THE ROLE OF THE DIRECTORATE OF TRAFFIC OF NORTH SUMATRA REGIONAL POLICE IN HANDLING TRAFFIC ACCIDENT PROBLEMS IN MEDAN CITY

Ahli Ridho Mangungsong

Faculty of Law, UMN Al Washliyah Medan danisintara@yahoo.co.id

ABSTRACT

Medan is the region with the highest population in North Sumatra province. This has an impact on the increasing needs of the population of Medan for education, economy, and others that encourage the increasing mobilization of the population. The normative juridical approach method is in this study that is examined only library material or secondary data, which may include primary, secondary, and tertiary legal materials. The role of the Directorate of Traffic of the North Sumatra Regional Police in tackling the problem of traffic accidents specifically in the city of Medan conducts in two ways, namely preventive and repressive, and the obstacles encountered by the Directorate of Traffic Police North Sumatra is the Lack of Personnel Integrity, Budget Limitations, Facilities and Infrastructure, Legal Procedures, Lack of Cooperation With Other Agencies, and Public Awareness. The solution of the obstacles by the Directorate of Traffic of the North Sumatra Regional Police is to seek transparency and accountability, reinventing the Police organization, always maintaining and maintaining existing facilities and infrastructure, Strictly prohibiting the police to receive rewards and urging the public to comply with traffic signs.

Keywords: Traffic, Accident, Medan.

Journal History

Received : August 16, 2021;

Reviewed : September 4, 2021;

Accepted : September 23, 2021;

Published : October 1, 2021.

Copyright @2021 NLR. All right reserved.

INTRODUCTION

All human activities greatly helped by the existence of technology that has the movement of every society in this day andage. This is because of the technology in the form of motor vehicles that are found as a means of transportation, not have people do botheroverheating a tau rain when traveling and the function motorvehicles is needed as a means, in order to accelerate the completion of all activities carried out by the public at large. Surely waktu community journey becomes short becomes more fun. The importance of transportation is proven by the increasing need for transportation services for the community accompanied by the increasing number of motor vehicles consisting of two-wheeled and fourwheeled motor vehicles. Although it brings a number of advantages, the presence of motor vehicles also brings other consequences including adequate road provision, vehicle movement arrangements, and traffic accident problems.

Solly Lubis in Hadita (2020) The theory of power, Laski argues, along with Marx, namely that every association of life requires coercive instruments, thus claiming the continuation of a permanent production relationship, because if it were not so then the association of life would not be able to claim its livelihood. By Plato in his book "Politeia" Thrasymachos statement

noted, that justice is the interest of the powerful who demanded the arrangement to the power that is there, it means that the law and the interests of the ruling is one.¹

Highway is a very important a means infrastructure as oftransportation facilitate to and encourage economic activities, covering all parts of the road including complementary buildings and equipment that is used for traffic. In addition the road has, important role in all fields, including being one of the basic needs for the community to meet other basic needs. Therefore, people driving by using roadmust be orderly and orderly and development increasing efforts demand also increased road construction to facilitate the mobility of residents and facilitate the traffic of goods from one area to another, with the better road infrastructure is expected the number of traffic accidents will be reduced.

Developing countries such as Indonesia, orderly awareness on the highway is still low so that it is found violations committed by road users, especially motorists and cars for example running against directions,

¹ Cynthia Hadita, Regional Autonomy Political Politics Of Regional Liability Reports To Regional Representatives In The Implementation Of Local Government, *Nomoi Law Review*, Volume 1, Issue 1, May 2020, p. 93.

breaking through red lights,breaking through railway bars and not usinghelmets, This iswhat resultsin traffictan, congestion, and possibly trigger for traffic accidents, because there are many violations caused by road users who do not obey the rules and legal awareness in traffic on the highway and want to immediately reach their destination.

Medan is the region with the highest population in North Sumatra. This has an impact on the increasing needs of the population of Medan City for education, economy, and others that encourage increasing mobilization the population. The mobilization of the higher population eventually resulted in an increase in the number of vehicles. The rapid increase in the number of motor vehicles is based on the need facilitate to human activities.

News tentang traffic accident is one of the topics that has always been a topic of conversation in the community. Statistically, the dominant traffic accident rate increases year after year. As seen from the data taken from BPS North Sumatra in the number of accidents and losses in the North Sumatra Police Directorate of Traffic in 2018 accidents have occurred as many as 5,990 incidents. There is an increase when compared to 2017 as many as 5,308 incidents in the jurisdiction of North Sumatra Police Data and if you look at the data bps Medan city in the source figures Satlantas Polrestabes Medan said in 2018 there have been 1425 traffic accidentsin

the city of Medan with 257 people killed, severely injured totaling 744 people. Angka accidents increased by 13.47% compared to 2017.

Most of the frequent forms of are caused violations bv motorcyclists such as intentionality, negligence, carelessness lawlessness factors. The factor of community legal compliance with traffic is less so that traffic violations occur even accidents. Motorists often do not pay attention to their own safety orotherang. They only think of their ownegos, for example when a red light breaks through so that an accident occurs.

This clearly needs attention and effective handling because it relates to the policies applied by the Directorate of Traffic (Ditlantas) in each area of the Regional Police (Polda) especially North Sumatra. The policy taken must certainly have relevance and be supported knowledge derived from the available data. The main information recorded in a traffic accident is where, when, and how the accident occurred. Almost all Ditlantas have systems or mechanisms to archive traffic accident events from time to time. Based on this data recording, the Ditlantas routinely accumulates the number of accidents, the number of victims, and the total material losses in an area to be analyzed in determining areas prone to traffic accidents.

DISCUSSION

In accordance with the Great Dictionary of Indonesian Language

NOMOI LAW REVIEW

ISSN (Print) 2723-3413 - ISSN (Online) 2722-3663

(KBBI), the meaning ofthe word Policeis: a body in charge of maintaining security, tranquility, and public order (arresting people who violate the law), is governmentagency anggota (state employees in charge of maintaining security and order). ²According to Kamisa in the Indonesian dictionary successfully compiled, he interpreting the word Police is a body formed by the government as a preserver of domestic security.³

Police are law enforcement tools that can provide protection, protection, and prevent crimes in people's lives. This is in accordance with Rahardi's opinion that the police is one of the functions of the state government in the field of maintaining security and public order.⁴

Understanding Police throughout history the meaning of the Police has different interpretations, police who are now with the beginning in the find the term is very different. The first time the police were found out of the Greek word", politea", which means the entire municipal government. 5

structure that regulates discipline (order) and law. But sometimes this structure is militaristic, as in Indonesia before the National Police was released from ABRI. The police in the court environment served as investigators. In his duty he sought evidence, information from several sources, both witness testimony and expert witness testimony.⁶

According to Pudi Rahardi, that kepolisian is interpreted as an institution or organ. The point is that kepolisian is an organized and structured government institution in the state regulation that by law is given the duties and authorities and responsibilities to organize the Police.⁷

Other opinions according to Satjipto Raharjo Police is a tool of the state in charge of maintaining security and public order, providing providing protection, and protectionto thecommunity.8 Furthermore, Satjipto Raharjo who quoted Bitner's opinion mentioned that if the law aims to create order in the community, among others against crime. Finally the Police determine concretely what is referred to as the enforcement of order.9

² Wjs Purwadarminta, *Kamus Umum Bahasa Indonesia*, (Jakarta: Balai Pustaka, 2003), p. 763.

³ Kamisa, *Kamus Lengkap Bahasa Indonesia*, (Surabaya: Kartika, 1997), p. 422.

⁴ Sadjijono, *Memahami Hukum Kepolisian*, (Yogyakarta: Laksbang Persino, 2010), p. 3.

⁵ Djoko Prakoso, *POLRI Sebagai Penyidik Dalam Penegakan Hukum*, (Jakarta: PT. Bina Aksara, 1987), p. 34.

⁶ Warsiti Adi Utomo, *Hukum Kepolisiandi Indonesia*, (Jakarta: Prestasi Pustaka, 2005), p. 3.

⁷ Pudi Rahardi, Hukum Kepolisian Kemandirian Profesionalisme Dan Reformasi POLRI, (Surabaya: Laksbang Grafika, 2014), p. 2-3.

⁸ Satjipto Rahardjo, *Penegakan Hukum Suatu Tinjauan Sosiologis*, (Yogyakarta: Genta Publishing, 2009), p. 111.

⁹ *Ibid.*, p. 117.

Police profession is a noble profession, because in the police attached the duty of service, protection and protection to the community. But unfortunately, in carrying out his profession that is directly facing the community, it must be recognized that our police still need a lot of improvement not to say it badly.¹⁰

Based on Law No. 2 of 2002 concerning the State Police of the Republic of Indonesia in the provisions of Article 1 Paragraph (1) provides the understanding: "Police are all matters relating to the functions and institutions of the Police in accordance with the laws and regulations".

Duties, functions, and authorities are carried out on the obligation to conduct intensive supervision and if necessary by force performed by carrying out general obligations with the intermediary of the court, and forcing the ordered to carry out general obligations without the intermediary of the court.¹¹

Police Duties

Police duties in general as stated in Article 13 of Law No. 2 of 2002 concerning the State Police of the Republic of Indonesia, mention that the main duties of the National

¹⁰ Wawan Tunggul Alam, Memahami Profesi Hukum: Hakim, Jaksa, Polisi, Notaris, Advokat Dan Konsultan Hukum Pasar Modal, (Jakarta: Milenia Populer, 2004), p. 67. Police of the Republic of Indonesia are:

- a. Provide security and public order
- b. Enforcing the law
- c. Providing protection, protection, and service to the community (Article 13 of LawNo. 2 of 2002 concerning the National Police of the Republic of Indonesia).

To support the main tasks mentioned above, the Police also have certain duties as stated in Article 14 Paragraph (1) of LawNo. 2 of 2002 concerning the State Police of the Republic of Indonesia are as follows:

- a. Implementing the arrangement of guarding, escorting, and patrolling community and government activities as needed.
- b. Organizing all activities in ensuring safety, order and traffic congestion the road.
- c. Fostering the community to increase community participation, awareness of community law, as well as the obedience of citizens to the law andthe law.
- d. Participate in the development of national law.
- e. Maintaining order and ensuring public safety: coordinating, supervising, and technical coaching of special police, civil servant investigators and forms of self-initiativesecurity.
- f. Coordinating, supervising, and technical coaching of special police, civil servant investigators andforms of *self-initiative* security.

¹¹ Momo Kelana, *Hukum Kepolisian Perkembangan Di Indonesia Suatu Studi Histories Komperatif.* (Jakarta: Ptik, 1972), p. 18.



- g. Conducting investigations into all criminal acts in accordance with the criminal procedural law and other regulations.
- h. Organizing policeidentification, policemedicine, forensic laboratories and police psychology forthe purposes ofpolice duties.
- Protecting the safety of the body, property, society and environment and disturbances of order and or disasters including providing assistance and assistance by parachutinghigh human rights.
- j. Serving the interests of citizens for a while before being handled by agencies or authorities.
- k. Provide services to the community in accordance with the interests in the scope of police duties.
- Carrying out other tasks in accordance with the laws andregulations. (Article 14 Paragraph (1) of the Law No. 2 of 2002 concerning the National Police of the Republic of Indonesia).

Police Authority

Authority of the National Police of the Republic of Indonesia (Article 15 Paragraph 1):

- 1. Receive reports and/or complaints.
- 2. Help resolve public disputes that can disrupt public order.
- 3. Preventing and tackling the growing disease of society.

- 4. Supervise the flow that can cause division or threaten the unity and unity of the nation.
- 5. Issue police regulations within the scope of the administrative authority of the police.
- 6. Carry out special checks as part of police actions in order to prevent.
- 7. Perform the first action on the scene.
- 8. Take fingerprints and other identities and photograph someone:
- 9. Looking for information and evidence.
- 10. Organized the National Criminal Information Center.
- 11. Issue a license and/or certificate required in the framework of community service.
- 12. Provide security assistance in the trial and implementation of court decisions, activities of other agencies, as well as community activities.
- 13. Receive and store findings for a while.

The role of the Directorate of Traffic of the North Sumatra Regional Police in Handling Traffic Accident Problems in Medan.

Nomoi as one of Plato's books states that good governance of the country is based on the institution of good law, Aristotle further adds

that a good rule of thumb, if it is governed by the constitution and various degradation. Shahran Law pointed out that civil protection is given when the administrative action affects the loss. The legal protection of the citizens is a universal concept adopted and diversified by different countries.¹²

In driving on the highway various risks can occur to motorists, 2-wheeled and 4-wheeled vehicles as an example of a traffic accident. Traffic accidents occur due to various causes including human negligence, violating traffic regulations and others. This suggeststhat the concept and awareness of the public in good and correct traffic are still lacking. There are many problems related to traffic violations and do not close the possibility that it will cause traffic accidents.

According to Kombes Pol Kemas Ahmad Yamin as The Regional Police Dirlantas North Sumatra, he said the main causes of the accident are as follows:

- a) Driver undisciplined
- b) Tidak skilled in driving
- c) Emotsional, drowsy and unhealthy

12 Eka N.A.M. Sihombing and Cynthia Hadita, "Administrative Measures Problems in Medan Mayor Regulation Number 11 of 2020 Concerning Health Quarantine in the Accelerated Handling of Covid-19," *Proceedings of the 1st International Conference on Law and Human Rights 2020 (ICLHR 2020)* 549, no. 11 (2021): 444–452.

- d) Speeding high speed
- e) No regard for lanes and safe distances.
- f) Damaged vehicle condition.
- g) The roads are slippery and broken.
- h) Views are not free.
- i) Drunk from consuming alcohol or drugs

Some peltraffic budget above is considered to have become a habit for the community of road users, so that every time conducted an orderly operation of traffic in jalan raya by thepolice, then not a few are caught cases of traffic violations and not infrequently also because such violations often traffic cause accidents until it leads to death.

Based on the description above, theauthorobtained the results of the study carried outin the jurisdiction of the North Sumatra Regional Police Directorate and interviewed legal subjects related to theauthor's thesis related to the role of the police in handling traffic accident problems. The author argues that there needs to be a role performed by the police, especially the police in tackling and eradicating the problems that exist at this time especially regarding the problem of traffic accidents.

The role itself simply comes from the word "role" which then gets the suffix "an" into "role". In anthropology and social sciences the role is one of the dynamic aspects of a position or status when a person exercises his rights and obligations then he has performed a role". Role



is a dynamic aspect and position (status). If a person performs his rights and obligations in accordance with his position, then this means that he performs a role. The two cannot be separated and contradict each other. ¹³

Ditlantas is an element of implementing the main task under the Chief of Police. Ditlantas is tasked with organizing traffic activities that include Traffic Community Education (Dikmaslantas), law enforcement, traffic problem assessment, regident administration of drivers and motor vehicles, carrying out highway patrols between regions, as well as ensuring Kamseltibcarlantas. carryingout its duties, **Ditlantas** performs the functions of:

- a. Traffic control police;
- b. Communityparticipation through cross-sectoral cooperation, dikmaslantas, and assessment of problems in the field of traffic;
- c. Implementation of police operations in the field of traffic in the framework of law enforcement and traffic order;
- d. Administration of registration and identification of motor vehicles and drivers;
- e. Implementation of highway patrols and crackdown on violations and handling of traffic accidents in the framework of traffic law enforcement, as well as

- ensuring Kamseltibcarlantas on the highway;
- f. Safetyand rescue of road users; and
- g. Collectionand processing of data, as well as the presentation of information and documentation of ditlantas activity programs.

As for bbased on the results of an interview with Kombes Pol Kemas Ahmad Yamin Regional Police Dirlantas North Sumatra, he said that, The role of the North Sumatra Regional Police Ditlantas in tackling the problem of traffic accidents specifically in the city of Medan in 2 ways namely preventive (prevention) repressive (crackdown). The preventive efforts made by the North Sumatra Regional Police Ditlantas is an effort to counsel to several worlds of education and also to the community who own a motor vehicle in order to know how to trafficwell and correctly. And the programs that implemented have been counseling, education about safety riding, appeal, morning postarrangements, guarding police posts on the street. Education is one of the programs implemented by the North Sumatra Regional Police Ditlantas in relation to upaya tackling traffic accident problems in the city of Medan is very closely related to the participation between police officers and the community who defendereria the same and provide each other learning and knowledge related to violations that always occur on the road. Learning

¹³ Soerjono Soekanto, *Teori Peranan*, (Jakarta: Bumi Aksara, 2002), p. 234.

here is concerned with socialization with the community and providing knowledge about the laws and regulations in anticipation of violations and provide a sense of security to the community so as not to occur traffic accidents.

And by participating in the program of counseling and education activities, it makes the public aware of their rights and obligations as citizens. This means that with the implementation of the program Ditlantas North Sumatra Regional Police has provided legal education to the community related to their rights and obligations as citizens. Of course, with the extension and education program conducted by the North Sumatra Regional Police Ditlantas, it is expected that the public can understand how traffic is good and correct and can reduce the problem of traffic accidents in the city of Medan. Upaya preventive or prevention was very influential to the number of traffic violations kendaraan motor in the north Sumatra region, especially the city of Medan.

In addition to deceiving the public in general, the North Sumatra Regional Police Ditlantas also built cross-sectoral cooperation with several other agencies to encourage the acceleration of traffic order and in order to create publik services for the community. Involved other agencies outside the National Police, such as in cooperation with the Department of Transportation and the Public Works Office. In this case, dinas Pis closely related to the

procurement and repair of roadmarkingsand traffic signs, well as the Public Works Office related to the quality of the highway roadrepairs, where and road conditions are also one of the factorscausing traffic accidents. If police officers find any problems in road conditions that are considered to harm road users then immediately officers will immediately coordinate with those services before it becomes a problem for motorists and the public.

Ditlantas North Sumatra Regional Police also conduct repressive efforts to conduct the name of operations on the highway conducted annually and have their own order, namely: sympathetic obedient operations, operations, ketupat operations, zebra operations, wax operations with crackdowns in the form of verbal and written reprimands and crackdowns with tickets and blangkoreprimands. The operation is solely to continuously improve safety and comfort in driving and reduce the risk of violations and traffic accidents on the highway, thus creating a safe and comfortable atmosphere.

Upaya repressive or repressive, where the effort is very influential tothe reduced number of violations that occur that can make the offender deterrent. These efforts are carried out as a precautionary measure and crackdown carried out by jointly approaching with the community so that there is no misunderstanding in its implementation and the community

itself knows and believes what the police officers are doing in tackling the problem. Traffic offenders may convicted or given a prison sentence in the form of detention in accordance with the violations committed by the owner of the vehicle, but in the interview results the perpetratorsof traffic violations are given a prison sentence usually, while the North Sumatra Regional PoliceDitlantas sanctions in the form of fines or penilangan against vehicles that do not have a letter that is not in accordance with the provisions.

Based on Law No. 2 of 2002 concerning the Police of the Republic of Indonesia the main duties of the police as referred to in Article 13 are as follows:

- a. Implementing arrangements, guarding, escorting, and patrolling community and government activities as needed.
- b. Organizing all activities in ensuring safety, order, andtraffic congestion on the road.
- c. Fostering the community to increase community participation in public legal awareness as well as the obedience of citizens to the law andthe regulation.
- d. Participate in the construction of national law.
- e. Maintain order and ensure public safety.
- f. Coordinating, supervising, and technical coaching of special police, civil servant investigators,

- andforms of self-initiative security.
- g. Conduct investigations and investigations of all criminal acts in accordance with the law of criminal events andother laws.
- h. Conducting police identification, police medicine, *forensic* laboratories and police *psychology* forthe purposes ofpolice duties.
- i. Protecting the safety of the body, property, community, and environment from disturbances of order and/or disasters including providing assistance and assistance by high-profilehuman rights.
- j. Serving the interests of the community for a while before being handled by agencies and / or authorities.
- k. Provide services to the community in accordance with its interests in the scope of police duties.

As a protector, protector and service provider to the community, the North Sumatra Regional Police Ditlantas is very important in improving discipline, especially in traffic that can be realized in order to reduce traffic accidents, according to Kombes Pol Kemas Ahmad Yamin as Dirlantas Of North Sumatra Regional Police, he said it can be realized through:

1. Fostering and organizing traffic functions that include community education, law enforcement, andtraffic problem assessment.

- 2. Maintaining traffic order with 2 cara i.e. preventive (prevention), and repressive (crackdown).
- 3. Administration services registration and identification ofmotorists and motor vehicles.
- 4. Implementation of highway patrols and crackdown on violations and handling of traffic accidents in the framework of law enforcement and traffic safety on the highway.
- 5. Safety and rescue of the community of road users.

As for the form of liability for traffic accidents that only result in material losses without fatalities is in the form of reimbursement. The party that causes traffic accidents that result in material losses only without victims is the perpetrator of a criminal offence and will criminally processed for his crimes. Legal sanctions that can be imposed for the above incidents for drivers due to negligence are criminal sanctions stipulated in Article 310 paragraph (1) of the LLAJ Law. In addition to the sanctions reimbursement, public transport companies responsible for losses suffered by the sender of goods due to the destruction, loss, or damage implementation of due to the transportation can be sanctioned in form of written warnings; administrative fines; freezing of permits; and/or revocation of license. And if the perpetrator escapes, proses handlershave been regulated in Article 227 of Law No. 22 of 2009

concerning Traffic And Highway Transportation, namely the procedure of handlingtrafficaccidents "In the event of a traffic accident, officers of the State Police of the Republic of Indonesia are obliged to handletrafficaccidents by:

- 1. Come to the scene immediately;
- 2. Helping victims;
- 3. Perform the first act at the crime scene:
- 4. Workon the crime scene;
- 5. Regulate the smooth flow of traffic:
- 6. Msecures evidence; and
- 7. Conducting a case investigation.

CONCLUSION

That the Role of the North Sumatra Regional Police Ditlantas in tackling the problem of traffic accidents specifically in the city of Medan do in 2 ways namely (prevention) preventive and repressive (crackdown), in addition there is also hambatan encountered by the Regional Police Ditlantas North Sumatra is the Lack of Personnel Integrity, Budget Limitations. **Facilities** and Infrastructure, ProsedurLaw, Lack of Cooperation dengan Other Agencies, and Public Awareness. Therefore, there is a delusionofobstacles by the North Sumatra Regional Police Ditlantas is to seek transparency and accountability, reinventing the police organization, always maintaining and maintaining existing facilities and infrastructure, Strictly prohibiting the police to receive rewards and urging the public to



obey the signs and llintas. to use communication relationships between each agency, and to empower the community.

REFERENCES

- Alam, Wawan Tunggul., Memahami Profesi Hukum: Hakim, Jaksa, Polisi, Notaris, Advokat Dan Konsultan Hukum Pasar Modal, Jakarta: Milenia Populer, 2004.
- Hadita, Cynthia., Regional Autonomy Political Politics Of Regional Liability Reports To Regional Representatives In The Implementation Of Local Government, *Nomoi Law Review*, Volume 1, Issue 1, May 2020.
- Kamisa, *Kamus Lengkap Bahasa Indonesia*, Surabaya: Kartika, 1997.
- Kelana, Momo., Hukum Kepolisian Perkembangan Di Indonesia Suatu Studi Histories Komperatif, Jakarta: Ptik, 1972.
- Prakoso, Djoko. *POLRI Sebagai Penyidik Dalam Penegakan Hukum*, Jakarta: PT. Bina

 Aksara, 1987.
- Purwadarminta, Wjs. *Kamus Umum Bahasa Indonesia*, Jakarta: Balai Pustaka, 2003.
- Rahardi, Pudi., *Hukum Kepolisian Kemandirian Profesionalisme Dan Reformasi POLRI*,
 Surabaya: Laksbang Grafika,
 2014.
- Rahardjo, Satjipto., Penegakan Hukum Suatu Tinjauan

- Sosiologis, Yogyakarta: Genta Publishing, 2009.
- Sadjijono, *Memahami Hukum Kepolisian*, Yogyakarta: Laksbang Persino, 2010.
- Sihombing, Eka N.A.M. and Cynthia Hadita. "Administrative Measures Problems in Medan Mayor Regulation Number 11 of 2020 Concerning Health Quarantine in the Accelerated of Covid-19," Handling **Proceedings** ofthe 1st International Conference on Law and Human Rights 2020 (ICLHR 2020) 549, no. 11 (2021).
- Soekanto, Soerjono., *Teori Peranan*, Jakarta: Bumi Aksara, 2002.
- Utomo, Warsiti Adi. *Hukum Kepolisiandi Indonesia*,
 Jakarta: Prestasi Pustaka,
 2005.