<sup>18</sup>

- a. The formulation stage is the stage of enforcing criminal law in abstracto by the law-making body. This stage is often called the legislative stage;

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<sup>15</sup> Soerjono Soekanto, Op. Loc. cit., p. 8-10.

<sup>16</sup> Satjipto Raharjo, *Sociology of Law: Development of Methods and Choice of Problems*, Sinar Grafika, Yogyakarta, 2002, p. 190.

<sup>17</sup> Esmi Warrasih, *Legal Institutions: A Sociological Study*, PT Suryandaru Utama, Semarang, 2005, p. 81-82.

<sup>18</sup> Satjipto Raharjo, Op., Loc. cit., p. 190.

- b. The application stage is the stage of criminal law enforcement or implementation by law enforcement officers, the police, the prosecutor's office and the courts. This stage is also often called the judicial policy stage;
- c. The execution stage is the stage of enforcement (implementation) of criminal law in concrete terms by criminal enforcement officers. This stage is also often called the executive or administrative policy stage.<sup>19</sup>

The implementation of law enforcement regarding electronic ticketing crimes must pay attention to four related aspects, namely as follows:<sup>20</sup>

- a. Law enforcement aims to combat crime, so it is necessary to protect society from anti-social acts that can harm and endanger society;
- b. Law enforcement aims to improve or try to change bad behavior into good behavior, obeying the law and being useful in society, so protection is needed for society from someone who has a dangerous nature;
- c. Law enforcement aims to prevent arbitrary actions, so protection is needed for the community against the misuse of sanctions or reactions from law enforcers or from the community in general;
- d. Law enforcement must be able to resolve conflicts, restore balance and bring back a sense of peace in society. Protection is needed for society against the balance or harmony of various interests and values that are disturbed as a result of crime.

The implementation of information technology-based law enforcement on the use of ETLE for traffic violators by the police is under the auspices of the Traffic Corps of the Indonesian National Police, the Directorate of Law Enforcement. The sub-directorate that focuses on this action is the Sub-Directorate of Dakgar at the Traffic Corps level, while at the Regional Police Directorate of Law Enforcement, it is in the Sub-Directorate of Law Enforcement in the Violation Section (Sigar). The conditions for the implementation of ETLE law enforcement throughout 2023 have increased by 35.7% from the previous year, with a total of 305,326 vehicles successfully ticketed. The use of various types of ETLE in each region is adjusted to the needs of each region. Currently, the total number of ETLE devices throughout Indonesia is 1,575 units.<sup>21</sup>

Traffic ticket law enforcement carried out along with the development of the digital era must be implemented holistically (comprehensively) and action against violations must be electronic and not conventional. All data is inputted into the box office, application and network that is collected by one big data server and synchronized and integrated with SIM, STNK, TNKB, Bank and all stakeholders authorized in traffic violation cases. This system is connected to driver data (safety driving center) and motor vehicle data (electronic

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<sup>19</sup>[http://repository.unissula.ac.id/11877/5/File%204\\_BAB%20I.pdf](http://repository.unissula.ac.id/11877/5/File%204_BAB%20I.pdf), Sri Kusriyah journal "Law Enforcement Process Against Perpetrators of Criminal Acts of Fraud and/or Embezzlement Under the Guise of Low-Cost Umrah Pilgrimage Service Bureaus (Case Study of Semarang Police Criminal Investigation Unit Investigators)", Authors Zaenal Arifin, Publication Date 2018, Institution Faculty of Law Unissula

<sup>20</sup>Satjipto Rahardjo, Law Enforcement, A Sociological Review, Genta Publishing, Yogyakarta, 2009, p. 12.

<sup>21</sup>Rizky Wardana, Iqbal Arysepta Imam Mahbi, Nabila Annisa Fuzain, Implementation of Information Technology-Based Law Enforcement Against the Use of Electronic Traffic Law Enforcement (ETLE) for Traffic Violators by the Police, Lex Generalis Law Journal, Volume 4, Number 8, August 2024, p. 17.



registration and identification).<sup>22</sup>Electronic ticketing law enforcement is a form of highly guaranteed information transparency because all information about traffic violations will be in the application and has been standardized by the system according to the policies of the relevant agencies including the police. The amount of the fine imposed is certainly no longer bargaining with the police because there is no face-to-face process with the police directly (usually called extortion) because the criteria for the amount of the fine have been determined according to the violation committed.<sup>23</sup>

Information technology-based law enforcement (ETLE) is not only carried out in Indonesia, but has been carried out in several countries and has proven to be successful or successfully implemented. Information technology-based law enforcement against the use of ETLE has been carried out previously in several countries such as the following:<sup>24</sup>

a. Electronic ticketing law enforcement in the United Kingdom

In the UK, the electronic ticketing system has been successfully implemented. For example, the London Congestion Charge program uses a camera system to detect vehicles entering areas subject to congestion charges. Electronic tickets are sent to vehicle owners who violate the rules.

b. Electronic ticketing law enforcement in Australia

Several states in Australia have implemented an electronic ticketing system. For example, the state of Victoria uses surveillance cameras to detect violations such as running red lights or speeding. Electronic tickets are sent to vehicle owners who violate the rules.

c. Electronic ticketing law enforcement in the United States

The implementation of electronic ticketing can vary from state to state. Some states have implemented electronic ticketing systems to reduce traffic violations. For example, some states use surveillance cameras to detect violations such as running red lights or speeding. An electronic ticket is then sent to the vehicle owner's address. However, not all states in the United States have implemented electronic ticketing systems.

Based on research conducted by Agung Asmara, A Wahyurudhanto and Sutrisno, the impact of traffic ticket law enforcement on the statement "drivers are national assets that must be maintained in order to build civilization", 93.8% of respondents agreed that riders and drivers are national assets that must be maintained and developed in order to build civilization. 53.1% of respondents stated "Yes" that the current E-Ticket has a deterrent effect on violators. Furthermore, the types of deterrent effects based on the experience of traffic violators are:

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<sup>22</sup>Agung Asmara, A Wahyurudhanto, Sutrisno, Traffic Law Enforcement through the E-Ticket System, Journal of Police Science, Volume 13 | Number 3 | December 2019, p. 190.

<sup>23</sup>Suwarjoko P. Warpani, Traffic Management and Road Transportation, ITB, Bandung, 2002, p. 108.

<sup>24</sup>Leonardo Di Caprio, Comparison of Traffic Law Enforcement Between Manual Ticketing and Electronic Traffic Law Enforcement (ETLE) in Padang Loc. city, Thesis, Faculty of Law, Andalas University, Padang, 2023, p. 5-6.

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- a. The maximum fine imposed on the offender when paying the fine to the Bank;
- b. The offender's behavior can be recorded in the traffic ticket history database so that they have a bad driving history;
- c. Violators can directly experience the complicated and time-consuming mechanisms during the process from the beginning to the end of receiving evidence or change.

E-Tilang law enforcement in addition to providing benefits to the community or violators and law enforcers, of course the state gets non-tax income, based on data in 2023, ETLE implemented tickets on 414,356 vehicles, collecting a total fine of IDR 121.7 billion. The implementation of ETLE tickets has succeeded in catching hundreds of thousands of traffic violators, this shows an increase from the previous year when the number of vehicles ticketed in 2022 was only 305,326 units in this case the increase in the implementation of ETLE tickets reached 35.7%.<sup>25</sup>

In the process of traffic law enforcement based on electronics, violators are still given the opportunity to file objections or appeals. The procedure for filing objections and legal implications of ETLE violations consists of several steps, namely the steps that can be taken are through the etle-pmj.info/id website or direct confirmation to the ETLE back office.<sup>26</sup> After that, the officer will check and validate the truth of the violation. If the violator claims not to have violated, then the violator is given the right to file a rebuttal by providing supporting evidence. If proven not to have committed a violation, the officer will cancel the violation and revoke the ETLE ticket confirmation letter.

Based on Law Number 8 of 1981 concerning Criminal Procedure Law, law enforcers who are authorized to take action in cases of electronic traffic violations that are included in minor crimes are the courts, police and prosecutors. The court in this case the judge will impose legal sanctions on traffic violators. Sanctions are basically a punishment given to someone when there is a regulation that is not obeyed. The purpose of imposing sanctions is to provide awareness of the actions that have been committed and it is hoped that there will be no repetition of violations by the violators. Based on their type, sanctions are divided into 2 (two), namely positive sanctions and negative sanctions. Positive sanctions can be categorized by the existence of rewards, while negative sanctions are related to punishment. In the context of negative sanctions, fines are one form of punishment from criminal law in Indonesia.<sup>27</sup>

Electronic ticketing law enforcement in Indonesia must pay attention to three related elements or must be in accordance with the objectives of law enforcement as stated by Sudikno Mertokusumo, namely as follows:<sup>28</sup>

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<sup>25</sup><https://oto.detik.com/berita/d-7112126/already-414-thousand-vehicles-have-been-ticked-with-fines-reaching-RP-121-million>, accessed on April 25, 2025

<sup>26</sup>Rizky Wardana, Op. Loc. cit., p. 15.

<sup>27</sup>Soerjono Soekanto, Effectiveness of Law and Application of Sanctions, Remadja Karya, Bandung, 1985, p. 82-83.

<sup>28</sup>Sudikno Mertokusumo, Understanding Law: An Introduction, Liberty, Yogyakarta, 1999, p. 145.



**a. Justice**

The definition of justice according to Hans Kelsen is that justice is an absolute value. Its content cannot be applied in pure theoretical law.<sup>29</sup> Justice is the right of every person to be fulfilled regardless of anything. Justice according to John Rawls, the main focus of the legal system and justice cannot be sacrificed which contains two principles, namely each person is to have and equal right to the most extensive basic liberty compatible with a similar liberty for others. Second; social and economic inequalities are to be arranged so that they are both a, reasonably expected to be everyone's advantage and, b. attached to positions and offices open to all.<sup>30</sup>

Justice is the essence of law, law protects humans or their surroundings so that they do not experience loss, pain or even suffering in life due to the loss of their rights. Law as the bearer of the value of justice according to Radbruch is a measure of the fairness or unfairness of the legal system, not only that, the value of justice is also the basis of law as law. Thus, justice has a normative and constitutive nature for law. Justice is the basis for every positive law that is dignified.<sup>31</sup> Therefore, in enforcing electronic ticketing law, it is hoped that justice will be achieved without regard to a person's status if they commit a traffic violation on the road. If this can be implemented, the legal objectives have been fulfilled.

**b. Benefits**

Basically, if justice and legal certainty are difficult to enforce together, it is hoped that enforcement can provide benefits to society. Adherents of the utilitarian school of thought introduce a third legal objective, in addition to justice and legal certainty. As the opinion of Jeremy Bentham, who is known as a figure of the utilitarian school and known as individual utilitarianism, states that the law aims to ensure the happiness of as many people as possible.<sup>32</sup> The benefits of enforcing electronic ticketing in Indonesia can be realized if it is beneficial for all Indonesian people, especially road users.

Basically, the benefits felt by road users are the existence of legal protection and safety while driving on the road. This is in line with Said Sampara's opinion which states that benefits are the most important thing in a legal objective related to the discussion of the objectives of the law, first it is known what is meant by its own objectives and those who have objectives are only humans, but the law is not the goal of humans, the law is only one of the tools to achieve goals in living in society and the state.

**c. Legal certainty**

The provisions of Article 272 of Law Number 22 of 2009 concerning Traffic and Road Transportation, Government Regulation Number 80 of 2012 concerning Procedures for Inspection of Motor Vehicles on the Road and Enforcement of Traffic and Road Transportation

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<sup>29</sup>Hans Kelsen, Introduction to Legal Theory, Introduction: Stanley L. Poulson, Nusa Media, Bandung, 2009, p. 47-48.

<sup>30</sup>John Rawls, A Theory of Justice, Cambridge, (Massachusetts, Harvard University Press), USA, 1986, p. 113.

<sup>31</sup>Yovita A. Mangesti & Bernard L. Tanya, Legal Morality, (Yogyakarta: Genta Publishing), 2014, p. 74.

<sup>32</sup>Dardji Darmohardjo, Shidarta, Main points of legal philosophy: what and how is Indonesian legal philosophy, Gramedia Pustaka Utama, Jakarta, 2006, p. 78.

Violations, have provided legal certainty in the enforcement of electronic ticketing laws in Indonesia. Legal certainty is a very fundamental need of the community while the expectation of a just law can only be fulfilled on the basis of its certainty through legal positivization. Legal certainty emphasizes more that the law or regulation is enforced as desired by the wording of the law or regulation. Everyone expects the law to be determined in the event of a concrete event, how the law is that must apply, so that basically it is not allowed to deviate, even if this world collapses but the law must be enforced.<sup>33</sup>

### **3.2. Inhibiting Factors in the Electronic Traffic Law Enforcement Process in Indonesia and Solutions to the Problems**

Basically, the practice of implementing the E-Tilang system has been carried out in all Polda (33 Polda) ranks since 2017, but in reality the practice of implementing E-Tilang can be said to still not be in accordance with expectations or in other words not optimal. Indicated based on data on handling of traffic ticket cases from the Attorney General's Office for the period January 2017 to September 2017 (Letter of the Attorney General of the Republic of Indonesia No: B-019 / A / Ejp / 01/2018 dated January 24, 2018 concerning the settlement of traffic violation cases / tickets) where the action taken using the E-Tilang system application has only been carried out around 17% of all traffic ticket cases decided by the Court. The details of the data on cases decided by the Court are 2,965,073 cases, followed up with the E-Tilang application as many as 500,575 cases (17%).

Basically, there are differences in advantages and disadvantages between electronic ticketing law enforcement and manual law enforcement, namely as follows:<sup>34</sup>

- a. *Humanist*, The manual ticketing system involves direct interaction between police officers and violators. This can allow police officers to provide better explanations and understand the situation on the ground that may be difficult to detect by the electronic ticketing system. In addition, by meeting face to face, police officers can also provide better direction to violators to prevent similar violations in the future.
- b. *Flexibility*, The manual ticketing system is more flexible in terms of appreciating the situation and conditions in the field. Police officers can give written or verbal warnings, certain actions that are considered effective enough to overcome violations, or provide lighter sanctions. This is especially important in situations where violations are committed unintentionally or in an emergency.
- c. *Community involvement*, Manual ticketing system can encourage community involvement in law enforcement and traffic awareness. In this system, the community can report traffic violations directly to the police, or through a report post on the street or by phone. In this way, the community feels that they have an active role in helping to enforce the law and traffic safety.
- d. *Easier to implement in remote areas*, Manual ticketing system is easier to implement in remote areas or in areas that still have limited internet access and modern technology. This is because the electronic ticketing system requires sophisticated technological

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<sup>33</sup>Sulardi, Yohana Puspitasari Wardoyo, Certainty of Benefit and Justice in Criminal Cases, Study of Decision Number 201/Pid.Sus/2014/PN.Blt, Judicial Journal, Volume 8 Number 3, 2015, p. 263.

<sup>34</sup>Leonardo Di Caprio, Op. Loc. cit, p. 46-47.

infrastructure, such as surveillance cameras, database systems, and stable internet networks.

The implementation of electronic ticketing or E-ticketing that is currently being implemented brings convenience to the police and violators or brings benefits, this is as research conducted by Sulis Aditya and Andi Safriani in the jurisdiction of the Makassar Police. In the jurisdiction of the Makassar Police, the implementation of electronic ticketing has several benefits, namely:<sup>35</sup>

- a. The use of personnel can be minimized and focused on other interests (traffic and accident management);
- b. 24 hour regulation, guarding, escorting and patrolling (Turjawali);
- c. All traffic violations can be monitored simultaneously even in large numbers;
- d. Easy to prove (valid and accurate);
- e. Be consistent and firm in taking action against all violators and not engage in corruption, collusion and nepotism;
- f. Minimizes congestion (no need to stop vehicles).

Furthermore, based on research by Sulis Aditya and Andi Safriani in the jurisdiction of the Makassar Police, it was found that there were obstacles in the implementation of electronic ticketing in the jurisdiction of the Makassar Police, which often occurred, namely:

- a. The problem of vehicle ownership, which means that the actual owner of the vehicle is not aware that when lending the motorbike to someone else, he is not aware that his motorbike is being used in violation or in a state of violation;
- b. The preventive measures for traffic violations are still ineffective and there is still a lack of socialization about the process of implementing electronic ticketing, as evidenced by Aiptu Syahrul's statement that he said only 75% of the community understands electronic ticketing. However, this statement is different from what happened in the field, which is proven by traffic violation data from 2017 to 2019 which experienced an increase in the number of traffic violations;
- c. The installation of CCTV in Makassar Loc. city is only available at several points, and this has not been able to support traffic discipline, considering the dense Loc. city of Makassar and the many other locations where CCTV should be installed.

Obstacles or barriers to the implementation of E-Tilang have also been submitted to research by Dessi Perdani Yuris Puspita Sari and Rani Hendriana, namely as follows:<sup>36</sup>

- a. Data on traffic violations between regions have not been integrated into one. As a result, fines cannot be imposed on violators who have out-of-region license plates and are only given warnings;

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<sup>35</sup>Sulis Aditya, Andi Safriani, Problems of Implementing Electronic Ticketing in Reducing Traffic Violations, *Alauddin Law Development Journal (ALDEV)*, Volume 2, Number 1, March 2020, p. 77.

<sup>36</sup>Dessi Perdani Yuris Puspita Sari and Rani Hendriana, "Implementation of CCTV (Closed Circuit Television) Based E-Ticketing in Banyumas Regency," in *Proceedings of the National Seminar and Call for Papers "Sustainable Development of Rural Resources and Local Wisdom, Volume VIII"*, 2018, p. 14-15.

- b. CCTV-based e-ticketing does not yet have a clear person in charge, namely the overlapping of authority between the Traffic Unit and the Transportation Agency;
- c. CCTV recordings do not yet have a capable server to accommodate all the data;
- d. The E-Tilang application is still difficult to operate;
- e. In reality, motor vehicle serial numbers cannot be detected clearly and comprehensively by CCTV.

The implementation of the electronic ticketing system enforced in Semarang Loc. city in 2017 the number of traffic violations was 85,220, in 2018 the number of traffic violations was 81,240. When compared to 2017, the number of violations in 2018 tended to decrease or be less. This cannot be said that the people in Semarang Loc. city are starting to be orderly towards traffic regulations, but it could happen because of several factors, namely the policy of the Indonesian National Police Leadership in Semarang Loc. city. This was motivated by the President's instructions to the Chief of the Indonesian National Police, then initiated by the Semarang Loc. city Police Traffic Unit, one of which was to implement the Electronic Ticketing system, namely by conducting ticketing electronically using CCTV cameras. In this case, the success of the implementation of ETLE is greatly influenced by the socialization of education to road users regarding the implementation of electronic ticketing which is carried out through social media, mass media by distributing brochures, banners in each Loc. city of Semarang.

Basically, the implementation of ETLE is a breakthrough made by the police to minimize parties who extort when taking action against traffic violations and to improve driving discipline in the community. However, in its implementation in the field there are obstacles in enforcing ETLE law as Noverdi Puja Saputra said, obstacles in enforcing ETLE are actually in the infrastructure, community, and cultural factors. The infrastructure factor in implementing ETLE requires sophisticated tools in the form of ticket cameras or mobile ticket cameras and other sophisticated tools to support the enforcement of ETLE in large numbers. This certainly requires a lot of funds, because Indonesia has a very large area and its enforcement must be carried out evenly throughout the region.<sup>37</sup>

Based on research on the implementation of electronic ticketing or E-Tilang also carried out in Padang Loc. city, West Sumatra, conducted by Muhapsak Hendra Putra and Neni Vesna Madjid, it was concluded that the obstacles faced by the Padang Police Traffic Unit in implementing Electronic Traffic Law Enforcement (ETLE) against traffic violations in Padang Loc. city were the lack of public legal awareness regarding traffic violations, where this legal awareness was influenced by the lack of understanding of the law consisting of a number of pieces of information owned by the public regarding the content, objectives, and benefits of the regulations, especially the Traffic and Road Transportation Law.

Based on several studies above, there are obstacles in the implementation of electronic ticketing in Indonesia, namely the infrastructure factor in the implementation of ETLE requires

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<sup>37</sup>Noverdi Puja Saputra, Electronic Traffic Law Enforcement (ETLE) and Its Problems, Journal of Legal Fields Brief Info, Volume XIII, Number 7/1/Puslit/April/2021, p. 4.

sophisticated tools in the form of ticket cameras or mobile ticket cameras and other sophisticated tools to support the enforcement of ETLE in large numbers. The obstacle in terms of CCTV recordings does not yet have a capable server to accommodate all data, the operation of the E-Tilang application is still difficult and the serial number of motor vehicles in reality cannot be detected clearly and completely by CCTV. Obstacles other than the problem of lack of technology, there are non-technological obstacles that greatly affect the success of electronic ticketing, namely the lack of socialization of education for road users regarding the implementation of electronic ticketing which can be done through social media, mass media by distributing brochures, banners throughout the Loc. city. The implementation of electronic ticketing in Indonesia has several obstacles or obstacles, namely the following:<sup>38</sup>

- a. The legal factor becomes something that is contradictory because the concept of justice is an abstract formulation, while legal certainty is a procedure that is determined normatively and other inhibiting factors come from the absence of a Law that regulates the entire E-Tilang system, so that it is not yet optimal if implemented throughout Indonesia.
- b. The factor of law enforcement officers who still do not understand technology so that in practice in the field they have obstacles in carrying out action with the E-Tilang system.
- c. The facility and infrastructure factor is a very important component, because law enforcement will not run smoothly if there are no facilities and infrastructure, especially servers that accommodate this technology network which are less than optimal.
- d. The factor of society not yet having legal awareness, because public compliance with the law will make the law function as it should, and society also does not accept the digitalization era so that it often hinders the E-Ticket process.
- e. Cultural factors, because according to Soerjono Soekanto, culture has a very large function for humans and society, namely regulating so that humans can understand how they should act, do, and determine their attitudes. Therefore, the culture of society that considers the practice of extortion is commonplace makes it difficult to change the mindset of society to create laws that are free from extortion.

In this case, the author has conducted interviews with sources related to the obstacles in the electronic ticketing law enforcement process in Indonesia, especially in the jurisdiction of the DIY Regional Police. The research was conducted by interviewing Iptu Nur Fauzi Al Fajar, PS Kanit 4 Subditgakkum Ditlantas Polda DIY and Ipda Landi Syafiadmoko, SHMAP, PS Kanit 3 Subditgakkum Ditlantas Polda DIY. In the interview, he explained that in enforcing the electronic ticketing law in the DIY Province, prior socialization was carried out to police officers in the field or in the office, socialization here in the form of training and understanding of how ETLE is implemented. Furthermore, the DIY Regional Police Traffic Directorate coordinates with related agencies such as the Court, the Prosecutor's Office and Bank Rakyat Indonesia (BRI) as the executor of ticket payments.<sup>39</sup> Socialization is also carried out in schools and public roads. According to Landi Syafiadmoko, it is necessary to conduct socialization in

<sup>38</sup>Ony Rosifany, Viktor Hasiholan Hutagaol, Implementation of E-ticketing to Prevent Illegal Levies in Sangatta Area, Journal of Legal Studies "THE JURIS", Volume V, Number 2, December 2021, p. 370.

<sup>39</sup>Interview with Iptu Nur Fauzi Al Fajar, Head of PS Unit 4, Sub-Directorate of Law Enforcement, Traffic Directorate, DIY Regional Police, on April 7, 2025.

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the implementation of ETLE, this is so that it can run effectively and provide more understanding to the public about the existence of electronic ticketing and show the public about the openness of electronic ticketing law enforcement.

Based on an interview with Iptu Nur Fauzi Al Fajar, PS Head of Unit 4, Sub-Directorate of Law Enforcement, Traffic Directorate of the DIY Regional Police and Ipda Landi Syafiadmoko, SHMAP, Head of Unit 3, Sub-Directorate of Law Enforcement, Traffic Directorate of the DIY Regional Police, there are obstacles in enforcing electronic ticketing laws in the DIY province, namely as follows:<sup>40</sup>

a. Budget limitations in purchasing ETLE facilities and infrastructure

*Electronic Traffic Law Enforcement*(ETLE) is a technological device equipped with a sophisticated ticketing camera. In addition, the need for mobile cameras to reach further areas is also needed in large numbers, considering the vast area of DIY so that not all can be monitored by sophisticated ticketing cameras.

b. Lack of traffic awareness of road users

The challenge of Electronic Traffic Law Enforcement (ETLE) on public awareness is that even if every red light is monitored, if public awareness is still lacking, violations will still occur.

c. The implementation of electronic ticketing is sometimes not on target

The implementation of electronic ticketing is not on target, where in this case the violator uses someone else's vehicle, then what is recorded in the system is that vehicle, even though it could be that the owner of the vehicle has changed hands or the violator is only borrowing someone else's vehicle.

d. Obstacles related to the absence of vehicle number plates

The absence of a vehicle number plate is an obstacle to the enforcement of electronic ticketing laws, where the absence of a vehicle number plate will hinder the system in detecting traffic violators and falsified vehicle plate numbers, this will certainly complicate the enforcement of electronic ticketing in the field.

Basically, traffic law awareness is an abstract conception within humans, about the harmony between order and the desired or appropriate tranquility in traffic. However, with the low level of public legal awareness, the implementation of ETLE against traffic violations is hampered. The legal awareness of the community regarding traffic compliance is caused because the law is in accordance with the values they adhere to. This is because legal awareness is determined by the following factors:<sup>41</sup>

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<sup>40</sup>Interview with Ipda Landi Syafiadmoko, SHMAP, Head of Unit 3, Sub-Directorate of Law Enforcement, Traffic Directorate, DIY Regional Police, on April 10, 2025.

<sup>41</sup>Soekanto Soerjono, Legal Awareness and Legal Compliance, CV. Rajawali, Jakarta, 1982, p. 162-163.



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- a. Fear of sanctions;
- b. Maintain good relations with the group;
- c. Maintain good relations with authorities;
- d. Personal interests are guaranteed;
- e. In accordance with the values adopted.

The solution to the problem in dealing with the obstacles of electronic ticketing law enforcement in Indonesia is by socializing the electronic ticketing system technology to law enforcement officers and road users and the general public. This needs to be done because there are still many Indonesian people who do not understand or lack technology. The solution related to the implementation of electronic tickets is not right on target where the owner has sold the vehicle or the owner has changed address, then the solution is for the previous vehicle owner to immediately change the name of the vehicle ownership. by doing the process of changing the name automatically the name of the vehicle owner will adjust to the new one. So that in the future if there is a confirmation letter, the one sent will be in accordance with the existing license plate data or by confirming to <https://etle-pmj.info/>. The enforcement of electronic ticketing that is not in accordance with the target, then the solution is that the party receiving the ticket notification letter can answer the confirmation of whether the letter is correct or not to the investigator. Furthermore, investigators or police can annul the error of the vehicle that is subject to E-TLE and what is important is that the data of the violator has not been sent to the court and has received a decision from the court.<sup>42</sup>

#### 4. Conclusion

Electronic ticketing law enforcement in Indonesia is regulated in Article 243 paragraph (3) letter d of Law Number 22 of 2009 concerning Traffic and Road Transportation, Criminal Procedure Code, Government Regulation Number 80 of 2012 concerning Procedures for Inspection of Motor Vehicles on the Road and Action against Traffic and Road Transportation Violations, Regulation of the Chief of Police Number 5 of 2012 concerning Registration and Identification of Motor Vehicles and Supreme Court Regulation Number 12 of 2016 concerning Procedures for Settlement of Traffic Violation Cases. Basically, electronic ticketing law enforcement carried out in line with developments in the digital era must be implemented holistically (comprehensively) and action against violations must be electronic-based and not conventional. All data is inputted into the Box Office, Application and network that is collected on one server with big data (Big Data) and synchronized and integrated with SIM, STNK, TNKB, Bank where payment is made. In the process of electronic traffic law enforcement, the opportunity for violators to file objections or appeals is still open. The procedure for filing objections and legal implications of ETLE violations consists of several

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<sup>42</sup><https://otomotif.kompas.com/read/2025/02/08/142200615/kasus-tilang-elektronik-salah-sasaran-apa-solusinya->, accessed on April 15, 2025

steps, namely the steps that can be taken are through the website [etle-pmj.info/id](https://etle-pmj.info/id). Furthermore, in enforcing electronic ticketing laws in Indonesia, three related elements must be considered or must be in accordance with the objectives of law enforcement, namely certainty, justice and benefit. Inhibiting factors in the process of enforcing electronic ticketing in Indonesia and the solution to the problem are the infrastructure factors in the implementation of ETLE requiring sophisticated tools in the form of ticketing cameras or mobile ticketing cameras and other sophisticated tools to support the enforcement of ETLE in large numbers. The obstacle in terms of CCTV recordings does not yet have a capable server to accommodate all data, the operation of the E-Tilang application is still difficult and the serial number of motor vehicles in reality cannot be detected clearly and comprehensively by CCTV. Other obstacles such as the lack of awareness of road users in this case public awareness, even though every red light is monitored if public awareness is still lacking, violations still occur and obstacles related to the absence of vehicle license plates are obstacles to the enforcement of electronic ticketing where the vehicle number is not there, it will hinder the system in detecting traffic violators and vehicle plate numbers are falsified, this will certainly complicate the enforcement of electronic tickets in the field. While the solution is to socialize the technology of the electronic ticketing system to law enforcement officers and road users and the general public, this needs to be done because there are still many Indonesian people who do not understand or lack technology. The solution related to the implementation of electronic ticketing is not right on target where the owner has sold the vehicle or the owner has moved address, then the solution is for the previous vehicle owner to immediately change the name of the vehicle ownership by carrying out the automatic name change process, the name of the vehicle owner will adjust to the new one. So that in the future if there is a confirmation letter, the one sent will be in accordance with the existing license plate data or by confirming to <https://etle-pmj.info/related> to awareness of traffic law is the most serious obstacle in enforcing electronic ticketing. Therefore, an appropriate solution is needed to overcome it, such as through various ways through regular legal information and counseling based on solid planning.

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