

## **Enforcement Of Regent Regulation Number 12 Of 2022 On Violations Of Operating Times Of Goods Cars On Roads In Tangerang Regency**

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### ***Abstract***

*Regent Regulation Number 12 of 2022 concerning the Second Amendment to Regent Regulation Number 46 of 2018 concerning Restrictions on Freight Car Operating Hours on Road Sections in the Tangerang Regency Region (Perbup 12/2022), is a legal umbrella that is present in anticipating traffic violations related to the regulation and restriction of operational hours, especially for vehicles or trucks transporting soil excavation that go back and forth every day along the roads of Tangerang Regency. The main idea of the birth of Perbup 12/2022 as stipulated in Article 3 paragraph (1), is to strictly regulate the operational time of goods transportation vehicles, namely from 22:00 WIB to 05:00 WIB. The restrictions as intended in paragraph (1) are applied to road sections in the regional area and are excluded for toll road sections. It is clear that the presence of Perbup 12/2022 is solely aimed at ensuring the continuity and smooth flow of road traffic in the Tangerang Regency area, where every day the road is crowded with traffic for various public vehicles, both two-wheeled and four-wheeled. The concern that if there is no Regent Regulation, there will be traffic crowded on the meeting road between public vehicles and land excavation trucks, even the risk of traffic accidents often occurs outside the limited time as stipulated in Perbup 12/2022.*

**Keywords:** *Law Enforcement, Operating Hours, Freight Cars.*

### **INTRODUCTION**

In 2018, the Tangerang Regency Government issued a regent regulation (Perbup) regarding restrictions on the operational hours of heavy-duty trucks. The heavy-duty trucks in question are trucks loaded with soil, rocks, and sand. This was done because the government hopes that by making the regulation, it can support security, safety, order and can reduce the number of accidents along the Kresek sub-district road in Tangerang Regency (Ahmad Dodi Hidayat, 2023). Almost every day, large trucks transporting earth excavations pass through the Tangerang Regency regional road routes. The presence of these trucks is indicated to be closely related to illegal C mining activities in several sub-districts in Tangerang Regency. These illegal mining points are reportedly owned by local individuals in the mining area. One example is in Kronjo Sub-district, there are several plots of land that are sold to mining buyers. The

landowner sells the land (skin) on his land, and then the buyer of the land or excavation buys the skin of the land, then it is transported by his fleet of trucks to be transported to the final destination where the soil excavation is intended.

Mining activities require a mining business permit that can only be issued by the Minister who specifically handles coal and mineral mining. Mining business permits are usually issued by the regent, governor, or minister who has the authority to issue the permit (Ghina Rizky Athaya dan Dahlan Ali, 2024). Activities to explore the natural resources contained in the earth's interior are often known as mining. The government has divided into 3 (three) types of mining, including; first, mining class A, namely mining materials that are said to be strategic for the interests of the country's economy, the interests of national defense and security, examples of mining class A are natural gas, petroleum, coal, uranium, asphalt, nickel and others. Second, mining class B, namely vital mining materials that can guarantee the livelihoods of many people such as bauxite, tin, nickel, iron, gold, silver, copper and so on. And the third is mining class C, mining materials categorized into this group, namely the mineral group that has a lower level of importance than the two previous groups, for example sand, gravel, soil, granite, rocks, andesite, limestone, marble and so on (Apep Andriana, 2018). In principle, this excavation is illegal, there is no permit issued for C excavation activities or mining from the authorities (EMR Service of Banten Province). The occurrence of illegal mining or without official permits is caused by weak law enforcement and poor economic systems, thus encouraging people to seek livelihoods that quickly generate income without thinking about the impact (Muhamad Alfarizi Sirait and Syahrul Bakti Harahap, 2022).

Illegal mining. Is a mining or excavation activity carried out by the community or companies without a permit and using mining principles that are not good and correct (Good Mining Practice) (Gocha Narcky Ranggalawe, 2023). One of the natural resource utilization activities that has a direct impact on the environment is mining activities. Sustainable and responsible mining management needs to refer to the principles of benefit, environmental insight, legal certainty, participation, and accountability. For this reason, the government made changes by enacting Law No. 3 of 2020 concerning amendments to Law No. 4 of 2009 concerning mineral and coal mining. This change was made so that sustainable mining management can provide a real contribution to society (As' ari R, 2019).

Mining business often causes problems. The mining problems referred to are not only mining problems, but also environmental problems. The environment is a unity of space with all objects, power, conditions, and living things, including humans and their behavior, which affect the continuity of life and the welfare of humans and other living things (Manik, 2018). Illegal mining activities in Indonesia are not a new thing, in fact illegal mining has been rampant in almost every region that has the potential to be rich in mining materials. Illegal mining activities are generally not environmentally friendly, because they only pursue short-term interests such as getting money. This activity is caused by a lack of awareness to continue to preserve the environment. Illegal mining carried out without permission has now become a serious problem for the community and the government.

Illegal mining practices are often carried out and are currently rampant, of course without going through a feasibility test, environmental impact analysis and without obtaining permission from the government. This certainly has a serious impact on the environment, social

and economic turmoil in society. Illegal mining is often carried out on land owned by other people, causing various conflicts, and if it is government land or land protected by the state, it must not be disturbed and exploited. There will be conflicts of interest, struggles over operational land and various social impacts from illegal mining (Agung Mambi, 2023).

The role of the government in dealing with illegal mining problems is very important in regulating illegal mining, but in reality there are still many illegal mining figures who do not care about this and continue to operate. Of course, government action is expected to be more assertive and pay more attention to this illegal mining problem. The act of mining without a permit essentially fulfills the elements that can be punished by criminal law (Achmad Surya, 2019).

The Unitary State of the Republic of Indonesia is a country rich in natural resources. starting from petroleum, coal, tin, gold, sand and other minerals. These riches are owned and controlled by the state for the welfare of the people. This is contained in the 1945 Constitution article 33 paragraph 3 which states "The land, water and natural resources contained therein are controlled by the state and used to the greatest extent for the prosperity of the people (Undang Undang Dasar Negara Republik Kesatuan Indonesia 1945, n.d.)." Based on this, everyone who wants to carry out mining is required to request permission and obtain permission first from the State/Government.

In Article 1 paragraph (1) of Government Regulation Number 27 of 2012 concerning Environmental Permits, it is stated that an Environmental Permit is a permit granted to any person who carries out a business and/or activity that requires an Amdal or UKL-UPL in the context of environmental protection and management as a requirement for obtaining a business and/or activity permit (Peraturan Pemerintah Nomor 27 Tahun 2012 Tentang Izin Lingkungan, n.d.).

Every business entity or individual who carries out sand mining business activities must have a Mining Business Permit (IUP), People's Mining Permit (IPR) and Special Mining Business Permit (IUPK), so that the government can supervise its processing properly. The absence of a C mining permit does not discourage land owners from continuing to go against the current, as if blind and deaf, land owners continue to sell their skin or land peels. According to them, the land is absolutely theirs, and they have the right to do anything with the land they own.

Legally, illegal sand mining activities can be prosecuted, in other words, law enforcement officers can carry out their duties to prosecute illegal miners for further processing and even take them to court. This is intended not only to enforce criminal law, but also to protect the sustainability of the environment itself from the dangers of damage. If sand mining activities occur where the perpetrators do not have a permit, then their actions constitute a criminal offense as regulated in Article 158 of Law No. 3 of 2020 concerning Mineral and Coal Mining (Minerba) which reads "any person who carries out mining business without a permit as referred to in Article 35 shall be punished with imprisonment for a maximum of 5 (five) years and a maximum fine of IDR 100,000,000,000.00 (one hundred billion rupiah) (Undang-Undang Nomor 3 Tahun 2020 Tentang Pertambangan Mineral Dan Batu Bara (Minerba), n.d.)."

Regent Regulation Number 12 of 2022 concerning the Second Amendment to Regent Regulation Number 46 of 2018 concerning Restrictions on the Operating Hours of Goods

Vehicles on Roads in the Tangerang Regency Area was born as a form of upgrade to Regent Regulation Number 47 of 2018 concerning Amendments to Tangerang Regent Regulation Number 46 of 2018 concerning Restrictions on the Operating Hours of Goods Vehicles on Roads in the Tangerang Regency Area (Tangerang Regency Regional News 2018 Number 47).

In its implementation, this Regent Regulation has several versions that are considered the most appropriate for the urgency of its implementation. The issuance of Tangerang Regency Regent Regulation Number 47 of 2018 as a form of improvement and the first Amendment to Tangerang Regency Regent Regulation Number 46 of 2018, and continued with the issuance of Regent Regulation Number 12 of 2022 (Perbup 12/2022) as a form of improvement and the second Amendment to Tangerang Regency Regent Regulation Number 46 of 2018.

As a history of the origins of the birth of Perbup 12/2022, it can be seen through the considerations in Regent Regulation Number 46 of 2018, namely letter a which explains that in order to implement the provisions of Article 75 paragraph (4) letter g of Tangerang Regency Regional Regulation Number 4 of 2018 concerning the Implementation of Transportation and to support security, safety, order, and smooth traffic and road transportation in the Tangerang Regency area, it is necessary to limit the traffic of goods transport vehicles and special vehicles in certain areas and/or times and/or certain road networks (Peraturan Daerah Kabupaten Tangerang Nomor 4 Tahun 2018 Tentang Penyelenggaraan Perhubungan, n.d.). Furthermore, it is emphasized in letter b, that based on the considerations as referred to in letter a, it is necessary to stipulate a Regent Regulation concerning the Restriction of Operational Hours for Goods Vehicles on Road Sections in the Tangerang Regency Area (Peraturan Bupati Tangerang Nomor 46 Tahun 2018 Tentang Pembatasan Waktu Operasional Mobil Barang Pada Ruas Jalan Di Wilayah Kabupaten Tangerang, n.d.). The presence of Perbup 12/2022 should be able to untangle the tangled threads of all risks that may occur due to violations of operational time restrictions for goods vehicles, especially those carried out by the fleet of excavation trucks.

## **METHOD RESEARCH**

The research method used in this research is the normative legal research method or doctrinal legal research, where the object of research is legal norms (I Ketut Oka Setiawan and Tetti Samosir, 2023). The data used is in the form of legislation, legal books/journals that are relevant to the research object, then supplemented with other supporting data originating from developing concrete cases.

The analysis material for this research study uses authoritative legal materials, meaning they have authority. These legal materials include legislation, in this case the 1945 Constitution, laws relating to traffic and road transportation as well as Government Regulations, in addition to Perbup 12/2022 which is the subject of in-depth study, especially regarding Article 3 concerning the Operating Hours of Freight Transport Vehicles.

The materials for the main research analysis are secondary legal materials in the form of all publications on law that are not official documents. Publications on law include textbooks, legal dictionaries and legal journals (Peter Mahmud Marzuki, 2023). As well as news reports on cases of violations of operational hours of the soil excavation truck fleet in the Tangerang Regency area.

## **DISCUSSION**

### **1. Implementation of Regent Regulation Number 12 of 2022 concerning the Second Amendment to Regent Regulation Number 46 of 2018 concerning Restrictions on the Operational Hours of Goods Vehicles on Roads in the Tangerang Regency Area**

The implementation of Perbup 12/2022 is very important to implement, even demanding commitment and consistency from all stakeholders involved. It is very risky if any individual intentionally violates the provisions as stipulated in Perbup 12/2022. This regulation is ideal to be a standard for traffic activities between vehicles on the highway. The limitation of operational hours for goods vehicles aims to prevent problems on the highway, such as vehicle chaos, congestion, risk of accidents and other traffic disruptions.

Many problems occur on the highway when Perbup 12/2022 is violated. This Regent's Regulation is essentially present to be a mediator in regulating traffic activities between vehicles, both two-wheeled and four-wheeled vehicles which are known to be back and forth 24 hours along the roads of Tangerang Regency.

People come and go in their activities, whether going to or from work, to drop off and pick up school children, shop at the market, attend weddings, buy household necessities, visit family in other places, go to the nearest clinic or doctor and other routine activities that require passing through the Tangerang Regency regional road. Imagine if in activities on the highway, people have to pass or at least be in the same lane with a soil excavation truck that has a very large vehicle dimension, even measuring almost half the road body, in addition to the long size of the vehicle, the soil excavation truck also has the risk of blind spots, namely the area around the vehicle that cannot be seen by the driver. Of course, this becomes a complexity of potential problems or conflicts that will arise when there is a meeting point for the chaos of vehicles or congestion caused by soil excavation trucks that insist on operating at the specified time (the operational hours of this soil excavation truck should be based on Perbup 12/2022 between 22:00 - 05:00 WIB). Not to mention if a two-wheeled motor vehicle tries to overtake a soil excavation truck, it is very dangerous for the driver's safety, in fact in the end, not a few traffic accidents involving soil excavation trucks occur precisely in the time span between 05:01 - 21:59 WIB, the time when the excavation truck should not be able to operate.

Road traffic accidents generally occur due to the contribution of several factors simultaneously such as violations or careless actions of road users, road conditions, vehicle conditions, environmental conditions (weather or obstructed visibility). However, in general the main factor causing traffic accidents is the human factor itself or human error (Anas Tahir, 2006).

In order to create order in traffic, the government issued regulations regarding traffic, namely Law Number 22 of 2009 concerning Traffic and Road Transportation. The rules regarding truck transportation are regulated in Government Regulation of the Republic of Indonesia Number 74 of 2014 concerning Road Transportation. In carrying out its activities, it is absolutely related to other drivers. In traffic, the road used by trucks to deliver sand is also used by everyone who passes by.

This shows that trucks operating on the road must not only pay attention to their own existence, but must also pay attention to the existence of other road users (Sayed Muhammad Farkhan, 2018). For this, the government has regulated regulations that require provisions regarding the procedures for packaging goods, namely in the Government Regulation of the Republic of Indonesia Number 74 of 2014 concerning Road Transportation in Article 61, namely the manufacturing procedures as referred to in Article 60 letter a are implemented by considering (Peraturan Pemerintah Republik Indonesia Nomor 74 Tahun 2014 Tentang Angkutan Jalan, n.d.):

- a. Placement of cargo in the cargo space;

- b. Load distribution;
- c. Procedures for tying cargo;
- d. Packaging procedures; and
- e. Procedures for providing labels or signs.

According to the Traffic and Road Transportation Law (Law No. 22 of 2009) Article 1 number 24, a Traffic Accident is an unexpected and unintentional incident on the Road involving a Vehicle with or without other Road Users which results in human casualties and/or property losses (Undang-Undang No 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan, n.d.).

Traffic accident victims can be grouped as follows:

- a. Fatal victims, namely victims who are confirmed to have died due to a traffic accident within a maximum period of 30 days after the incident.
- b. Seriously injured victims, namely victims who suffer permanent disabilities due to their injuries or must be treated for a period of more than 30 days since the accident. Permanent disability is when a limb is lost or cannot be used at all and cannot be cured/recovered forever.
- c. Lightly injured victims, namely victims who are not included in the category of dead victims or seriously injured victims.

Accidents that do not involve road users are called single accidents, such as hitting a tree, a vehicle skidding, overturning or a tire bursting.

Traffic accidents generally occur due to various causal factors simultaneously such as violations or careless actions of road users (drivers and pedestrians), road conditions, vehicle conditions, weather or obstructed views. In general, the cause of traffic accidents is the human factor itself (human error).

It can be said that almost all traffic accidents involving vehicles are caused by drivers. Various factors inherent in humans are triggers for traffic accidents such as physical fitness, psychological factors (mental) while driving, fatigue, drowsiness, carelessness, the influence of alcohol and drugs, lack of skill and not maintaining distance and driving fast.

Drivers who cause accidents can be in various mental-physical conditions as follows:

- 1. Lack of anticipation, the driver is unable to predict the dangers that may occur in relation to the condition of the vehicle and the traffic environment.
- 2. Careless, namely doing other activities while driving that can disrupt the driver's concentration, for example looking to the side, lighting a cigarette, taking something or chatting with passengers.
- 3. Drowsy, the driver loses the ability to react and concentrate due to lack of rest/sleep or has been driving for more than five hours without a break.
- 4. Drunk, the driver loses consciousness due to the influence of drugs, alcohol and/or narcotics.
- 5. The distance is too close, the driver does not pay attention to the minimum distance with the vehicle in front and the speed of his vehicle so that it is less than the stopping visibility.

The death rate due to road traffic accidents in Indonesia is still quite high, where most of these accidents involve goods transport vehicles (trucks) (Budi Dwi Hartanto, 2021).

This Regent Regulation 12/2022 clearly regulates the restrictions on the types of goods transport vehicles, namely for motorized goods transport vehicles of class III, class IV, and class V. In addition, it also regulates the obligations that must be carried out by fleet drivers and their transporters, namely to maintain the cleanliness of the roads they pass, meet technical and roadworthy requirements, and comply with provisions regarding loading procedures, carrying capacity, vehicle dimensions, and road classes. Vehicles subject to operational time

restrictions as regulated in this Regent Regulation are goods transport vehicles with and without special loads of mining soil, sand, and stone.

Article 6 of Perbup 12/2022 even regulates the authority of the Transportation Agency in handling traffic conditions or disruptions that occur due to vehicle chaos, "In the event of sudden or situational traffic disruptions, the Transportation Agency can coordinate with the Police to implement traffic management and engineering using traffic signs, traffic signal devices, and temporary road user control and safety devices."

At the end of the provisions of the amendment to Article 12/2022, namely Article 8, it firmly, clearly, and straightforwardly regulates the supervision and control of this Regent's Regulation, namely "Supervision and control of violations of this Regent's Regulation are carried out jointly by the Indonesian National Army, the Republic of Indonesia National Police, the Transportation Service, the Civil Service Police Unit, and the Sub-districts in the Regional area."

## **2. Enforcement of Regent Regulation Number 12 of 2022 Concerning the Second Amendment to Regent Regulation Number 46 of 2018 concerning Restrictions on the Operating Hours of Goods Vehicles on Roads in the Tangerang Regency Area**

Due to the operation of large excavation trucks outside the regulated hours, it has finally resulted in many traffic accidents, the victims of these accidents have suffered minor injuries, moderate injuries, serious injuries and even died. This accident should not have happened if only the excavation trucks had operated at the times regulated in Perbup 12/2022.

Excavation trucks should only operate between 22:00 – 05:00 WIB. However, in reality, so many fleets of excavation trucks violate the provisions of this Regent Regulation. This violation is a serious problem because it has a very high risk impact on public safety on the highway, they are threatened at any time when they meet these excavation trucks. Excavation trucks have large dimensions, almost half the road, with the length of the size of this truck also makes it difficult for other drivers when they want to overtake it, especially two-wheeled vehicles that are more at risk of being affected by the blind spot of the excavation truck.

Many cases of accidents caused by the operation of earthmoving trucks outside the specified operating hours, one case that went viral was an accident involving an elementary school child in Teluknaga District. According to news sources, a soil transport truck hit a little girl in the Teluknaga area, Tangerang Regency, Banten, Thursday (11/7/2024). The chronology of this incident began when the victim with the initials ANP (9) and a woman with the initials SD (20) had an accident when they were hit by a soil transport truck on Jalan Raya Salembaran. The motorbike carrying the victim was overtaking from the left. The victim fell to the right, going under the truck and her left leg was crushed by the front tire of the vehicle. The victim suffered quite serious injuries (her leg was crushed) and was rushed to the Tangerang Regency Hospital.

The truck driver was immediately secured at the Tangerang City Metro Police to continue the investigation. However, the angry residents stopped and damaged other soil trucks that were passing by. Those involved in the riot admitted to being annoyed with the truck driver who did not comply with the operating hour regulations. "The incident occurred in the morning at 08.50 WIB, then the residents were upset and there was a riot this afternoon. Several trucks were damaged, because they were upset," said the resident. In addition, the police who tried to approach the mass action did not escape the anger of the residents.

Other news reported that this incident had a long tail, causing anger among residents and resulting in chaos. Residents damaged and burned dozens of trucks passing through the Teluknaga area. Not only that, a number of residents also looted the tanks and truck doors. "Spontaneously, local residents and other road users damaged several trucks totaling 19 units

(18 soil trucks and 1 mixer truck)," said Head of Public Relations of Polda Metro Jaya Kombes Ade Ary Syam Indradi to reporters, Friday (8/11).

As a form of response to the accident incident and violation of Perbup 12/2022, the Tangerang Regency Government has temporarily stopped the activities of soil trucks in the Teluknaga area. The operation of the soil transportation was stopped so that the chaos would not happen again. "To maintain the situation, we will regulate operational hours by temporarily stopping the activities of the trucks," said Acting Regent of Tangerang Andi Ony Prihartono in Tangerang, as quoted by Antara, Friday (8/11).

The Tangerang Regency Government also conducts supervision at the location, including adding monitoring posts. Personnel in the field will monitor soil trucks that violate operating hours. "Then we will also build a speed trap or speed limiter installed on the highway to regulate the speed of vehicles. There will also be a barrier portal installed," he said.

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Tangerang City Metro Police have named DWA as a suspect in this case. DWA was charged with several articles in the Traffic and Road Transportation Law (UULAJ), namely Article 310 Paragraph (1) and Paragraph (3), which regulates negligence in driving that results in traffic accidents. Not only that, DWA was also charged with Article 106 Paragraph (4) Letter a which states that drivers are prohibited from driving while under the influence of dangerous substances such as drugs.

If we look closely at the resolution of this case, it is through the mechanism of handling criminal law enforcement, where the driver as the driver of the truck fleet has intentionally driven the truck while positive for consuming crystal methamphetamine, and the police have confirmed that they will charge the perpetrator with several articles in the Traffic and Road Transportation Law (UULAJ).

Nowadays, cases that often experience pros and cons in the legal field are cases related to negligence. Negligence that is usually done by most people is in cases of traffic accidents, especially if the accident results in death. In the Criminal Code (KUHP) in Indonesia, a person can be punished for negligence as regulated in Article 359 of the Criminal Code. In the element of negligence or negligence in Article 359 of the Criminal Code, it is said to be more general or broad in scope.

Indeed, all acts of negligence that can cause another person to die can basically be prosecuted under Article 359 of the Criminal Code. However, with the enactment of Law Number 22 of 2009 concerning Traffic and Road Transportation, everything related to negligence related to traffic has been regulated more specifically in Law Number 22 of 2009 concerning Traffic and Road Transportation. So the element of negligence or negligence contained in Article 359 of the Criminal Code regulates negligence that is general in nature and has a broad scope, not negligence caused by traffic accidents (Bayu Adi Wicaksana, 2016).

If Perbup 12/2022 is implemented with full commitment by all stakeholders involved, it will certainly be able to minimize unwanted incidents. In fact, apart from the example of the elementary school child accident case above, there are many other accident cases that have occurred in the Tangerang Regency area, again the main cause is the Violation of Perbup 12/2022.

It takes serious courage and consistency from policy makers who have the authority to maintain, supervise and enforce Perbup 12/2022, because safety and order in society are the main ideals of the birth of this Perbup. Even in article 8 itself, it is regulated that "Supervision and control of violations of this Regent's Regulation are carried out jointly by the Indonesian

National Army, the Republic of Indonesia National Police, the Transportation Service, the Civil Service Police Unit, and the Sub-districts in the Regional area."

Road safety issues are closely related to traffic because accidents can occur that can cause losses and deaths. Traffic safety is one of the priorities that must be prioritized and considered. Accidents are influenced by three main factors, namely humans, vehicle factors, road factors and the environment (Melia Eka Lestiani, 2020).

As carried out by joint officers in Kronjo District which was provided via online media, it was stated that the Kronjo Police, Tangerang Police, Banten Police, secured five trucks in the Mining Goods Transportation Control Operation at the Kronjo Monument, Kronjo Village, Kronjo District, Tangerang Regency, Wednesday (10/30-2024). This operation was carried out to ensure compliance with Tangerang Regent Regulation Number 12 of 2022 which limits the operating hours of mining goods transportation from 05.00 to 22.00 WIB.

Kronjo Police Chief, AKP Dedi Ruswandi, S.H. who led the activity directly said that this operation aims to improve traffic safety and order in the Kronjo Police area, Tangerang City Police, especially in Kronjo District, Tangerang Regency. This operation was also held together with elements of the Tangerang Regency Transportation Agency and the Kronjo District Sat Pol PP. "This operation is focused on mining goods transport vehicles operating outside the specified hours and to check the completeness of vehicle administration," he said.

Vehicles found violating the rules will be immediately ticketed according to the type of violation committed. In this operation, five trucks were also secured because they could not show the complete vehicle documents required. Dedi appealed to all owners and drivers of mining goods transportation to always comply with applicable regulations for the safety and comfort of all on the highway. "It is hoped that with this operation, drivers and mining goods transportation entrepreneurs will be more aware of complying with operational hour regulations and ensuring complete vehicle administration," said the Kronjo Police Chief.

Dedi also said that his party is committed to maintaining traffic order and security through the operational hours of mining goods transportation. According to him, this step is to reduce the risk of accidents and increase the comfort of road users. "We appeal to drivers and owners of mining goods transportation to comply with the applicable operational hour regulations. This compliance is very important for the safety of all and order in the Kronjo District, Tangerang Regency," he concluded.

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In addition to handling problems through criminal law enforcement, preventive handling by the authorities, there is also handling through mediation efforts carried out regarding the enforcement of Perbup 12/2022, as reported in online media which presented the protest action of stopping a truck transporting soil carried out by residents of Pagenjahan Village, Kronjo District, Tangerang Regency, which was passing through the Pagenjahan Village road.

The action was carried out by residents because the presence of the truck caused air pollution. The protest action by residents dominated by mothers took place on Thursday, July 25, 2024 at around 08.00 WIB.

According to Oding, a local resident, the action was carried out due to the rampant excavations in Kronjo and Gunung Kaler Districts. They strongly reject the excavations in Pagenjahan Village, Kronjo District. "We don't want our children to be hit by trucks carrying soil, especially since our children cross the road every day to buy snacks, if we let it happen, there will be traffic accidents," he explained, Thursday, July 25, 2024.

In addition to being worried about traffic accidents, he and other residents are also worried about health problems, especially lung and eye problems, because every day the soil transport trucks from Tamiang Village, Gunung Kaler District and Pagenjahan cause dust pollution. "We, the residents of Pagenjahan, ask that our village not be passed by soil transport trucks from Pagenjahan or Tamiang Village, Gunung Kaler District," he requested.

Meanwhile, the Village Head (Kades) of Pagenjahan Tabrani confirmed that there had been a protest by residents, he admitted that he had mediated between residents and the excavation manager, but there had been no meeting point. "Residents insist that the excavation operate at night, but during the deliberation, there was a little chaos, so we will mediate again. As for me, it depends on the results of the mediation, I don't want there to be any chaos between residents," he concluded.

Although what has been done in the efforts to oversee the Regent's Regulation carried out by the Village Government agency through mediation has not produced maximum results, this is a real illustration that the community's commitment to maintaining the existence of Perbup 12/2022 is truly extraordinary.

Mediation is a simple and practical effort to resolve disputes that is preceded by seeking and meeting an agreement on solving the problem, assisted by one or more mediators who are neutral and only function as facilitators. The final decision is in the power of the disputing parties which is stated in a joint decision (Yulian Dwi Nurwanti and Dina Irawati, 2022).

The purpose of mediation is to resolve disputes between the parties by involving a neutral and impartial third party. Mediation can lead the third parties to the realization of a permanent and sustainable peace agreement, considering that dispute resolution through mediation places both parties in the same position, no party wins or loses (win-win solution). In mediation, the disputing parties are proactive and have full authority in decision-making. The mediator does not have the authority to make decisions, but he only helps the parties in maintaining the mediation process in order to realize their peace agreement. Dispute resolution through mediation is very beneficial, because the parties have reached an agreement that ends their dispute fairly and mutually beneficially. Even in failed mediation, where the parties have not reached an agreement, the benefits have actually been felt. The main model of dispute resolution is the desire and good faith of the parties in ending their dispute. This desire and good faith sometimes require the assistance of a third party in its realization. Mediation is one form of dispute resolution that involves a third party (Alfano Ramadhan, 2021).

## **Conclusion**

Enforcement of Perbup 12/2022 must be carried out comprehensively and firmly, there should be no difference in treatment in this enforcement effort, because it will have an impact on the harmony of the Tangerang Regency community. Where every violation of this Regent's Regulation will certainly have implications for the existence and dignity of the Tangerang Regency Government, which is considered blunt or soft.

The Regent with all Regional Government Organizations related to Perbup 12/2022 has extraordinary authority and discretion, this should not be wasted by the Regent in order to maintain the safety and comfort of the lives of his people. Allowing perpetrators of violations can potentially spur and trigger conflict and disappointment from the community. This will be a topic of discussion and sectoral evaluation by the community towards the Regional Government which is considered negligent and not serious in ensuring the welfare of the community.

The limitation of the operational hours of excavation trucks is solely to maintain the harmony and safety of all parties, especially the community should not feel threatened by their safety due to the deliberate actions of the violators. The Tangerang Regency Government must

seriously maintain the existence of Perbup 12/2022, so that there is good stability and harmony in the Tangerang Regency area.

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