

Law Enforcement Against Minors Committing Traffic Violations Within the Jurisdiction of the Simalungun Resort Police

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Abstract

This study aims to analyze law enforcement regarding traffic violations committed by minors within the jurisdiction of the Simalungun Resort Police (Polres Simalungun) and to identify the obstacles involved in such enforcement. The research employs an empirical juridical method (socio-legal research) utilizing statutory, conceptual, and case-based approaches, with data analyzed through a descriptive-qualitative method. The findings indicate that traffic violations by minors are frequently encountered within the Simalungun Resort Police's jurisdiction. The police employ a multi-faceted strategy to address these violations: preemptive measures involving public awareness campaigns and guidance sessions at schools engaging teachers, parents, and community leaders; preventive measures such as patrols and traffic management near schools; and repressive measures involving enforcement operations and the penalizing of violators. Despite these efforts, traffic violations remain common, driven by factors such as limited public transportation in certain areas, significant distances between homes and schools, and the freedom parents grant their children. The study concludes that preventing traffic violations by minors requires the active participation of parents and teachers, local government support in providing and facilitating transportation facilities in specific areas, and firm law enforcement.

Keywords: Law Enforcement, Minors, Traffic

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Introduction

The management of road traffic and transport aims to ensure security, safety, order, and smooth flow in order to support and boost the national economy, advance the general welfare, strengthen national unity and integrity, and uphold the nation's dignity. Furthermore, road traffic and transport play a strategic role in supporting national development and integration as part of the effort to advance the general welfare, as mandated by the 1945 Constitution of the Republic of Indonesia.

Issues and challenges regarding road traffic and transport continue to evolve alongside rapid population growth and the rising number of vehicles trends that have not been matched by commensurate infrastructure development aimed at ensuring security, safety, orderliness, and smooth traffic flow. This imbalance is a contributing factor to the frequent disruptions affecting traffic security, safety, order, and fluidity.

One of the traffic-related issues in North Sumatra specifically in Simalungun Regency is the high rate of traffic violations. These violations stem from various factors, including the level of driver awareness and compliance regarding traffic regulations. A frequently occurring violation in Simalungun Regency involves underage individuals operating two-wheeled motor vehicles. Article 81, paragraph (2) of Law Number 22 of 2009 concerning Traffic and Road Transportation, along with Indonesian National Police Regulation Number 5 of 2021 concerning the Issuance and Marking of Driving Licenses (SIM), stipulates that an individual is eligible to meet the requirements for obtaining a driving license for two-wheeled or four-wheeled vehicles only upon reaching the age of at least 17.

A Driver's License (SIM) serves as proof of competence, a regulatory tool, and a source of forensic data for the police regarding an individual who has passed the tests of knowledge and skill required to operate a motor vehicle on public roads, in accordance with the Traffic and Road Transportation Law. However, underage students are still frequently found driving vehicles on the road. This constitutes not only an administrative violation but also poses a potential risk of traffic accidents resulting in material loss and loss of life.

Under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, every case involving a child must prioritize the best interests of the child, a restorative justice approach, and diversion. Legal proceedings involving a child are tailored to the child's age and the severity of the offense committed.

Against this backdrop, this study aims to: (1) analyze the types of traffic violations committed by minors within the jurisdiction of the Simalungun Resort Police; (2) analyze the obstacles and issues involved in enforcing the law against minors who commit traffic violations; and (3) analyze the efforts and strategies implemented by the Simalungun Resort Police regarding the prevention of and law enforcement against traffic violations committed by minors. This research is expected to make a theoretical contribution toward fostering an environment of traffic security, safety, order, and smooth traffic flow within the jurisdiction of the Simalungun Resort Police.

Literature Review

1. Traffic Violations by Minors

Based on data from the National Police Traffic Corps (Korlantas Polri) for 2024, a total of 52,846 minors were caught in traffic enforcement operations for driving motorcycles or cars without a driver's license (SIM). The breakdown of traffic violators caught nationwide, categorized by age group from January to May 2024, is as follows:

AGE CLASSIFICATION OF TRAFFIC VIOLATORS IN INDONESIA (2024)					
AGE	≤ 17 Years	17-25 Years	26-45 Years	46-65 Years	Unknown
AMOUNT	52.846 Years	116.017 Years	115.314 Years	13.830 Years	266.831 Years
AMOUNT OF VIOLATORS	564.838 Years				

The three Regional Police (Polda) units recording the highest number of traffic violations committed by minors during enforcement operations are as follows:

- a. Polda Metro Jaya : 14.988 children;
- b. Polda Jawa Tengah : 9.398 children;
- c. **Polda Sumatera Utara : 5.105 children.**

This figure represents the number of violations detected during enforcement operations and is likely to increase, given that there may still be minors driving who were not caught. Common traffic violations committed by minors include not possessing a driver's license, failing to wear a helmet, disregarding traffic signs, and carrying more than one passenger.

2. Causes and Impacts of Traffic Violations by Minors

- a. **Family**
There is a phenomenon where parents take pride in their underage children driving motor vehicles, disregarding proper driving regulations and procedures. Furthermore, a lack of time to drive their children to school leads parents to grant them permission to operate motor vehicles on their own.
- b. **Facilities and Infrastructure**
Limited public transportation options and the distance between home and school are among the factors compelling children to ride their own motorcycles to school. Furthermore, there is a lack of adequate public transport alternatives.
- c. **Social Environment**
The public often views the operation of motor vehicles by minors as a normal occurrence. Furthermore, there is the issue of social circles and the involvement of underage youths in motorcycle gangs and illegal street racing.

3. Measures to Address Traffic Violations by Minors

Comprehensive measures to prevent and reduce offenses committed by minors are implemented through three approaches, comprising:

- a. A pre-emptive approach, namely by conducting outreach and issuing appeals involving stakeholders (community police officers, village-level military personnel, and community leaders) as well as the active participation of parents and teachers;
- b. A preventive approach, namely by intensifying traffic regulation, monitoring, and patrols in school zones and areas prone to illegal racing and traffic violations;
- c. A repressive approach, involving the increased deployment of personnel to conduct enforcement operations and take legal action through the issuance of traffic violation citations, whether manually or electronically (ETLE).

4. The Role of the Simalungun District Police in Addressing Traffic Violations by Minors

The Simalungun Resort Police comprises several key operational units, including the Traffic Unit. The primary duty of the Traffic Unit is to ensure traffic security, safety, order, and smooth flow through traffic regulation, guarding, escorting, and patrolling activities, as well as the enforcement of traffic laws.

To optimize the maintenance of public security and order, synergy and collaboration among various functions are essential particularly among key operational units such as intelligence and security, criminal investigation, public order and patrol (Samapta), and community policing.

Research Methodology

This study employs an empirical-juridical research method utilizing a statute approach to examine legal provisions governing traffic and child protection specifically Law Number 22 of 2009 concerning Traffic and Road Transportation and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System as well as a conceptual approach to analyze the concepts of law enforcement, child protection, and restorative justice. This research approach was selected to analyze the implementation of law enforcement strategies and measures undertaken by the Simalungun Resort Police regarding traffic violations committed by minors.

Data analysis was conducted using both quantitative and qualitative approaches, involving the processing of data in a descriptive and interpretative manner. A descriptive-analytical technique was employed to describe facts and data gathered in the field, followed by analysis based on applicable theories and legal regulations. The analysis process focused on data relevant to the research objectives. Data presentation involved organizing the information into a systematic narrative, while the conclusion involved formulating research findings based on the analyzed data and facts.

Results

1. Legal Provisions Regarding Children Who Commit Traffic Violations

Article 81, paragraph (2) Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan dan pasal 8 Peraturan Kepolisian Negara Republik Indonesia Nomor 5 Tahun 2021 tentang Penerbitan dan Penandaan Surat Izin Mengemudi (SIM) it is stated that to qualify for the issuance of a Class A, C, or D Driver's License (SIM), an individual must meet the minimum age requirement of 17 years and possess a Resident Identity Card (KTP).

Implementation of the child protection principles set forth in Article 3 Undang-Undang Nomor 11 Tahun 2012 It is emphasized that the juvenile criminal justice system must ensure the protection of the child, uphold the child's best interests, avoid retributive measures, and prioritize the child's rehabilitation and guidance. In cases where a traffic violation committed by a minor results in neither casualties nor material loss, an educational and rehabilitative approach is prioritized over excessive punishment, involving the child's parents in the resolution process.

According to Marcell Kurniawan, Training Director at The Real Driving Center (RDC), there are specific reasons why the minimum age for obtaining a driver's license is set at 17; at this age, an individual is considered physically, behaviorally, and mentally mature. A driver's license is not merely an administrative requirement but rather proof that a person possesses the competence and skills to operate a motor vehicle appropriate to its type and intended use.

The requirement for every motor vehicle operator to hold a Driver's License (SIM) aims to ensure that every driver possesses the necessary competence, knowledge, and skills. Minors who operate motor vehicles without a Driver's License violate established legal regulations and potentially endanger the safety of other road users.

Common traffic violations committed by minors include not possessing a driver's license, failing to wear a helmet, disregarding traffic signs, and carrying more than one passenger. Based on article 281 Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan, Motorists who do not wear a helmet compliant with the Indonesian National Standard (SNI) may be punished with imprisonment for a maximum of 4 (four) months or a maximum fine of Rp 1.000.000,-. Article 292 Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan namely, any person who rides a

motorcycle carrying more than one passenger may be punished by imprisonment for a maximum of 1 (one) month or a fine of up to Rp 250.000,-.

Every traffic accident begins with a traffic violation. Minors are highly likely to commit traffic violations potentially causing accidents and can end up as either victims or perpetrators.

2. Simalungun Resort Police Strategy to Prevent and Reduce Traffic Violations by Minors

The results of Operation Keselamatan Toba 2026 within the jurisdiction of the Simalungun Resort Police conducted by the Preemptive, Preventive, and Law Enforcement Task Forces with the aim of enhancing road safety and public compliance with traffic regulations are as follows:

NO	SATGAS	KEGIATAN	JUMLAH
1	Preemptive Task Force (Dikmas Lantas)	a. Public Outreach in Public Spaces	97 sessions
		b. Safety Awareness Raising (Saftey Riding)	382 sessions
		c. Distribution of Brochures	2.111 sessions
		d. Education through media	2.246 sessions
		e. Police Goes To School and Police as Friends of Children	26 sessions
		f. Traffic Community Development	55 sessions
		g. Dissemination of information on accident-prone and traffic-congested areas	206 sessions
2	Preventif Task Force	h. Patrol, regulation, guarding, and escort duties during high-risk hours	590 sessions
		i. Presence in black spot areas	162 sessions
		j. Visual inspection of the vehicle	47 sessions
		k. Ramp Check Inspection	16 sessions
3	Represif Task Force (Gakkum Lantas)	l. Traffic ticket	120 sessions
		m. Reprimand	284 sessions

Based on the data, 122 minors were found to have committed traffic violations; enforcement actions consisted of issuing traffic tickets to 18 individuals and warnings to 104 individuals..

The strategies employed by the Simalungun Resort Police to prevent and reduce the number of traffic violations committed by minors are as follows:

- a. Preemptive strategy, namely carrying out collaboration between operational implementing elements at the Simalungun Police between the Binmas Function and the Traffic Function and involving stakeholders such as community leaders, Babinsa, Bhabinkamtibmas to carry out :
 - 1) Guidance, outreach, and dissemination of information regarding traffic regulation compliance and road safety to community groups, schools, and road users;
 - 2) Collaborate and coordinate with relevant government agencies to support infrastructure and facilities including adequate public transportation, road conditions, and the installation of advisory signage;
 - 3) Conduct traffic education (safety riding) for organized groups and the general public.

- b. Preventive strategy: fostering collaboration among operational units within the Simalungun Resort Police specifically the Public Order (Samapta) and Traffic (Lantas) divisions while engaging stakeholders such as the Transportation Agency and the Simalungun Regency Public Order Agency (Satpol PP) to carry out:
 - 1) Traffic regulation and control;
 - 2) Supervision of road users to prevent and minimize the likelihood of traffic violations;
 - 3) Carry out enforcement in the form of advisories directed at motorists who violate traffic regulations;
 - 4) Patrols targeting areas around schools and locations frequently used for illegal street racing, with a priority focus on underage individuals. Additionally, patrols are conducted in areas prone to traffic congestion, violations, and accidents;
 - 5) Follow up on complaints or information from the public regarding traffic congestion, violations, and traffic accidents.
- c. Repressive strategy: implementing law enforcement through enforcement operations involving the TNI (Indonesian National Armed Forces), the Transportation Agency, and the Simalungun Regency Public Order Agency (Satpol PP). Enforcement actions include issuing traffic violation citations both manual and electronic (ETLE) as well as issuing "sympathetic warnings" to motorists caught committing traffic violations. Operations are targeted at locations prone to traffic violations and accidents.

3. Factors Influencing Strategy Effectiveness

This study identifies several factors influencing the effectiveness of the Simalungun Resort Police's strategies:

- a. Supporting Factors
 - 1) Horizontal Relationship: Synergy between the Simalungun Resort Police and the Simalungun Regency Government as an effort to prevent and reduce traffic violations committed by minors within the jurisdiction of the Simalungun Resort Police.
 - 2) Regulation: The application of restorative justice is regulated in Undang-Undang Nomor 1 Tahun 2023 tentang KUHP and Undang-Undang Nomor 20 Tahun 2025 tentang KUHP and Peraturan Kepolisian Negara Republik Indonesia Nomor 8 Tahun 2021 tentang Penanganan Tindak Pidana Berdasarkan Keadilan Restoratif.
 - 3) Vertical Relationship: guidance and directives from the traffic function supervisors namely the North Sumatra Regional Police Traffic Directorate and the National Police Traffic Corps serving as guidelines for the technical execution of duties by the Simalungun Resort Police Traffic Unit.
- b. Inhibiting Factors
 - 1) Simalungun Regency covers an area of approximately 4,372 km², comprising 32 districts with a population of around 1,051,845. Data from the Ministry of Education, Culture, Research, and Technology (Dapodik) indicates a student population of approximately 196,487. This situation presents a challenge in optimizing efforts to prevent traffic violations committed by minors. Furthermore, Simalungun Regency is a tourist destination that attracts a significant number of visitors from outside the area..
 - 2) Human Resources Aspect: The number of personnel is limited, and the availability of vehicles and supporting equipment at the Simalungun Resort Police remains very restricted.

- 3) Social Aspect: A permissive societal culture often views the operation of motor vehicles by minors as normal, compounded by limited community oversight that is unable to cover all areas optimally.

4. Analysis of the Simalungun Resort Police's Strategy from the Perspective of Legal Positivism

In this theory, the strategic focus lies on compliance with written regulations (statutes) and jurisprudence. This analysis is conducted to ensure that the tasks, activities, and policies being implemented do not violate existing provisions, possess a valid legal basis, and prioritize fairness and legal certainty.

The strategy implemented by the Simalungun Resort Police to prevent and reduce all forms of traffic violations by minors has proceeded smoothly and effectively. The deployment of personnel to areas and during time slots prone to traffic violations is considered highly effective in ensuring traffic order within the Simalungun Police jurisdiction.

However, sustained and active participation from parents and teachers remains essential to prevent traffic violations by minors and avoid repeat offenses. Stricter sanctions will be imposed on parents to enforce their supervisory responsibility, thereby preventing negligence and the recurrence of such violations.

Conclusion

Law enforcement regarding minors who commit traffic violations including those resulting in accidents causing casualties and damages must be carried out in accordance with Law Number 22 of 2009 concerning Traffic and Road Transportation and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, which mandate that every case involving a child must prioritize the principles of child protection, the best interests of the child, and a restorative justice approach.

The Simalungun Police Traffic Unit as the operational arm responsible for traffic-related activities consistently implements measures such as early-childhood traffic education, strengthened collaboration with schools, traffic law enforcement via both manual methods and Electronic Traffic Law Enforcement (ETLE), and the imposition of administrative sanctions on parents for allowing underage children to operate motor vehicles.

Given the various factors hindering efforts to optimize the prevention of traffic violations by minors, the Simalungun Resort Police have implemented the following measures:

- a. Addressing the situation across a wide area by engaging stakeholders at levels ranging from the village to the sub-district; additionally, involving the Simalungun Regency Education Office and school teachers in providing education and supervision to students, starting within the school environment;
- b. Human resource limitations can be addressed by leveraging the participation of village and sub-district officials, as well as *Bhabinkamtibmas* and *Babinsa* officers, to drive activities within their respective areas;
- c. Stimulate public awareness through road safety outreach activities conducted by the Simalungun Police Traffic Unit for both organized and unorganized groups to foster a constant concern regarding all forms of traffic violations.

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