



## Implementation of E-Tickets in the Prosecution of Traffic Violations in Denpasar City (A Study of the Ticket Hearing Process at the Denpasar District Court)

I Nengah Wirna<sup>1</sup>, A.A Sagung Poetri Paraniti<sup>2</sup>, Ida Bagus Anggapurana Pidada<sup>3</sup>

<sup>1</sup> Universitas Mahendradatta, Indonesia

<sup>2</sup> Universitas Mahendradatta, Indonesia

<sup>3</sup> Universitas Mahendradatta, Indonesia

**Corresponding Author:** Name, I Wirna Nengah E-mail; Wirnadotsugih@gmail.com

### Article Information:

Received October 1, 2023

Revised October 8, 2023

Accepted October 13, 2023

### ABSTRACT

The development of the times makes everything no longer need to be done manually. This provides convenience to all parties in doing work, including traffic police. Nowadays, the police no longer need to ticket traffic violators directly. The police can simply give an e-ticket to the offender. E-tickets are the application of tickets that only use photographic evidence on cellphones. This research examines the implementation of e-ticketing in traffic violation court hearings in Denpasar City and the legal consequences arising from the use of e-ticketing. Using a normative-empirical legal approach, this study analyzes the system of traffic violation enforcement using Electronic Traffic Law Enforcement (ETLE) and the implementation of e-ticketing in court hearings. The findings show that e-ticketing has successfully improved the effectiveness of law enforcement and compliance with traffic regulations. The sanctions imposed on violators are based on applicable laws, including fines and administrative measures. This research also highlights the importance of professional and non-discriminatory law enforcement, as well as public awareness of the importance of traffic safety.

**Keywords:** *E-Ticketing, Denpasar City, Traffic Violation Enforcement*

Journal Homepage <https://journal.ypidathu.or.id/index.php/solj/oai>

This is an open access article under the CC BY SA license

<https://creativecommons.org/licenses/by-sa/4.0/>

How to cite:

Wirna, I. N., Paraniti, A. A. S. P., Pidada, I. B. A. (2023). Implementation of E-Tickets in the Prosecution of Traffic Violations in Denpasar City (A Study of the Ticket Hearing Process at the Denpasar District Court). *Sharia Oikonomia Law Journal*, 1(4). 221-240 <https://doi.org/10.55849/solj.v1i4.604>

Published by:

Yayasan Pendidikan Islam Daarut Thufulah

## INTRODUCTION

In everyday life, humans often carry out various legal activities that have consequences that can be legally accounted for or recognized by the state (Mead, 2019;

Metzger dkk., 2019; Waluś dkk., 2018). Law is a system of rules that are considered binding and recognized by the ruler, government, or legal authority (Atangana, 2018; Blancon dkk., 2018; Salim dkk., 2018). The concept of the rule of law regulates that the actions and behavior of society must be based on law to create order and legal certainty (Ginsburg, 2020; Hildebrandt, 2018; Howard dkk., 2018). One of the problems that often occurs in everyday life is traffic violations, which often become a culture among the community. These traffic violations are in the spotlight, and every time an orderly traffic operation is carried out, many cases of violations are caught (Li dkk., 2020; Lucidi dkk., 2019; Rezapour & Ksaibati, 2018). To address this, the government has issued Law No. 22/2009 on Road Traffic and Transportation.

One of the important principles in the Law on the establishment of laws and regulations is clarity of formulation. What is meant by "the principle of clarity of formulation" is that every legislation must fulfill the technical requirements for the preparation of legislation (Velázquez Elizarrarás, 2021). Every violation of law that occurs must be dealt with by law enforcement officials with a professional attitude and uphold the human rights of the community (Amadasun, 2020; Harrington, 2018; Peters, 2018). The role of law enforcers determines the process of law enforcement in a country, because no matter how good the rule of law is made, if the quality of law enforcers is not good, it will hamper the implementation of law enforcement.

In an effort to enforce the law against traffic violations, the concept of e-tickets has emerged. E-ticketing is the digitization of the ticketing process by utilizing technology, which is expected to make the ticketing process more efficient and effective (Rasyid dkk., 2019; Subramanya dkk., 2023; Truong, 2021). This e-ticket application involves the police and the prosecutor's office, where the police use this application on a tablet computer with an Android operating system, while the prosecutor's office uses a website-based system (Subramanya dkk., 2022; Susanto dkk., 2018; Tripathi dkk., 2022). Although e-tickets have advantages in cracking down on traffic violations, there are still obstacles and potential irregularities in its implementation. Therefore, there is a need for strict supervision and control in the use of this system, as well as better public understanding and awareness of the importance of obeying traffic regulations. Law enforcement must be carried out professionally and non-discriminately against anyone, so as to maintain public trust in legal institutions and the state.

However, even though e-tickets have been introduced, there are still many people who choose to follow the court route in prosecuting traffic violations. Traffic violations are included in minor criminal offenses that are examined under a speedy trial procedure, as stated in Article 205 paragraph (1) of the Criminal Procedure Code which reads, "To be examined according to the examination procedure for minor criminal offenses are cases punishable by imprisonment or confinement for a maximum of three months and/or a fine of up to seven thousand five hundred rupiahs." This is related to the amount of the fine given, where the public is allowed to follow the trial process if the fine given through e-tickets is too large.

The definition of a minor criminal offense must be formally examined with a minor criminal investigation procedure. The measure that serves as a benchmark to determine whether a case should be examined under a misdemeanor procedure is generally based on the threat of the crime charged, which is a maximum of three months imprisonment or confinement and/or a maximum fine of Rp.7,500.00, without prejudice to the exception of the crime of minor insult formulated in Article 315 of the Criminal Code. Article 211 of the Criminal Procedure Code states that cases examined under the speedy examination procedure are certain cases against road traffic laws and regulations. Based on this article, road traffic cases are cases involving violations of road traffic laws and regulations (Dzhambov & Dimitrova, 2018; Zhu, 2020). What is meant by "certain cases of violations" of road traffic laws and regulations is explained in the explanation of Article 211 itself. This e-ticket system is actually a benefit for people who violate traffic, but there are still many people who still choose to go through the trial route in prosecuting traffic violations. By considering the above understanding, the legal issues contained in this research are about traffic violations and the use of the e-ticket application as a law enforcement effort through the trial route.

The trial track in this context refers to the process of law enforcement against traffic violations carried out through the court process. In this process, law enforcement officers such as the police will take action against traffic violations, then violators will be sanctioned or tried through the court (Jassal, 2020; Menifield dkk., 2019; Railey dkk., 2020). This is different from the use of the e-ticket application, where traffic violations can be directly dealt with through electronic fines paid through the application without having to go through a trial process (Aboud & Jabbar, 2018; Kazi dkk., 2018). Nevertheless, violators still have the right to a trial process if they disagree with the action taken through the e-ticket application or if they want to defend themselves in the trial. Therefore, a better understanding of the implementation of e-tickets in traffic violation enforcement hearings is needed, as well as the legal consequences arising from the use of e-tickets. In the context of Denpasar City, the implementation of e-tickets and trial channels in the prosecution of traffic violations is a concern. Therefore, this study aims to examine the implementation of e-tickets in the trial of traffic violations in Denpasar City, as well as the legal consequences arising from the use of e-tickets. Through a better understanding of the implementation of e-tickets, it is expected to improve law enforcement against traffic violations and create a sense of fairness in the prosecution of these violations.

## **RESEARCH METHODOLOGY**

The type of legal research used is normative-empirical legal research. The approach used in reviewing this problem involves a statutory approach that includes various concepts related to the topic being discussed, as well as a case approach that involves analyzing cases that have been decided. Furthermore, the technique of collecting legal materials in this research uses literature study. Legal material analysis techniques using descriptive methods.

## **RESULT AND DISCUSSION**

### **Traffic Violation Enforcement System in Denpasar City**

The traffic violation enforcement system in Denpasar city has been a significant effort in addressing traffic compliance issues and improving road safety. In an effort to improve driver discipline, the Denpasar city government has launched a sophisticated system involving modern technology and strict supervision. The system consists of a series of traffic monitoring cameras installed at various strategic points across the city. These cameras are equipped with vehicle license plate recognition technology, which allows them to automatically detect and record violations that occur. Whether it's running a red light, breaking the speed limit, or performing dangerous maneuvers, the system is able to identify violations quickly and accurately. In line with this understanding, according to the Head of Public Relations (Kabid Humas) of the Bali Police, Kombesanus Satake Bayu Setianto, there are a number of violations that can be caught by ETLE cameras. Including violations of not wearing helmets for motorists to violating traffic signals. "The Bali Regional Police (Polda) now has an electronic ticketing camera or Electronic Traffic Law Enforcement (ETLE). Currently there are a total of 10 ETLE cameras installed in the South Denpasar, Kuta to South Kuta areas. Apart from static ETLE cameras, Bali Police now also has 39 mobile ETLE cameras".

ETLE (Electronic Traffic Law Enforcement) is an electronic ticketing system implemented to crack down on traffic violations on the highway (Anggia dkk., 2022; Hidayat dkk., 2022). This system has two types, namely static ETLE and mobile ETLE. Static ETLE refers to fixed cameras and monitoring devices installed on certain road sections. These cameras are connected to a vehicle license plate recognition system capable of detecting traffic violations, such as running a red light or breaking the speed limit. When a violation is detected, the system automatically takes photos or records video as evidence, which can then be used to sanction the violator.

Meanwhile, mobile ETLE refers to ETLE devices carried by traffic officers in carrying out their duties. Officers can carry ETLE devices while at surveillance posts at road intersections or while patrolling the streets. These devices are also equipped with cameras and vehicle license plate recognition systems similar to static ETLE. When a violation is detected, officers can immediately take photos or record videos as evidence to sanction violators. To be able to distinguish static ETLE and mobile ETLE can be seen in the picture below:

Figure 3.1 ETLE Statically



Source: processed from Polda Bali data

Figure 3.2 Mobile ETLE



Source: processed from Polda Bali data

The main objective of implementing ETLE is to reduce the number of traffic violations and facilitate enforcement by using a more efficient and accurate ticketing system. By using sophisticated technology, ETLE can identify violations quickly and collect valid evidence. This also helps reduce the practice of illegal levies that may be carried out by officers, because the ticketing process becomes more transparent and documented. By implementing ETLE, it is hoped that the level of motorist compliance with traffic rules will increase, thereby creating a safer and more orderly road environment. The use of technology in prosecuting violations can also increase the efficiency of law enforcement, so that officers can focus on more serious violations.

Once a violation is detected, the system automatically generates validated evidence in the form of photos or video footage showing the violation committed. This evidence is then sent to law enforcement officials, who can take appropriate action in accordance with applicable laws. In addition, the system is also equipped with a centralized database that records each violation and related data. This allows authorities to conduct effective analysis and monitoring of traffic violation trends. With this information, they can identify areas with high violation rates and take appropriate preventive measures, such as increased warning signs or deployment of additional traffic police.

The traffic violation enforcement system in Denpasar city has brought about significant changes in driver behavior and awareness of traffic rules. Through the use of advanced technology and close supervision, the system has created a safer and more orderly road environment. This is a positive step in the effort to create a strong traffic safety culture and reduce the number of accidents in Denpasar City. In addition to the use of technology and strict surveillance, the traffic violation enforcement system in Denpasar City also incorporates a prevention and education approach. The city government works with relevant agencies and communities to organize public awareness campaigns on the importance of following traffic rules and reducing violations.

The campaign involves educating the public on the dangers of traffic violations, possible legal consequences, and the importance of road safety. The public is provided with information on traffic rules, traffic signs, and safe driving practices. In addition, the education program is also aimed at students in schools to form a strong awareness of traffic rules from an early age. Over the past few years, the results of the Traffic

Violation Enforcement System in Denpasar City have been visible. The rate of traffic violations has decreased significantly, which has a positive impact on driving safety and comfort. Drivers are more aware of traffic rules, respect red lights, obey speed limits, and avoid dangerous behavior.

In addition, the implementation of this system has also improved the efficiency of law enforcement. With automated, verified evidence, the process of enforcing violations has become faster and more effective. This allows law enforcement officers to focus on more serious offenses and reduces the administrative burden associated with prosecuting traffic violations. Overall, the traffic violation enforcement system in Denpasar City is a progressive step in creating better traffic compliance and improving road safety. Through a combination of technology, surveillance, prevention, and education, the system has successfully created a culture of awareness and compliance with traffic rules in the community. It is hoped that these efforts will continue to be scaled up and serve as an example for other cities facing similar traffic challenges.

Furthermore, the enforcement system for traffic violations in Denpasar City also applies a strict sanction system for traffic violations. Violators are fined according to the level of offense committed. These fines are set based on applicable regulations and aim to provide a deterrent effect to violators. In addition to fines, the system also considers the imposition of non-financial sanctions. For example, for repeat offenders, authorities may impose administrative sanctions such as revocation of driving licenses or delays in obtaining new licenses. These measures aim to make offenders aware of the seriousness of their offenses and encourage them to change their unsafe driving behavior.

To improve the effectiveness of the system, the Denpasar city government also regularly evaluates and updates the technology used. This is done to ensure that the system can still detect and record violations with high accuracy, and produce valid and verified evidence. The use of the latest technology also helps in overcoming various challenges that may arise, such as bad weather or difficult road conditions. In addition, the system also enables more comprehensive data collection on traffic violations. This data can be used by city governments and related agencies to conduct more in-depth analysis on traffic compliance, violation patterns, and factors affecting road safety. The results of this analysis can be used to design more effective policies to increase traffic awareness, optimize road infrastructure, and reduce the risk of accidents.

Denpasar City's traffic violation enforcement system is a clear example of the government's commitment to creating a safer and more orderly road environment. By combining technology, law enforcement, preventive approaches, and public education, the system has brought about a positive change in the city's traffic safety culture. It is hoped that these efforts will continue to be scaled up and adopted by other cities as an important step in creating better traffic and reducing the number of accidents throughout Indonesia.

### **Implementation of E-Tickets in Traffic Violation Enforcement Session in Denpasar City**

The implementation of e-tickets in traffic violation hearings in Denpasar City has brought significant changes in the law enforcement process and handling of violation cases. The e-ticket system combines modern technology with an efficient legal process to provide justice to traffic violators. Once the violation is recorded by the e-ticket system, the verified electronic evidence is sent to the competent authority for a hearing. The traffic violation hearing is conducted electronically, where both the reported party and the law enforcement officer can participate through a digital platform. These e-ticket hearings bring many advantages, such as a reduction in time and costs associated with traditional hearings. Offenders can attend the hearing through the digital platform, saving time and travel costs. In addition, the system also speeds up the legal process by reducing overlapping court schedules and enabling faster case resolution.

In an e-ticket hearing, violators have the opportunity to provide defense and clarification of the alleged violation. They can submit their arguments in writing through the system provided, and law enforcement officers can also provide responses and considerations through the same platform. After the e-trial process, the decision or verdict will be announced online to the reported party. If found guilty, the reported party will receive sanctions in accordance with applicable regulations. The sanctions can be in the form of fines or administrative actions such as restrictions or revocation of driving licenses. For an explanation of information related to traffic violators at the Denpasar District Court, please see the following:

### Figure 3.3 Information for Offenders

1. Pelanggar tidak perlu lagi mengikuti sidang Tilang di Pengadilan Negeri Denpasar.
2. Perkara Lalu Lintas (Tilang) diputus hari Senin (Polresta & PJR) dan Kamis (Polres & DLLAJ Timbangan) setiap minggunya.
3. Untuk mengetahui denda tilang, Pengadilan Negeri Denpasar memberikan fasilitas kemudahan yaitu :
  1. Pelanggar cukup mengetikkan Nomor Kendaraan / NOMORTILANG pada fasilitas pencarian pada aplikasi SIPP (Sistem Informasi Penelusuran Perkara).
  2. dst....
4. Untuk pembayaran denda tilang dan pengambilan barang bukti, pelanggar cukup datang ke kantor Kejaksaan Negeri Denpasar.
5. Denda Tilang yang dibayarkan akan disetorkan sebagai pendapatan Negara Bukan Pajak.
6. Bagi para pelanggar wajib untuk melaksanakan **Point 3** agar mendapatkan informasi yang benar tentang apakah Perkara Tilang sudah diputus atau belum oleh Pengadilan Negeri Denpasar, apabila NOMORTILANG pelanggar tidak ada dalam daftar sesuai dengan tanggal putusan yang ditentukan, maka yang bersangkutan bisa langsung menghubungi pihak terkait (Pihak Kepolisian atau DLLAJ).

Source: Denpasar District Court data

The application of law in traffic offense cases through the conventional ticketing model and the e-ticket system model is basically the same (van Weezel, 2018). The difference lies in the presence of the violator in the court session. In the e-ticket system, the violator is not required to attend the hearing unless the violator files an objection to the determination or decision on deprivation of liberty. This is done as an effort to reduce the practice of brokering in traffic ticket cases, which often involves unauthorized persons from traffic violators. Instead, the violator simply pays the ticket fine in cash or electronically to the Prosecutor's account through the designated bank (BRI). After that, the violator can collect the evidence at the local Prosecutor's Office by showing proof of payment of the fine. The list of traffic violation case files is submitted

electronically (online) from the investigator three days before the ticket hearing. The determination or verdict of the traffic ticket case is published on the notice board or website of the local district court on the day of the hearing. The content of the determination or decision includes a list of names of violators, allegations of violations, determination of violation fines, and the names of judges and substitute clerks. With the implementation of e-tickets in traffic violation trials, the legal process becomes more transparent, efficient and easily accessible to violators. This system also reduces direct interactions and the potential for illegal levies (extortion) during the enforcement process. This creates better justice and increases public trust in the law enforcement system in Denpasar City.

Through a combination of technology and enforced justice, the implementation of e-tickets in trials for prosecuting traffic violations in Denpasar City helps create a safer, more disciplined and orderly traffic environment. Apart from the benefits mentioned previously, the implementation of e-ticketing in traffic violation prosecution trials in Denpasar City also provides several additional benefits. First, the e-ticket system ensures consistency in the application of the law. E-ticket hearings are conducted digitally using clearly recorded data and electronic evidence. This reduces the potential for human error or different interpretations in the enforcement process. Hearing decisions are based on objectively recorded facts, providing more precise and consistent justice for offenders. Second, the implementation of e-tickets simplifies the administration and data management process. With the use of a digital system, data processing of traffic violations becomes more efficient and structured. Information regarding violations, witnesses, evidence, and decisions can be stored properly in a centralized database. This facilitates data search, statistical monitoring, and analysis for better policy making related to law enforcement and traffic safety in the future. Third, e-tickets provide easy access and participation for violators. With the electronic hearing, offenders can attend the hearing without having to be physically present at the court venue. This allows them to fulfill their legal obligations more easily, especially if they are out of town or have time and mobility constraints. This more flexible e-ticket hearing also minimizes disruption to offenders' daily routines.

The implementation of e-tickets has the potential to reduce the practice of illegal levies (extortion) in the prosecution of traffic violations. With an automated digital system, the enforcement process becomes more transparent and well-documented. This reduces opportunities for manipulation or unauthorized levies by unscrupulous officers. The systematized and recorded implementation of e-tickets also helps create public trust in fair and professional law enforcement. With these benefits, the implementation of e-tickets in traffic violation hearings in Denpasar City has created a more efficient, fair, and transparent process. This system supports the government's efforts to increase traffic awareness, driver discipline, and create a safer and more orderly road environment for the entire community.

In addition to the previously mentioned benefits, the implementation of e-tickets in traffic violation hearings in Denpasar City also has a positive impact in several other

aspects. First, e-tickets help reduce the administrative burden for law enforcement officers and the judicial system. With the hearing process conducted electronically, the time and effort required to collect evidence, present witnesses, and schedule physical hearings becomes more efficient. This gives law enforcement officers more time to focus on handling more complex or serious cases, as well as speeding up the overall case resolution process. Second, e-tickets support environmental sustainability by reducing paper usage. In traditional court proceedings, printed documents are often required which require the use of large amounts of paper. In an e-ticket hearing, most of the process is done digitally, reducing paper consumption and negative impacts on the environment. This is in line with efforts to encourage more environmentally friendly and sustainable practices. Third, e-tickets increase public confidence in the justice system. With a transparent, objective, and well-documented system in place, the public has confidence that the process of prosecuting traffic violations is fair and there is no room for abuse or unfair treatment. This helps strengthen public trust in the government and the legal system as a whole.

The implementation of e-tickets in traffic violation enforcement hearings reflects the application of advanced and innovative technology in law enforcement. The application of technology in the trial process shows the government's seriousness in adopting technological developments to improve efficiency, accuracy, and fairness in handling traffic violations. It can also provide examples and inspiration for other regions in adopting similar technological solutions to improve their justice system. Overall, the implementation of e-tickets in traffic violation hearings in Denpasar City provides significant benefits, ranging from administrative efficiency, environmental sustainability, public trust, to the use of advanced technology. By continuing to develop and improve this system, it is expected that traffic law enforcement can be more effective and have a greater positive impact on road safety and order in Denpasar City.

The implementation of e-tickets in court hearings for traffic violations in Denpasar City refers to various rules and articles related to the justice system in Indonesia. One of the relevant legal bases is Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP). KUHAP regulates the procedures for conducting criminal court hearings, including in the case of traffic violations that are dealt with through the e-ticket system. Some articles related to criminal court proceedings include: 1) Article 50: Sets out the general procedure of the trial, including the reading of the indictment, the examination of witnesses, and the defendant's defense. 2) Article 55: Explains the examination of witnesses, including how to call witnesses, the obligation to provide testimony, and cross-examination by the defendant or his lawyer. 3) Article 183: Regulates evidence in court, including the obligation of proof for the public prosecutor to prove the guilt of the defendant in the traffic offense charged.

Electronic ticketing procedures are regulated in Government Regulation (PP) No. 80/2012 concerning Procedures for Inspection of Motor Vehicles on the Road and Enforcement of Road Traffic and Transportation. Article 28 paragraphs (1-4) of PP 80/2012 regulates the procedure for delivering tickets to violators. In the event of an

LLAJ violation detected through electronic equipment recording, Police Officers or Civil Servant Investigators (PPNS) in the field of Road Traffic and Transportation are authorized to issue a ticket. The ticket must be attached with evidence of electronic law enforcement equipment recording and delivered to the violator as a notification and summons to appear in a court hearing. If the violator cannot fulfill the summons to appear in the court session, the violator can deposit the fine money through a bank appointed by the Government.

Technically, the electronic ticketing process also involves the court, which is regulated by Supreme Court Regulation (Perma) No. 12/2016 on Procedures for Settlement of Traffic Violation Cases. This regulation explains that Electronic Traffic Violation Case Settlement is a judicial process for traffic violation cases that is held in an integrated electronic-based manner through the support of information systems and technology. Courts are required to hold traffic violation case hearings at least once a week. The trial of traffic offense cases can be conducted without the presence of the violator.

The stages of the electronic ticket hearing regulated in the Perma consist of three stages. The first is the pre-trial stage where the court receives the case file accompanied by a cover letter and a list of traffic violation cases from the Investigator at least 3 days before the trial. Subsequently, court officers/employees verify the data contained in the file. (Article 19 paragraph (2) PKS Number 03/KMA/IX/2021). Second is the trial stage. The appointed judge opens the hearing and decides the case without the presence of the violator. The determination/decision containing the amount of the fine pronounced by the judge is announced on the day of the hearing at 08.00 local time. The announcement of the fine determination/decision is made through the official website and court notice board. Offenders who disagree with the stipulation/decision of deprivation of liberty may file an appeal on the same day. (Article 19 paragraph (3) of MCC Number 03/KMA/IX/2021). Third is the post-trial stage. The implementation of the decision in traffic violation cases is carried out by the prosecutor. The violator pays the fine in cash or electronically to the Prosecutor's account and retrieves evidence such as vehicle registration at the Prosecutor's office by showing proof of payment of the fine. Data on offenses that have been decided by the judge are entered into the court's Case Tracking Information System (SIPP) and uploaded on the court's official website. The court clerk prepares a recapitulation report of the trial results signed by the Chief Justice and uploaded on the court's official website. (Article 32 paragraph (1) PKS Number 03/KMA/IX/2021).

The electronic ticketing process follows the rules and procedures stipulated in Government Regulation No. 80/2012 and Supreme Court Regulation No. 12/2016. The ticket hearing stages include the pre-trial stage, the trial stage, and the post-trial stage. In this process, the police officer or PPNS issues a ticket, the court holds a hearing, the judge decides the case, and the prosecutor executes the decision. All of these processes are carried out with the support of information systems and technology for efficiency and transparency. In the context of relevance to the theory of authority and the source of

authority, the implementation of e-tickets in court hearings for traffic violations in Denpasar City involves aspects of the authority given to law enforcement officers and the source of authority that is the legal basis for the implementation of e-tickets.

The theory of authority is a concept that refers to the right or authority given to individuals or institutions to take action or make decisions. In this case, law enforcement officers who implement e-tickets have the authority to take action against traffic violations based on laws governing traffic and law enforcement in Indonesia. The source of authority in the implementation of e-tickets can be found in various regulations and related laws, such as Law No. 22/2009 on Road Traffic and Transportation. This law provides a source of authority to law enforcement officers to take action against traffic violations. In addition, there are also local regulations and local policies that are the source of authority in the implementation of e-tickets in Denpasar City.

In the context of e-tickets implementation, law enforcement officers equipped with ETLE (Electronic Traffic Law Enforcement) devices are given the authority to identify traffic violations, collect electronic evidence, and send the evidence to the competent authority for a court hearing. This authority is given based on existing sources of authority, such as laws and regional regulations governing the prosecution of traffic violations. With the theory of authority and the source of authority, the implementation of e-tickets in court hearings for traffic violations in Denpasar City can be carried out legally and in accordance with applicable regulations. Law enforcement officers have the authority stipulated by existing laws and sources of authority, so that the implementation of e-tickets can be carried out with a strong legal basis and provide legal certainty for traffic violators.

In addition, the implementation of e-tickets in court hearings for traffic violations in Denpasar City is closely related to legal implementation theory. Legal implementation theory is an approach that studies how laws are applied and implemented in the practice of everyday life, including in the judicial process. In the context of e-tickets, legal implementation is carried out through the use of technology and electronic systems for the prosecution of traffic violations. This reflects the efforts of the government and judicial institutions in applying the law effectively, efficiently, and accurately. Through e-tickets, the process of enforcing traffic violations becomes more standardized and transparent. The e-ticket system allows law enforcement officers to automatically detect and record traffic violations with the help of technology, such as cameras and electronic devices. The collected evidence is then used in court hearings to strengthen the prosecution's case.

In the theory of law implementation, there are several factors that influence the success of law implementation, including the availability of resources, institutional support, officer competence, and community participation. In the context of e-tickets, these factors also play an important role. The government and related institutions need to ensure the availability of adequate technological resources, involve relevant institutions to support the implementation of e-tickets, and train law enforcement

officers on the use of technology and related judicial processes. The implementation of e-tickets in traffic violation court proceedings in Denpasar City also strengthens aspects of accountability and fairness in the justice system. The use of technology allows for more objective and well-documented evidence, reducing the risk of manipulation or errors in case handling. This provides confidence to the public that the law is applied fairly and every violation will get the appropriate sanction.

Thus, the implementation of e-tickets in court hearings for traffic violations in Denpasar City reflects a concrete effort in applying the law through the use of technology and strengthening effectiveness, efficiency, and justice in handling traffic violation cases. The theory of legal implementation provides an important basis for understanding the dynamics and challenges in the implementation of e-tickets, so that it can continue to be improved and optimized for better law enforcement success.

### **Sanctions for Violations of E-Ticket Implementation in the Traffic Violation Enforcement Session in Denpasar City**

In the implementation of e-tickets in court hearings for traffic violations in Denpasar City, the sanctions given to violators are based on the relevant rules and articles in Indonesian traffic law. The purpose of these sanctions is to provide a deterrent effect to violators, increase awareness of traffic rules, and encourage discipline in traffic (Kamanga dkk., 2021; Martí-Belda dkk., 2019). Sanctions for violations in the implementation of e-tickets in court hearings for traffic violations in Denpasar City are based on various relevant rules and articles in Indonesian traffic law. Some of the relevant rules and articles are as follows: First, Law Number 22 of 2009 concerning Road Traffic and Transportation: 1) Article 288: Explains the administrative sanctions that can be given to traffic violators, including fines and administrative actions. 2) Article 293: Regulates the sanction of restriction or revocation of driving license for certain traffic violators. Second, Government Regulation No. 43 of 1993 on the Implementation Regulations of Law No. 22 of 2009 on Road Traffic and Transportation: 1) Article 289: Explains the fines that can be given to traffic violators. 2) Article 291: Stipulates the sanction of restriction or revocation of driving license for certain traffic violators.

The sanction given in an e-ticket court hearing will be determined by the judge based on the evidence and arguments presented in the trial. The judge will refer to the relevant rules and articles in traffic law, as well as other relevant considerations in making a decision. The application of e-tickets in traffic violation court hearings in Denpasar City is a system based on the relevant rules and articles in traffic law in Indonesia. The main purpose of the application of this violation sanction is to provide a deterrent effect to violators, increase awareness of traffic rules, and encourage discipline in traffic.

The sanctions applied in e-tickets refer to Law Number 22 Year 2009 on Road Traffic and Transportation. Article 288 of this law describes the administrative sanctions that can be given to traffic violators, including fines and administrative actions. This allows judges to impose fines or other administrative measures on

violators. In addition, Article 293 of the same law provides for the sanction of restriction or revocation of driving licenses for certain traffic offenders. Thus, judges can decide to limit or revoke driving licenses for violators who commit serious and repeated offenses.

Furthermore, Government Regulation Number 43 of 1993 concerning Implementation Regulations of Law Number 22 of 2009 concerning Road Traffic and Transportation is also a reference in determining sanctions. Article 289 of this regulation explains the fines that can be given to traffic violators. The judge can determine the amount of the fine according to the offense committed. Just like Article 293 in the law, Article 291 in this regulation also regulates the sanction of restriction or revocation of driving licenses for certain traffic violators. In an e-ticket court hearing, the sanction given by the judge will be based on the evidence and arguments presented in the trial. The judge will consider the relevant rules and articles in the traffic law, as well as other relevant considerations to make a decision. The sanctions imposed aim to enforce traffic rules, provide a deterrent effect for violators, and increase awareness and discipline in traffic.

#### **Law Enforcement and Compliance of E-Ticket Implementation in Traffic Violation Enforcement Session in Denpasar City**

Law enforcement and compliance in the implementation of e-tickets in court hearings for traffic violations in Denpasar City are important aspects in maintaining traffic order and safety. The implementation of e-tickets, which combines technology with the judicial process, aims to improve compliance with traffic rules and ensure fair law enforcement (Puspita Sari & Hendriana, 2019; Robertson dkk., 2022; Sutandi, 2021). In the context of law enforcement, the implementation of e-tickets provides advantages in identifying violations efficiently and objectively. The technological systems used in E-Tilang, such as cameras and electronic devices, assist law enforcement officers in detecting violations more accurately and collecting valid evidence. This strengthens legal certainty and provides a solid foundation in court hearings.

The implementation of e-tickets also plays an important role in encouraging compliance with traffic rules. With a system that can automatically detect violations, the public becomes more aware of the consequences of violations committed. This system provides a deterrent effect and increases awareness of the importance of obeying traffic rules. Along with that, public compliance with traffic rules is expected to increase, creating a safer and more orderly traffic environment. Basically, the judicial process in cases of traffic and road transportation violations with the e-ticket system carried out in the District Court runs in an orderly manner and according to the existing SOP. This is because the police and the prosecutor's office are always updating the system so that the public can carry out the judicial process for traffic violations cases more easily and not as complicated as the public has thought so far and also to suppress the practice of brokers in the judiciary.

The judicial process related to traffic and road transportation violations with the e-ticket system at the Denpasar District Court is running well and in accordance with the Standard Operating Procedures (SOP) that have been set. Clients involved in the process provided positive feedback on various aspects of the system. First, the service provided by the Denpasar District Court is considered good and transparent. This shows that the judicial process is carried out professionally and provides trust to the parties involved. Secondly, the e-ticket system is considered to provide convenience for clients in tracking and understanding their judicial process. With an electronic basis, the necessary information can be accessed more easily, thus facilitating the participation and understanding of the parties to their case. Third, the efficiency of the judicial process caused by the e-ticket system is also one of the advantages appreciated by clients. By reducing convoluted bureaucracy, the process can be completed more quickly and efficiently. Fourth, the handling of cases by judges and officers of the Denpasar District Court was appreciated by several clients. They felt that the decisions made by the court were based on the facts and applicable law, indicating that the judicial process was objective.

In addition, in court hearings, law enforcement is conducted through a fair and transparent process. Electronic evidence collected through e-tickets becomes the basis in proving the offense committed. The judge, by considering the evidence, will hand down a verdict that is in accordance with the applicable rules and articles. This confirms that law enforcement is conducted with integrity and based on the principles of justice. It is important to note that the success of law enforcement and compliance in the implementation of e-tickets does not only depend on the technology and systems used, but also involves active cooperation between the government, law enforcement agencies, and the community. The government needs to provide education and awareness to the public regarding the importance of traffic rules, sanctions for violations, and the benefits of complying with these rules. Law enforcement and compliance in the implementation of E-Tilang in court hearings for traffic violations in Denpasar City are complementary. Through the use of technology and a fair judicial process, it is expected to create better compliance with traffic rules, maintain traffic safety and order, and encourage awareness of the importance of traffic order for the community as a whole.

In order to continue law enforcement and compliance in the implementation of e-tickets in court hearings for traffic violations in Denpasar City, there are several steps and efforts that can be taken: 1) Counseling and education: The government and related institutions can conduct counseling and education campaigns to the public regarding the importance of traffic rules, the consequences of violations, and the benefits of complying with these rules. Effective counseling can help increase public awareness and understanding of the importance of safe and orderly traffic. 2) Increased surveillance: law enforcement officers need to conduct strict surveillance of traffic violations. By using e-ticket technology, violations can be detected more efficiently. Active and consistent supervision can have a preventive effect and minimize traffic

violations. 3) Fast and fair handling: The process of prosecuting traffic violations through e-tickets must be carried out quickly and fairly. Once a violation is detected, efficient and transparent handling needs to be done to ensure that the violation is sanctioned in accordance with the law. This can provide a sense of justice to the public and encourage further compliance. 4) Inter-agency collaboration: Close collaboration between local government, police, courts, and other relevant agencies is essential in maintaining law enforcement and compliance in the implementation of E-Tilang. Good coordination between these agencies can ensure synergy in the enforcement of traffic violations and provide comprehensive support in the judicial process. 5) System evaluation and improvement: It is important to continuously evaluate and improve the e-ticket system in the implementation of traffic violation enforcement court proceedings. This may involve technical evaluation of the infrastructure and technology systems used, as well as evaluation of the judicial process, including the smoothness and fairness of case handling. Thus, the system can be continuously improved and enhanced to achieve more effective law enforcement and better compliance. With these steps, it is expected that law enforcement and compliance in the implementation of e-tickets in court hearings for traffic violations in Denpasar City can be further improved. This will contribute to creating a safer, more orderly, and disciplined traffic environment for the people of Denpasar City. Law enforcement and compliance in the implementation of e-tickets in court hearings for traffic violations in Denpasar City are closely related to the theory of the rule of law. The theory of the rule of law is a concept that states that the state must be based on the law, exercise power based on a fair rule of law, and provide equal legal protection for all its citizens.

In the context of e-tickets, the application of the rule of law is seen in several aspects: 1) Principle of legal certainty: e-tickets provide legal certainty for the public regarding the consequences of traffic violations. Clear rules and procedures in the implementation of e-tickets, including court hearings, ensure that law enforcement is carried out based on established rules. This principle of legal certainty provides assurance to the public that they will be treated fairly and that each violation will receive consistent handling. 2) Justice and equality before the law: in the implementation of e-tickets, court hearings play an important role in carrying out the principle of justice. Every violator has an equal opportunity to provide a defense and put forward their arguments in front of the judge. In addition, evidence collected through e-tickets provides an objective basis for judges to make decisions. The principle of equality before the law is realized through equal treatment for all offenders. 3) Protection of human rights: the implementation of e-tickets in court hearings for traffic violations in Denpasar City must also ensure the protection of human rights. Judges in court hearings must ensure that the judicial process takes place in accordance with human rights principles, such as the right to a proper defense, the right to humane treatment, and the right to privacy guaranteed by law. 4) Transparency and accountability: the implementation of technology-enabled e-tickets provides transparency in law enforcement. Electronic evidence collected and used in court

hearings provides a documented and objectively verifiable basis. This strengthens accountability and minimizes the risk of abuse of power by law enforcement officers. The public has the right to know the judicial process and ensure that the law is applied fairly and transparently.

Thus, the implementation of e-tickets in court trials for prosecuting traffic violations in Denpasar City plays a role in realizing the principles of the rule of law. By exercising power based on fair legal rules, ensuring legal certainty, upholding justice and equality before the law, protecting human rights, and encouraging transparency and accountability, the implementation of e-ticketing leads to strengthening the legal system based on the principles of the rule of law.

## **CONCLUSION**

In this research, it can be concluded that the implementation of e-tickets in trials for prosecuting traffic violations in Denpasar City involves the use of technology and judicial processes that combine electronic evidence to take action against violators. The ETLE system is used to detect and record violations automatically, with electronic evidence becoming the basis for court hearings. The aim is to increase effectiveness, efficiency and fairness in traffic law enforcement. The legal consequences of e-tickets involve the application of sanctions in accordance with applicable regulations, including fines and other administrative sanctions, to provide a deterrent effect to violators, increase compliance with traffic rules, and encourage awareness of traffic safety.

## **REFERENCES**

- Aboud, S. J., & Jabbar, Z. S. (2018). An Efficient E-ticket Fare Scheme for Passengers Based on the Distance Traveled Between Entry Point and Exit Point. Dalam S. O. Al-mamory, J. K. Alwan, & A. D. Hussein (Ed.), *New Trends in Information and Communications Technology Applications* (Vol. 938, hlm. 86–109). Springer International Publishing. [https://doi.org/10.1007/978-3-030-01653-1\\_6](https://doi.org/10.1007/978-3-030-01653-1_6)
- Amadasun, S. (2020). COVID-19 palaver: Ending rights violations of vulnerable groups in Africa. *World Development*, 134, 105054. <https://doi.org/10.1016/j.worlddev.2020.105054>
- Anggia, M. F., Hakim, A., Mardiyono, M., & Solimun, S. (2022). Compliance and Awareness as Mediation Variables on the Influence of Utility and Trust of Electronic Traffic Law Enforcement on the Traffic Habit. *WSEAS TRANSACTIONS ON BUSINESS AND ECONOMICS*, 19, 421–431. <https://doi.org/10.37394/23207.2022.19.38>
- Atangana, A. (2018). Non validity of index law in fractional calculus: A fractional differential operator with Markovian and non-Markovian properties. *Physica A: Statistical Mechanics and Its Applications*, 505, 688–706. <https://doi.org/10.1016/j.physa.2018.03.056>
- Blancon, J.-C., Stier, A. V., Tsai, H., Nie, W., Stoumpos, C. C., Traoré, B., Pedesseau, L., Kepenekian, M., Katsutani, F., Noe, G. T., Kono, J., Tretiak, S., Crooker, S.

- A., Katan, C., Kanatzidis, M. G., Crochet, J. J., Even, J., & Mohite, A. D. (2018). Scaling law for excitons in 2D perovskite quantum wells. *Nature Communications*, 9(1), 2254. <https://doi.org/10.1038/s41467-018-04659-x>
- Dzhambov, A. M., & Dimitrova, D. D. (2018). Residential road traffic noise as a risk factor for hypertension in adults: Systematic review and meta-analysis of analytic studies published in the period 2011–2017. *Environmental Pollution*, 240, 306–318. <https://doi.org/10.1016/j.envpol.2018.04.122>
- Ginsburg, T. (2020). Authoritarian International Law? *American Journal of International Law*, 114(2), 221–260. <https://doi.org/10.1017/ajil.2020.3>
- Harrington, J. E. (2018). Developing Competition Law for Collusion by Autonomous Artificial Agents†. *Journal of Competition Law & Economics*, 14(3), 331–363. <https://doi.org/10.1093/joclec/nhy016>
- Hidayat, T., Semendawai, A. H., & Mawadi, H. (2022). Efektifitas Penindakan Tindak Pidana Pelanggaran Lalu Lintas Menggunakan E-Tilang (Studi Kasus Satuan Lalu Lintas Polrestabes Bandung). *VERITAS*, 8(2), 166–190. <https://doi.org/10.34005/veritas.v8i2.2068>
- Hildebrandt, M. (2018). Algorithmic regulation and the rule of law. *Philosophical Transactions of the Royal Society A: Mathematical, Physical and Engineering Sciences*, 376(2128), 20170355. <https://doi.org/10.1098/rsta.2017.0355>
- Howard, P. N., Woolley, S., & Calo, R. (2018). Algorithms, bots, and political communication in the US 2016 election: The challenge of automated political communication for election law and administration. *Journal of Information Technology & Politics*, 15(2), 81–93. <https://doi.org/10.1080/19331681.2018.1448735>
- Jassal, N. (2020). Gender, Law Enforcement, and Access to Justice: Evidence from All-Women Police Stations in India. *American Political Science Review*, 114(4), 1035–1054. <https://doi.org/10.1017/S0003055420000684>
- Kamanga, F., Smercina, V., Brents, B. G., Okamura, D., & Fuentes, V. (2021). Costs and Consequences of Traffic Fines and Fees: A Case Study of Open Warrants in Las Vegas, Nevada. *Social Sciences*, 10(11), 440. <https://doi.org/10.3390/socsci10110440>
- Kazi, S., Bagasrawala, M., Shaikh, F., & Sayyed, A. (2018). Smart E-Ticketing System for Public Transport Bus. *2018 International Conference on Smart City and Emerging Technology (ICSCET)*, 1–7. <https://doi.org/10.1109/ICSCET.2018.8537302>
- Li, Y., Abdel-Aty, M., Yuan, J., Cheng, Z., & Lu, J. (2020). Analyzing traffic violation behavior at urban intersections: A spatio-temporal kernel density estimation approach using automated enforcement system data. *Accident Analysis & Prevention*, 141, 105509. <https://doi.org/10.1016/j.aap.2020.105509>
- Lucidi, F., Girelli, L., Chirico, A., Alivernini, F., Cozzolino, M., Violani, C., & Mallia, L. (2019). Personality Traits and Attitudes Toward Traffic Safety Predict Risky

- Behavior Across Young, Adult, and Older Drivers. *Frontiers in Psychology*, 10, 536. <https://doi.org/10.3389/fpsyg.2019.00536>
- Martí-Belda, A., Pastor, J. C., Montoro, L., Bosó, P., & Roca, J. (2019). Persistent Traffic Offenders: Alcohol Consumption and Personality as Predictors of Driving Disqualification. *The European Journal of Psychology Applied to Legal Context*, 11(2), 81–92. <https://doi.org/10.5093/ejpalc2019a3>
- Mead, A. (2019). Legal and Regulatory Issues Governing Cannabis and Cannabis-Derived Products in the United States. *Frontiers in Plant Science*, 10, 697. <https://doi.org/10.3389/fpls.2019.00697>
- Menifield, C. E., Shin, G., & Strother, L. (2019). Do White Law Enforcement Officers Target Minority Suspects? *Public Administration Review*, 79(1), 56–68. <https://doi.org/10.1111/puar.12956>
- Metzger, J. P., Bustamante, M. M. C., Ferreira, J., Fernandes, G. W., Librán-Embid, F., Pillar, V. D., Prist, P. R., Rodrigues, R. R., Vieira, I. C. G., & Overbeck, G. E. (2019). Why Brazil needs its Legal Reserves. *Perspectives in Ecology and Conservation*, 17(3), 91–103. <https://doi.org/10.1016/j.pecon.2019.07.002>
- Peters, A. (2018). Corruption as a Violation of International Human Rights. *European Journal of International Law*, 29(4), 1251–1287. <https://doi.org/10.1093/ejil/chy070>
- Puspita Sari, D. P. Y., & Hendriana, R. (2019). Pelaksanaan Sanksi Denda E-Tilang Bagi Pelanggar Lalu Lintas. *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi*, 2(1), 63–71. <https://doi.org/10.24090/volksgeist.v2i1.1974>
- Railey, K. S., Bowers-Campbell, J., Love, A. M. A., & Campbell, J. M. (2020). An Exploration of Law Enforcement Officers' Training Needs and Interactions with Individuals with Autism Spectrum Disorder. *Journal of Autism and Developmental Disorders*, 50(1), 101–117. <https://doi.org/10.1007/s10803-019-04227-2>
- Rasyid, R. M. I. A., Sukarno, P., & Yasirandi, R. (2019). Adopting Fingerprint as an Authentication Factor on E-Ticketing Mechanism. *2019 International Conference of Computer Science and Information Technology (ICoSNIKOM)*, 1–6. <https://doi.org/10.1109/ICoSNIKOM48755.2019.9111586>
- Rezapour, M., & Ksaibati, K. (2018). Application of multinomial and ordinal logistic regression to model injury severity of truck crashes, using violation and crash data. *Journal of Modern Transportation*, 26(4), 268–277. <https://doi.org/10.1007/s40534-018-0166-x>
- Robertson, G., Zhang, S., & Bogus, S. M. (2022). Challenges of Implementing E-Ticketing for Rural Transportation Construction Projects. *Construction Research Congress 2022*, 453–462. <https://doi.org/10.1061/9780784483961.048>
- Salim, S., Boquien, M., & Lee, J. C. (2018). Dust Attenuation Curves in the Local Universe: Demographics and New Laws for Star-forming Galaxies and High-redshift Analogs. *The Astrophysical Journal*, 859(1), 11. <https://doi.org/10.3847/1538-4357/aabf3c>

- Subramanya, K., Kermanshachi, S., & Pamidimukkala, A. (2022). Evaluation of E-Ticketing Technology in Construction of Highway Projects: A Systematic Review of Adoption Levels, Benefits, Limitations and Strategies. *Frontiers in Built Environment*, 8, 890024. <https://doi.org/10.3389/fbuil.2022.890024>
- Subramanya, K., Kermanshachi, S., Pamidimukkala, A., & Loganathan, K. (2023). An assessment of the impacts of electronic ticketing on inspections and material procurement for highway construction. *Frontiers in Built Environment*, 9, 1182609. <https://doi.org/10.3389/fbuil.2023.1182609>
- Susanto, A., Mahadika, P. R., Subiyakto, A., & Nuryasin. (2018). Analysis of Electronic Ticketing System Acceptance Using an Extended Unified Theory of Acceptance and Use of Technology (UTAUT). *2018 6th International Conference on Cyber and IT Service Management (CITSM)*, 1–5. <https://doi.org/10.1109/CITSM.2018.8674362>
- Sutandi, A. C. (2021). The Need of E-ticket to Support the Public Bus Service Improvement Policy in a Developing Country. *The Open Transportation Journal*, 15(1), 226–240. <https://doi.org/10.2174/1874447802115010226>
- Tripathi, A., Patel, D., Sturgill, R., & Dadi, G. B. (2022). Analysis of E-Ticketing Technology for Inspection Performance and Practicality on Asphalt Paving Operations. *Transportation Research Record: Journal of the Transportation Research Board*, 2676(8), 186–197. <https://doi.org/10.1177/03611981221083308>
- Truong, T. M. T. (2021). *A proposal for electronic ticketing based on travel behavior, towards the integrated public transport for smart city in Hanoi, Vietnam*. 040005. <https://doi.org/10.1063/5.0070722>
- van Weezel, A. (2018). Injerencia Y Solidaridad En El Delito De Omisión De Auxilio En Caso De Accidente. *Revista Chilena de Derecho*, 45(3), 771–795. <https://doi.org/10.4067/S0718-34372018000300771>
- Velázquez Elizarrarás, J. C. (2021). Derecho internacional penal o derecho penal internacional: Una discusión ociosa, a la luz de los principios establecidos en el Estatuto de Roma. *Anuario Mexicano de Derecho Internacional*, 1(21), 365. <https://doi.org/10.22201/ijj.24487872e.2021.21.15597>
- Waluś, K. J., Warguła, Ł., Krawiec, P., & Adamiec, J. M. (2018). Legal regulations of restrictions of air pollution made by non-road mobile machinery—the case study for Europe: A review. *Environmental Science and Pollution Research*, 25(4), 3243–3259. <https://doi.org/10.1007/s11356-017-0847-8>
- Zhu, Q. (2020). Research on Road Traffic Situation Awareness System Based on Image Big Data. *IEEE Intelligent Systems*, 35(1), 18–26. <https://doi.org/10.1109/MIS.2019.2942836>

**Copyright Holder :**

© I Nengah Wirna et al. (2023).

**First Publication Right :**

© Sharia Oikonomia Law Journal

**This article is under:**

