

## **The Control of Becak Transportation Modified into Motorized Pedicabs or “Bentor”**

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**Abstract.** *The development of pedicab transportation in Indonesia differs from one region to another. Along with technological developments, pedaled rickshaws began to be modified by using motorbikes, or what are known as motorized rickshaws, hereinafter referred to as "Bentor." In Indonesia, the collision phenomenon is a matter of concern because the collision is one of the factors causing traffic accidents, which can harm other road users and even result in death. The purpose of this research is to analyze the operational control of Bentor's transportation. The research method used is a qualitative approach. The results show that the characteristics and number of traffic accidents due to the operation of Bentor are the cause of traffic accidents by motorized pedicabs due to the absence of taillights on tricycles or vehicles that do not have three-wheeled motorcycle parts. The operational control of motorized becak transportation is carried out with pre-emptive, preventive and repressive measures.*

*Keywords: Control; Modification; Motorized.*

### **1. Introduction**

Road transportation is the main mode of transportation that plays an important role in supporting national development and has the biggest contribution to the nation compared to other modes of transportation. Therefore, the vision of road transportation is to support, drive and drive national development and play a role as the lifeblood of economic, political, socio-cultural and defense and security life. The mission of road transportation is to realize a road transportation system that is reliable, highly capable in development and increases the mobility of people and goods, in order to support regional development to realize the concept of the archipelago.

Transportation or transport is a means needed by Indonesian people in their daily lives. This transportation is really needed by the people of Indonesia because of many factors, including the geographical condition of Indonesia which consists of thousands of islands, waters, most of which are seas which encourage

transportation by land, sea and air to reach the territory of the Unitary State of the Republic of Indonesia.<sup>1</sup>All that too for the sake of survival for every community in Indonesia, because without transportation it will complicate existing life processes.

The increasing population and the growing economy in developing countries like Indonesia requires people to have high mobility in order to be able to meet their daily needs. To be able to have high mobility, the community certainly requires a means or means of transportation, besides that currently the means of transportation that are widely used by the community are land transportation, namely private transportation and public transportation. In addition to public transportation in the form of four-wheeled vehicles, people also use other alternative means of transportation in the form of motorcycle taxis and rickshaws. Becak is a very popular means of transportation in Indonesia. This vehicle is a modification of a two-wheeled bicycle. The development of pedicab transportation in Indonesia differs from one region to another.

Along with technological developments, pedaled rickshaws began to be modified using motorbike propulsion, or what are known as motorized rickshaws, hereinafter referred to as *Bentor*. The phenomenon that occurs in various areas within the jurisdiction of each police force is that *Bentor* vehicles are the choice of pedicab drivers who are on average older, although there are also some who are still of productive working age because they do not need to use pedal power like ordinary pedicabs so they are more facilitate the rickshaw drivers. Behind the benefits, there are also pros and cons of motorized rickshaws. Those who are pro are the drivers of the motorized rickshaws themselves as well as those who benefit from the existence of the motorized rickshaws and those who are against are the motorbike taxi drivers and some traditional pedicab drivers. In this case, the National Police of the Republic of Indonesia will act through pre-emptive, preventive and repressive stages.

In Act No. 22 of 2009 concerning Road Traffic and Transportation it does not regulate motorized trishaws, but an area may refer to matters concerning modifications of motorized vehicles because motorized tricycles are also modifications of motorized vehicles. There are many things that need to be regulated in an area if you want to accommodate the operation of motorized trishaws in that area. Among them are the administrative requirements for motorized tricycles which are needed to prevent the manufacture of motorized tricycles from stolen goods, either the motorbike or the driving machine. Technical and road-worthy requirements are also needed so that the safety and security of motorized trishaw drivers and passengers can be guaranteed. Then the operation of motorized rickshaws, rates,

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<sup>1</sup>Abdulkadir Muhammad. 1998. Law *Commercial Transportation*. Bandung: Citra Aditya Bakti. p.7.

In Indonesia, *Bentors* are operational and also scattered in several existing areas. The modifications referred to here include motorbike engines, diesel engines, coconut grating machines, flour grinding machines and other types. But what needs to be known, with the operation of bumps in various regions, of course it has positive and negative impacts such as increasing the volume of traffic jams, because the width of the vehicles and their speed are not balanced, and it can also result in accidents because motorized tricycles do not meet the technical and road-worthy requirements and does not have safety standards to operate on the highway. Therefore, the operation of motorized pedicabs needs supervision from the Traffic Traffic Unit, which in this case is the officer responsible for safety and comfort, as well as traffic order.

## 2. Research Methods

This study uses a qualitative method approach. According to Hamidi, is research that generates and processes descriptive data, such as transcriptions of interviews, field notes, pictures, photos, video recordings and others.<sup>2</sup>This research is empirical in nature, in which the researcher wants to explain the phenomena related to operational control of the transportation of pedicabs modified into *Bentors*. Data collection techniques used are interviews, observation and documentation. The subjects of this study became informants who would provide various information needed during the research process. The informants in question are the Head/member of the Transportation Agency; Kasat/Members of Traffic and Motorized Becak Drivers and the community.

## 3. Results and Discussion

### 3.1 Motorized pedicab licenses in various parts of Indonesia

*Bentor* or motor rickshaw is a means of transportation that has the ability to reach all urban/rural areas, travel time and operation, as well as costs that are affordable by the community so that it becomes the means of transportation that is often the people's choice. However, the existence of bumps in several cities/regencies is now starting to cause overlapping routes between various types of public transport models. In several places, bumps have been operating on main roads, and have become a triggering factor for social conflict or accidents.

The local government sees this as a problem that must be overcome so that the government takes part in controlling it, including the Police. The local government contributes to control by requiring modified vehicles, namely motorized tricycles, to have permits. It is hoped that this permitting activity will regulate bump users to remain orderly and follow the paths that have been set because the flexibility of bump truck owners so far in operating their vehicles in the city is also considered one of the causes of traffic jams and accidents.

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<sup>2</sup>hamidi. 2010. Qualitative Research Methods Practical Approach Proposal Writers and Research Reports. First Print. Malang: Press Law.

At first, the permits for this motorized trishaw were not approved by both the Polres and the Department of Transportation in various regions because they were deemed to have violated the provisions of Law 22 of 2009 concerning Road Traffic and Transportation. However, this prohibition is considered to discriminate against motorized rickshaw drivers, so to resolve the pros and cons a regulation was made so that motorized rickshaws can or are allowed to operate with the condition that motorized rickshaws must carry passengers beside the driver, not in front as they have so far. This place for passengers beside the driver guarantees the safety of passengers more than in front. In addition, the modification requirements for tricycles must meet the Kir test. This Kir test was conducted to determine the feasibility of using the motorized rickshaw.

Based on this description, it can be concluded that if the operational license for a modified pedicab to become a motorized trishaw is carried out by *Bentor* drivers to the Department of Transportation, the Department of Transportation must adjust the operating permit for motorized pedicabs to Act No. 22 of 2009 concerning Road Traffic and Transportation. *Bentors* are generally allowed to operate with the provision that the speed does not exceed 20 kilometers per hour so that the engine used should not be a motorbike engine which is then affixed, so that the cc (vehicle speed ratio) is low and the *Bentor* driver is also required to carry out a motor vehicle feasibility test every 3 (three) months in the Department of Transportation of each region.

Whereas the implementation of authority between the Traffic Police and the Land Transportation Service regarding the operation of motorized trishaw transportation in various regions is still a lack of synchronization between the Department of Transportation and the Police. In terms of coordination, supervision, granting of permits, and law enforcement, almost all of the police took over, while the Department of Transportation only collected data on the number of motorized pedicabs that were already operating.

In Article 47 of Act No. 22 of 2009 concerning Road Traffic and Transportation does not explain that motorized trishaws are included in cars transport. However, in Article 1 point 5 of Government Regulation No. 41 of 1993 concerning Road Transportation, it is explained that: A motorbike is a two (2) or three (3) wheeled motorized vehicle without houses, either with or without sidecars. It is further explained in Article 1 point 6 that: "A passenger car is any motorized vehicle equipped with a maximum of 8 (eight) seats excluding the driver's seat, either with or without transportation equipment.

From the provisions stipulated in the Articles in Act No. 22 of 2009 concerning Road Traffic and Transportation Article 47 paragraph 1 and Government Regulation No. 41 of 1993 concerning Road Transportation, that tricycles and the like are not included in the types of public passenger cars that can be used for public transportation. And it is not included in its function according to Article 47 paragraph 3 which explains that: "Motorized Vehicles as referred to in paragraph

(2) letter b, letter c, and letter d are grouped by function: Individual Motorized Vehicles; and Public Motorized Vehicles.”

In the implementation of authority between the traffic police and transportation service officers both from coordination, supervision, granting of permits and enforcement of sanctions, all of which are more dominantly carried out by the traffic police. This is because there are no clear rules regarding the exercise of authority for the transportation agency other than just trying to record motorized trishaws that have been operating on the highway, while the traffic police only use the Traffic Law on motorized pedicab drivers who commit traffic violations No. 22 of 2009

### **3.2 Characteristics of Traffic Accidents Due to the Operation of Motorized Becak**

The most dominant accident factor related to motorized rickshaws is the result of factors vehicle. The vehicle factor is the main obstacle for motorized rickshaw drivers, where changes in vehicle components become excessive or even reduce a lot. Thus affecting the function of the vehicle itself. This then increases the potential for traffic accidents involving modified vehicles such as motor rickshaws. Traffic accidents involving motorized pedicabs in various regions are caused by vehicle factors, where the most dominant vehicle factor is the result of non-functioning/non-existent taillights, malfunctioning headlights and poor lighting and excessive vehicle dimensions which sometimes block the road. .

### **3.3 Operational Control of Motorized Becak Transportation**

#### **a. Preemptive Efforts**

One of the efforts to control motorized pedicabs is to regulate their licenses. Licensing aims to control the operation of motorized pedicab transportation which has been mentioned referring to Act No. 22 of 2009 concerning Road Traffic and Transportation and PP Number 55 of 2012 concerning Motorized Vehicles, so this regulation must be implemented by bumped drivers in each region. Regarding the licensing of motorized pedicabs, the Department of Transportation is the agency authorized to issue these permits. The Department of Transportation claims that every motorized trishaw operating on the road must have a permit. However, it is still necessary to form a regulation from the City Government regarding these motorized rickshaws. There are many things that need to be regulated in a region if it wants to accommodate the operation of motorized rickshaws in that area, including the administrative requirements for motorized rickshaws that are needed to prevent the manufacture of motorized rickshaws from stolen goods, either the motorbike or the driving machine. Technical and road-worthy requirements are also needed so that the safety and security of motorized trishaw drivers and passengers can be guaranteed. The operation of motorized rickshaws, tariffs, fees and base locations also need to be regulated to ensure orderliness of motorized rickshaws and the presence of motorized rickshaws does not disturb other road users. Another effort made by the Police is to collaborate with the

Department of Transportation in each region, because the Transportation Agency does not directly monitor the permits in the field.

#### **b. Preventive Efforts**

Preventive efforts are carried out by means of socialization efforts towards an orderly traffic culture. People who own motorized vehicles must comply with traffic rules and signs, including *Bentor* drivers. Even though the vehicle is modified, it is necessary to pay attention to the completeness of the vehicle components in accordance with the requirements of the Department of Transportation permits. Further preventive efforts are by increasing facilities and warning signs for motorized tricycles. Prevention efforts are carried out through increased supervision of roadworthiness, road facilities and infrastructure, and vehicle eligibility, including more intensive supervision in the field of traffic and road transportation. Regulatory efforts include traffic management and engineering and modernization of traffic facilities and infrastructure. Law enforcement efforts are carried out more effectively through the formulation of clearer legal provisions and the application of stricter sanctions. To address the problem of traffic accidents, prevention of accidents involving motorized rickshaws is carried out through the participation of stakeholders, community empowerment and law enforcement. Accident prevention is carried out in a phasing pattern, namely short-term, medium-term and long-term programs. In addition, testing of motorized vehicles was also carried out. One of the purposes of this test is to guarantee technical safety for public transport users, and guarantee the technical feasibility of vehicles to operate.

#### **c. Repressive Efforts**

Repressive efforts are the main task of the police in the aspect of law enforcement, but this step is the last step after the pre-emptive and preventive actions have been carried out. This law enforcement is in the form of carrying out prosecutions for violations that have the potential to cause accidents in the jurisdiction of the regional police, where there are Motorized Becaks that operate as a means of public transportation. The main objective of the enforcement of traffic violations by using tickets carried out by Satlantas personnel is to reduce the number of traffic violations which are the start of accidents. Enforcement of traffic violations using fines carried out by Satlantas personnel is legal action in a juridical manner using ticket blanks, namely specifically for 27 types of certain violations,

#### **4. Conclusion**

Types of road transportation in various regions are not only dominated by motorcycles, cars, trucks, and buses, but also tricycles which are modified into motorized tricycles or often known as *Bentors*, are the most widely used mode of transportation in the region. The use of motorized rickshaws is the result of a modification of traditional rickshaws that use engines to operate. The use of

motorized rickshaws in various areas often ignores traffic rules so that they often cause accidents. Therefore the Police and the Department of Transportation exercise control over the operation of the motorized rickshaw transportation. The efforts made by the Police and the Transportation Agency are by exercising control based on the applicable regulations. In addition, regulation of technical matters such as signs and road tests is carried out to ensure driving safety.

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