



## IMPLEMENTATION OF THE ELECTRONIC TICKETING SYSTEM POLICY IN IMPROVING THE ORDER OF ROAD USERS IN BANJARMASIN CITY

By

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### ABSTRACT

*This research is intended to determine the implementation of policies Electronic Traffic Law Enforcement and what are the inhibiting factors for the implementation of this policy in the City of Banjarmasin. This study uses a qualitative approach. The data analysis technique was carried out descriptively. The results of the study show that although there are still obstacles such as: socialization is not yet widespread throughout the city of Banjarmasin, facilities and infrastructure are not supportive, there are still people who are not orderly in traffic and cultural factors of the local community. but policy Electronic Traffic Law Enforcement in Banjarmasin City is measured from the variables of communication, resources, disposition and bureaucratic structure it has been well implemented but not optimal.*

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## 1. INTRODUCTION

Indonesia, like other developing countries, has various problems. These problems can originate from the community itself, it can also originate as a negative impact of policies taken by the government. One of the problems is related to traffic violations and road transportation. The Indonesian National Police recorded that the number of motorized vehicles in Indonesia reached 152.51 million units as of December 31, 2022. Of these, 126.99 million units or 83.27% of them were motorcycles. As many as 19.31 million motorized vehicles in Indonesia are passenger cars (DataIndonesia.id). That many vehicles are likely to have an accident on the highway.

Transportation is a very important and strategic means in facilitating the wheels of the economy, as explained in Law Number 22 of 2009 concerning Road Traffic and Transportation that road traffic and transportation have a strategic role in supporting national development and integration as part of efforts to promote prosperity general. On the other hand, the community as road and traffic users also has an important role in traffic for the sake of safety, as well as the safety of motorists in driving vehicles and traffic to be orderly and orderly. The high number of violations in Indonesia causes a lot of unwanted things to happen. The majority of traffic violations are in the form of violations in terms of markings,

In today's digital era, police officers who regulate traffic must know about IT (Information Technology) as is the case in developed countries which have previously imposed electronic-based tickets. E-tickets in Indonesia are regulated through Law Number 22 of 2009 concerning Road Traffic and Transportation in article 272 it is explained, that to support violation enforcement activities in the Road Traffic and Transportation Sector, electronic engineering

equipment can be used, all of which have been integrated into the NTMC (National Traffic Management Center) data center or the National Police Traffic Control Center.

Then to implement Law Number 22 of 2009, Government Regulation Number 80 of 2012 has been issued concerning Procedures for Inspecting Motorized Vehicles on the Road and Enforcement of Traffic and Road Transportation Violations. In Article 23 it is explained that the Enforcement of Road Traffic and Transportation Violations is based on the results of: findings in the inspection process of Motorized Vehicles on the Road; report; and/or records of electronic equipment.

The next process is as stipulated in Supreme Court Regulation Number 12 of 2016 concerning Procedures for Settlement of Traffic Offender Cases, in article 1 paragraph (2) namely Settlement of Electronic Traffic Violation Cases, is a trial process for traffic violation cases held electronically. through the support of information systems and technology. Follow-up of the policy regarding electronic ticketing by the police has been contained in the Instructions of the Chief of Police of the Republic of Indonesia contained in the Telegram letter Number ST/2264/X/HUM.3.4.5/2022 dated 18 October 2022. The e-ticketing policy is implemented in the City Banjarmasin started in December 2022.

In connection with the importance of policy implementation, it has been stated by Udoji (1981) in Al Fatih (2010: 16) that policy implementation as *"the execution of policies is important if not more important than policy making"*. Likewise, the e-ticket policy or Electronic Traffic Law Enforcement (ETLE) is here to help deal with traffic violations. E-Tilang is a new electronic-based system in terms of traffic monitoring and enforcement issued by the police using a tool in the form of CCTV to keep pace with the progress of the times.

The e-ticket policy has proven that there is a legal benefit, both for traffic users and for police officers when carrying out executions and prosecutions. Before the existence of e-tickets, the police officers who were on duty only followed up based on their observations at the scene.

From January to May 2023 the Electronic Traffic Law Enforcement (ETLE) camera system operated by the Banjarmasin City Police Traffic Unit has recorded 309 confirmed violators. In proof, a confirmation letter was sent to the violators. In the confirmation letter there will be a barcode that can detect videos related to the violation committed.

Research discussing the implementation of the e-ticket policy, among others, was carried out by Putri and Nawangsari (2023) implementing the electronic Electronic Traffic Law Enforcement program in Tulungagung Regency using implementation theory from David C. Korten. Then Wasati and Razak's research (2023) The implementation of e-tickets is based on the Chief of Police Telegram Letter Number ST/2264/X/HUM.3.4.5/2022. While this study discusses the implementation of e-tickets referring to the theory of George C. Edward III.

Based on the description above. This study aims to find out how the implementation of the electronic ticketing system policy in improving the order of road users in Banjarmasin city and what are the inhibiting factors for the implementation of this policy in Banjarmasin City.

## 2. RESEARCH METHODS

This study uses a qualitative approach, with this method the researcher wants to obtain data regarding policy implementation *Electronic Traffic Law Enforcement* Banjarmasin city. The data analysis technique was carried out descriptively, namely being able to study the problem background of policy implementation *Electronic Traffic Law Enforcement* Banjarmasin city. This research is a complete and objective description of the facts in accordance with the actual situation to answer the problems that have been formulated.

## 3. FINDING AND DISCUSSION

### Overview of the Electronic-Based Ticketing Process for Traffic Violations

#### 1. Electronic Ticket Mechanism

Through this e-tilang system, police officers will not confiscate vehicle documents, such as a driver's license or vehicle registration, as is done with conventional ticketing..Motorists who violate traffic rules will be recorded on CCTV then the number plate that violates it will be verified with the data owned by the police within 3 days, the police will send a letter to the owner of the vehicle with a confirmation letter attached with proof of violations committed by the driver such as photos recorded by CCTV, the owner vehicle confirm the violation and ownership of the vehicle to the police within 5 days of the notification.

The stages of payment of electronic ticket fines that have been violated by motorists. :

- A ticket is sent to the violator's address and contains the article that has been violated, the date and place of the violation.
- The letter also includes a link to a confirmation site complete with fines.
- If it has been confirmed, you will receive a confirmation email containing the date and location of the court.
- Violators also receive an SMS containing the BRIVA code to pay the fine.

- e. To pay the fine, you can go to the bank or come directly during the trial.
- f. If you pay through a bank, you don't need to come to court.
- g. Confirmation of violation is valid for 8 days.
- h. The deadline for electronic ticket payments is 15 days from the date of the violation.
- i. If confirmation is not successful, the STNK will be temporarily blocked.

## 2. Types of Electronic Ticket Violations

In accordance with Law Number 22 of 2009 concerning Road Traffic and Transportation and Government Regulation Number 80 of 2012 concerning Procedures for Inspecting Motorized Vehicles on the Road and Enforcement of Traffic and Road Transportation Violations, there are 10 types of violations that will be subject to e-tickets:

- a. Violating traffic signs and road markings;
- b. Not wearing a safety belt for drivers of four-wheeled vehicles;
- c. Driving while using a smart device;
- d. Violating the speed limit;
- e. Using fake license plates or no license plates at all;
- f. Riding against the tide;
- g. Violating a red light;
- h. Not wearing a helmet;
- i. Travel with more than two people;
- j. Do not turn on the lights at night and during the day for motorbikes.

Data on the number of violations that have been confirmed are 309 violators of the total violations recorded from January to May, namely types of violations from: not wearing a helmet, using a cell phone while driving, and not wearing a seat belt. Although CCTV is one of the technologies commonly used in electronic ticketing systems, there are certain types of violations that may be difficult or impossible to record via CCTV.

Of the many types of traffic violations, there are several types of violations that cannot be processed through electronic ticket cameras, such as violating traffic and road markings, using fake vehicle number plates and not using vehicle numbers. Then violations of exceeding the speed limit also cannot be processed by CCTV cameras. Electronic tickets and more than two passengers will also not be affected because officers who monitor traffic on the road will be processed.

## 3. Electronic Ticket Fines

The traffic ticket fines that must be paid by traffic violators are in accordance with the type of violation committed. Can be seen in the following image:

SATLANTAS POLRESTA BANJARMASIN DENDA TILANG ELEKTRONIK ETLE	
Denda yang dibayarkan sesuai dengan jenis pelanggaran yang dilakukan.	
1) Menggunakan ponsel	Denda Rp 750.000 atau pidana kurungan paling lama 3 bulan.
2) Tidak pakai helm	Denda Rp 250.000 atau pidana kurungan paling lama 1 bulan.
3) Tidak menggunakan sabuk pengaman	Denda Rp 250.000 dan pidana kurungan paling lama 1 bulan.
4) Melanggar rambu dan marka jalan	Denda maksimal Rp 500.000 atau pidana kurungan paling lama 2 bulan.
5) Memakai plat nomor palsu	Denda maksimal Rp 500.000 atau pidana kurungan paling lama 2 bulan.

Figure 1. The amount of electronic ticket fines in 2023

#### 4. Forms of Electronic Ticket Supervision

The type of supervision used to crack down on traffic violations from Electronic Tickets has 2 ways, namely Static ETLE and Mobile ETLE.

##### a. Static ETLE

Static ETLE is the first electronic ticket system introduced. Surveillance is carried out through CCTV cameras installed at a number of street points. Static ETLE cameras will record traffic violations that occur. Every recorded violation will then be reviewed again by officers at the Management Traffic Center. If there is a violation, the officer will send a notification letter to the vehicle owner. The letter contains a request for the vehicle owner to confirm the violation.

There are 4 static ETLE cameras on roads in Banjarmasin City, namely on Jalan Kuripan Luar there are two points, Jalan Sudirman has one point and on Jalan S.Parman there is one point. Meanwhile, the other camera is a traffic monitoring camera to monitor traffic flow in the city of Banjarmasin.



Figure 2. Tilang Electronic Cameras on Jalan Kuripan Luar, 2023



Figure 3. Electronic ticketing cameras on Jalan Sudirman, 2023



Figure 4. Electronic ticket cameras on Jalan S.Parman, 2023



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**b. ETLE Mobile**

Enforcement system through Mobile ETLE is almost the same as static ETLE. The difference is that cameras for surveillance are not installed at a certain point. ETLE mobile camera mounted on police vehicle. Officers can also take action against traffic violations that occur using HP. However, this action can only be carried out by competent personnel who already have an assignment letter. ETLE mobile is only applicable to take action against motorists who violate the rules such as not wearing a helmet, going against the flow, parking in a wrong place, and violations that cannot be reached by static ETLE. In an interview with Mr. Aiptu Budiono, SH. MH KASUBNIT DIKMAS said that they did not use this Mobile ticket because the facilities and infrastructure were still not complete according to what was desired to carry out the Mobile ticket.

**5. Forms of Enforcement of Electronic Tickets**

**a. Pro Justitia**

Pro Justitia is a legal term that comes from the Latin meaning "for the sake of justice." In the context of electronic ticketing, projustitia enforcement refers to the steps taken to enforce the law related to traffic violations detected by the electronic ticketing system. The following are several types of pro-justitia prosecutions that occurred in the implementation of the Banjarmasin City e-ticketing policy:

**Violation Notification** Once a violation has been detected by the electronic ticketing system, a violation notification will be sent to the violator. This notification contains information about the violation committed, supporting electronic evidence, and the amount of the fine to be paid. This infringement notification provides an opportunity for the violator to pay the fine and settle the case without having to go through further legal proceedings.

**Payment of Fines:** Offenders are given a time limit to pay the fine set out in the notice of infringement. If the violator pays the fine on time, the case is considered closed and no additional legal action is taken. **Further Enforcement Actions:** If the violator does not pay the fine within the stipulated time limit, additional law enforcement action may be taken. For example, law enforcement officers can take action to detain or lock up violators' vehicles, or limit violators' access to certain public services, such as renewing their vehicle registration or obtaining a new driver's license.

**Court:** If the violator refuses or fails to pay the fine and additional law enforcement action is fruitless, the violation case may be brought to court. The court will handle the case and decide on further steps based on the available evidence and applicable legal provisions.

**b. Non Justitia**

Non-justitia enforcement of traffic violations refers to law enforcement actions taken outside the formal justice system. These actions aim to impose sanctions or consequences on traffic violators without involving court proceedings.

- 1) **Verbal Reprimands:** Law enforcement officers such as traffic police can give violators verbal warnings as a way of enforcing traffic rules. Verbal warnings are usually given for minor or first-time offences.
- 2) **Written Reprimands:** Law enforcement officials can issue written warnings to violators. This warning can be in the form of a warning letter or an official warning letter explaining the violation committed and reminding the violator about the traffic rules that must be obeyed.
- 3) **Education and Training:** As an alternative or in addition to harsh sanctions, traffic offenders may be required to attend traffic education and training programs. This program aims to provide a better understanding of traffic rules and awareness of the importance of traffic safety.
- 4) **Restrictions on Participation in Traffic:** Traffic violators can be given restrictions on their participation in traffic, such as delaying or revoking their driving license (SIM) or delaying the renewal of their Vehicle Number Certificate (STNK).
- 5) **Vehicle Detention:** In some cases, the offending vehicle may be detained by law enforcement officials as a non-justitia measure. This is done to provide real consequences and encourage violators to comply with traffic rules.
- 6) **Non-justitia enforcement of electronic ticketing** refers to actions taken outside the formal justice system in response to violations detected by the electronic ticketing system. Although electronic tickets are more likely to follow a structured legal process, there are some non-justitia actions that can be taken depending on the policies and regulations that apply in an area.

### **Implementation of The Electronic Ticketing System Policy in Banjarmasin City**

To obtain empirical data, the authors conducted interviews with informants namely Banit ETLE, Kanit Dikmas and 2 community members of road users, referring to the policy implementation model of Edward III in Agustino (2016: 136-141), that the success of policy implementation is determined by four variables, namely: Communication, Resources, Disposition, Bureaucratic Structure.

#### **1. Communication**

Communication is one of the most important variables that influence the implementation of public policy, communication greatly determines the success of achieving the goals of public policy implementation. Effective implementation will occur if decision makers know what they are doing. Information that is known by decision makers can be obtained through good decisions.

The aspect of this communication is in the form of policy decisions on the implementation of e-ticket policies, implementation instructions, orders and others. So that communication that occurs in the form of internal communication and external communication. Internal communication occurs at Kasatlantas to Satlantas officers who carry out this e-ticket. This internal communication is delivered in formal forms such as meetings and non-formal such as direct orders from superiors to subordinates. External communication takes place between Traffic Officers and Traffic Officers with road users. In this communication, the aim is for them to know the real situation in the field, what must be prepared and implemented for the purpose of this e-ticketing policy so that it can be achieved and realized. From the above communication flow is the same as the transmission or channeling of communication.

Besides that, socialization was also carried out to the community by means of on spot or stationary, stationary activities were carried out at schools, campuses, targeted students, and government employees in the City of Banjarmasin.

When confirmed by one of the road users, it can be seen that they are aware of the existence of an e-ticket policy through brochures distributed on the road. However, there are still people who don't understand the e-ticket policy and don't know how to get hit by this e-ticket.

From the results of the interviews it can be seen when viewed from the communication factor, namely from the side of transmission, implementation government policy is carried out through outreach activities. Socialization has been carried out at almost all ETLE camera points in the city of Banjarmasin. During the socialization, apart from conveying material about e-tickets, they also distributed flyers to road users.

#### **2. Resource**

Resources are one of the factors that determine the success of policy implementation because policy implementation requires support from human resources, budgetary/financial sources as well as the means to carry out the implementation of these policies.

There are four officers who carry out the e-ticketing policy, chaired by the Head of Sub-unit, and three members of the ETLE Committee. Their job is to process all types of violations and process sending letters to violators and others.

The means for implementing the e-ticket policy come from the center. The officers distributed brochures, pamphlets that were already available and distributed to the community of road users who passed at ETLE points, namely on Jalan Kuripan on Jalan Sudirman and on Jalan Simpang Empat S.parman.

Based on the results of the interviews, it can be seen that when viewed from the human resources involved in the implementation of the e-ticket policy as executors are four members, and for socialization facilities in the form of brochures and pamphlets.

#### **3. Disposition**

Disposition is the willingness, desire and tendency of the actors to implement the policy seriously so that what is the goal of the policy can be realized. In this regard, the implementation of the e-ticketing policy in the City of Banjarmasin requires commitment by the implementers. The officers already have a commitment in carrying out their duties every day because it is their duty and responsibility.

When asked whether the officers received incentives, the answer was that there were no incentives for officers because it was their responsibility and what was given to them.

When viewed from the disposition factor, the implementers of the e-ticket policy already have a commitment to carry out their duties properly. In socialization activities they do not get incentives, because it is their duty and responsibility as executors.

#### **4. Bureaucratic Structure**

Bureaucratic structure is one of the important factors in implementing e-ticketing policies. According to Edward III, there are two characteristics of bureaucracy, namely basic work procedures or often referred to as Standard Operating Procedures (SOP) and fragmentation. A good SOP is one that includes a framework that is clear,

systematic, uncomplicated and easily understood by anyone because it will become a reference in the work of implementers.

In relation to the implementation of the e-ticketing policy in the City of Banjarmasin, the policy originates from the center, namely the National Police Traffic Corps which is entrusted to the Heads of Traffic Police throughout Indonesia as the person in charge and is carried out by the Head of Ticketing Sub-units and officers who have been assigned their respective duties and responsibilities.

#### **Obstacles to the Implementation of Electronic-Based Ticketing Policies in the City of Banjarmasin**

##### **1. Socialization of E-Ticket is Not Even.**

From the results of observations and interviews that the author conducted, it can be seen that there are still many people who do not know that there is an implementation of e-tickets in the city of Banjarmasin. In particular, people who live in the suburbs who do not receive information about the e-ticket policy think that the implementation of e-tickets is just a government discourse.

##### **2. Less Supportive Facilities and Infrastructure**

The implementation of the e-ticket policy in Banjarmasin City is only static, namely using ETLE CCTV only. There is no use of e-tickets with mobile. The number of ETLE CCTVs in the City of Banjarmasin is relatively small compared to the area and many roads in the City of Banjarmasin. The lack of ETLE CCTV facilities in Banjarmasin City results in limited monitoring of traffic violations. The number of CCTVs is limited, the area that can be monitored is also limited, so that many violations may go undetected.

##### **3. Society is Still Less Orderly in Traffic**

Community is the most important factor in implementing ETLE. The problem is that many Indonesian people do not obey the rules. the community is not afraid or even ignores the existence of CCTV which functions as a monitor and evidence of a ticket that can record violations committed at a certain time and place. The community also, in terms of buying a used vehicle, does not immediately reverse the name of the vehicle. There is a possibility that in the case of sending proof of violation, the address addressed is not the address of the violator.

##### **4. Cultural Factors**

The culture of the new Indonesian people is to fear and obey if there is a police presence, of course it will be a problem. Usually road users will not violate traffic when there are police on guard or patrolling. Therefore, it is feared that traffic violations will increase if there are no police assigned to the road. The people of the city of Banjarmasin are more obedient and comply with the regulations regarding police officers who are on guard than the ETLE CCTV installed at several traffic lights in the city of Banjarmasin.

#### **4. CONCLUSION**

The e-Tilang policy is a positive step in an effort to improve law enforcement regarding traffic violations. Through the use of e-ticketing technology this policy has the potential to increase effectiveness, efficiency and justice in the prosecution of violations. The Electronic Traffic Law Enforcement policy in the City of Banjarmasin has been implemented properly by the Banjarmasin Police Traffic Unit, but it is not optimal yet because there are still obstacles including: the uneven dissemination of the e-ticket policy to all areas of the City of Banjarmasin, the facilities and infrastructure that are less supportive, there are still people who do not orderly traffic and cultural factors of the local community.

#### **5. RECOMMENDATION**

1. Banjarmasin Police to provide more extensive information to the people of Banjarmasin City, including people who are in suburban areas.
2. There is an appeal from the Police to people who buy vehicles or used cars to immediately reverse the name of the owner.

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