# Safety Inspections of Public Transport Modes in Accordance with Law No. 22 of 2009 Concerning Traffic and Road Transportation at the Service Unit of Type A Terminal in Bawen

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**Abstract** Data collected from various sources indicates that traffic accidents remain a significant issue. The Indonesian National Police's Traffic Corps (Korlantas Polri) claims that the number of accidents across Indonesia has decreased over the past four years. This statement was made by AKBP Hendra Wahyudi, the Head of the Traffic Sub-Directorate, Ditgakkum. According to him, in 2019, the number of accidents reached 116,411 cases, which was higher than the 100,028 cases reported in 2020. In 2021, the number further decreased to 103,645 incidents, and by 2022, only 55,777 accidents had occurred. "The number of fatalities in 2019 reached 25,671, while in 2020 it dropped to 23,529. However, the number of deaths rose again in 2021 to 25,266, and by May 2022, there were already 11,183 fatalities," he emphasized. The primary cause of accidents is generally attributed to driver error. According to the most recent data from 2022, 15,885 accidents were caused by driver inattention, 15,315 by failure to maintain a safe following distance, and the remainder by negligence during turns. The distribution of accident locations is quite varied.

Keywords : Inspection, Safety, Transportation, Traffic.

# **1. INTRODUCTION**

Transportation plays a crucial role in supporting societal life, especially land transportation. Therefore, public transportation exists to meet the needs of people from various social strata. To ensure the safety of all individuals using transportation, regular safety inspections of public transport modes must be carried out. Safety inspection can be understood as a supervisory effort and legal action against violations that may be harmful or even dangerous to the public, as it relates to the safety and security of transportation. According to Article 1 of the Minister of Transportation Regulation No. 26 of 2015 on Traffic and Road Transportation Safety Standards, the providers of infrastructure, facilities, and human resources in the field of traffic and road transportation must comply with safety standards, which include public motor vehicles, traffic and road infrastructure, human resources in the field of traffic and road transportation, operations, and the environment.

Violations concerning road safety are a serious issue because they pose a significant danger to public transport users, road users, private transport users, and the broader community.

In general, such violations are often carried out by public transportation providers or the human resources involved in the transportation services, and may also result from negligence, whether intentional or unintentional, by the transportation managers and the personnel involved. One of the articles in the Traffic and Road Transportation Law stipulates that the technical requirements of transportation that meet safety standards must comply with Article 48, Paragraph (2) of Law No. 22 of 2009, which includes components such as the chassis frame, engine, exhaust system, power transmission system, wheel system, suspension system, steering system, braking system, lighting system, reflector systems, and supporting components. Transportation vehicles must be equipped with seat belts, a spare tire, safety triangle, jack, wheel wrench, and first aid kits. The bodywork of the vehicle must have windows, doors, hinges, seating, places for vehicle registration numbers, and a converter kit system (for converting fuel supply systems) for vehicles running on high-pressure fuel.

Violations of technical requirements for transportation, as stipulated in Article 76 of Law No. 22 of 2009 on Traffic and Road Transportation, will result in administrative sanctions such as written warnings, fines, license suspension, and/or revocation of permits.

These sanctions are enforced because violations may endanger the public, potentially resulting in fatalities due to accidents. Other administrative violations, such as the inability to show a driver's license or other documents like inspection books, are also common. The negative consequences arising from these violations include delays, such as buses not arriving on schedule or being late due to the sanction process. In more severe cases, the bus may be forced to stop and prohibited from continuing its journey, which is highly inconvenient for passengers, as they must wait for a replacement bus. These violations are often trivialized by public transport organizers, causing problems to accumulate and, in some cases, leading to disasters for others.

In the A-type Terminal Service Unit of Bawen, numerous violations are still frequently found, including:

- 1. Expired or unrenewed vehicle inspection books and other administrative documents.
- 2. Technical violations related to the completeness and roadworthiness of vehicles, such as malfunctioning wipers, broken lights, and other similar issues.
- 3. Route deviations that do not comply with the permits issued to public transport operators.

4. The inability of transportation operators (bus crews) to present the required administrative documents.

These violations can result in significant losses and accidents, thus failing to meet safety standards in accordance with the *Minimal Service Standards for Passenger Transportation Using Public Motorized Vehicles in Routes*, as stipulated in the Minister of Transportation Regulation No. 29 of 2015, which amends the Minister of Transportation Regulation No. 98 of 2013 on the same matter. Therefore, inspections on road transport conducted at the A-type Terminal Service Unit in Bawen are crucial to ensuring the safety, comfort, and security of the public, especially passengers using public transportation, while complying with the safety aspects outlined in the Minimal Service Standards for Public Motorized Vehicle Transportation.

From the data gathered through various sources, traffic accident records are still notably high. The National Traffic Corps (Korlantas Polri) claims that accident rates in Indonesia have decreased over the past four years. According to AKBP Hendra Wahyudi, Head of Subditlaka Ditgakkum, traffic accidents in 2019 reached 116,411 cases, higher than the 100,028 incidents reported in 2020. In 2021, the number further decreased to 103,645 cases, and as of 2022, the total reached 55,777 incidents. The fatality rate in 2019 was 25,671 deaths, which dropped to 23,529 in 2020. However, in 2021, the number of fatalities rose again to 25,266, and by May 2022, 11,183 lives had been lost. Common causes of accidents are attributed to driver error. In 2022 alone, 15,885 accidents were caused by driver negligence, 15,315 by failure to maintain a safe distance, and the rest by carelessness while turning. The location distribution of accidents is highly varied.

Since the beginning of 2022, the number of accidents on arterial roads has reached 2,627 cases, significantly higher than the 604 accidents reported on toll roads. Motorcycle accidents remain dominant, with 71,975 incidents, followed by 10,091 cargo transport accidents, 2,859 passenger vehicle accidents, and 7,927 bus-related accidents.

According to investigations by the National Transportation Safety Committee, factors influencing traffic accidents include human error, vehicle infrastructure, facilities, and environmental conditions. Between 2017 and 2021, the committee investigated a total of 58 causes of accidents. Human factors have been the most dominant cause of accidents during this period, contributing to 37 incidents.

Meanwhile, the Director General of Land Transportation at the Ministry of Transportation, Budi Setyadi, identified five fundamental issues affecting land transportation in Indonesia, including buses. First, there is a lack of efficiency and effectiveness due to poor integration of land transport. Second, driver egoism is a concern. Third, the disregard for safety aspects has led to frequent traffic accidents. According to the World Health Organization (WHO) in 2019, Indonesia ranked 8th out of 11 Southeast Asian countries in traffic-related fatalities, with a mortality rate of 12.2% per 100,000 people. Fourth, mass transportation is unevenly distributed due to Indonesia's archipelagic geography. Fifth, there is a much higher demand for private vehicles compared to public transportation, primarily due to the lack of integration in land transport. Based on the explanations above, researchers have chosen to research the Safety Inspection of Public Transport Modes according to Law No. 22 of 2009 on Traffic and Road Transportation in the A-type Terminal Service Unit.

### 2. RESEARCH METHOD

This study employs an Empirical Juridical approach, which is a legal research method that focuses on the application or implementation of normative legal provisions in practice, specifically in relation to particular legal events occurring within society. According to Abdul Kadir Muhammad, empirical juridical research begins with examining secondary data, followed by field research to gather primary data.

### **3. DISCUSSION**

# Implementation of Inspections on Public Transport Modes According to Law No. 22 of 2009 on Road Traffic and Transport at the A-Type Bawen Terminal Service Unit

The inspection activities of public transportation are conducted to improve and ensure road traffic and transport safety. These inspections must adhere to the operational procedures Directorate General of Land Transportation Regulation outlined in the No. SK.5637/AJ.403/DRJD/2017 on Guidelines for the Implementation of Road Traffic and Transport Safety Inspections. This guideline serves as a reference or standardization for the execution of inspection activities. The implementation of these activities is carried out by a formed inspection team, which consists of administrative elements, technical elements, and legal elements. The team is led by a Civil Servant Investigator and includes motor vehicle examiners, assistant vehicle examiners, record keepers for arrivals, departures, and load factors, as well as traffic controllers.

The elements to be inspected include administrative aspects such as driving licenses, periodic test books, and inspection cards. The other aspects are technical elements, which are further divided into primary and supporting technical components. Primary technical components include important parts of the public transportation, such as headlights, turn signals, brake lights, braking systems, windshields, doors, tires, windshield wipers, and safety glass. Supporting technical components, such as spare tires, jacks, wheel wrenches, and horns, must also be present.

The implementation of safety inspections for public transport modes at the A-Type Bawen Terminal Service Unit is mandatory to improve and ensure the safety of public transport users. These safety inspection activities help identify any violations in the provision of public transport services or other issues that do not comply with Law No. 22 of 2009 on Road Traffic and Transport. From the data obtained in the study at the A-Type Bawen Terminal Service Unit, it is possible to determine how many public transportation vehicles operate at the unit. The following data was gathered in 2022.

Bulan : Januari - Desember 2022						
No.	Bulan	Kedatangan		Keberangkatan		Load Faktor
		Kendaraan	Penumpang	Kendaraan	Penumpang	(%)
1	Januari 2020	4,682	37,552	4,682	44,491	27.15
2	Februari 2020	3,309	23,768	3,309	29,376	25.36
3	Maret 2022	3,686	20,764	3,686	31,136	24.13
4	April 2022	3,305	21,766	3,305	29,003	25.07
5	Mei 2022	3,187	28,743	3,187	39,124	35.07
6	Juni 2022	3,899	28,431	3,899	38,831	28.45
7	Juli 2022	6,569	62,816	6,569	79,478	34.57
8	Agustus 2022	4,859	38,765	4,859	55,278	32.50
9	September 2022	4,636	35,423	4,636	48,255	29.74
10	Oktober 2022	5,866	45,454	5,866	64,701	31.51
11	November 2022	3,191	49,591	3,191	54,736	49.01
12	Desember 2022	3,284	62,893	3,284	68,272	59.40
JUMLAH		50,473	455,966	50,473	582,681	
Rata-Rata		4,206	37,997	4,206	48,557	33
Prosentase naik/turun		32.24%	34.37%	32.24%	47.01%	

Tabel 1. Data on the Service Units of the Type A Bawen Terminal for the Year 2022

Source : Bawen Type A Terminal Service Unit

Based on a study conducted at the Type A Bawen Terminal Service Unit, it can be concluded that the implementation of safety inspections has been less effective due to the high number of violations in public transportation. This issue arises from the lack of assertiveness among officers when addressing public transport operators. As shown in the table, actions taken against violations were predominantly warnings, rather than other measures that could have a more deterrent effect. Furthermore, socialization efforts to the public or public transport owners have been absent, leading to a lack of awareness among both the public and operators about the importance of compliance with traffic regulations as outlined in Law No. 22 of 2009 on Road Traffic and Transportation.

Based on observations conducted at the Type A Bawen Terminal Service Unit, several challenges were identified in the implementation of traffic safety inspections. These challenges stem from both internal and external factors. The internal challenges include insufficient personnel, which hinders the effectiveness of safety inspections, as these activities cannot be carried out efficiently, often requiring considerable time. When additional personnel are deployed, they must temporarily leave their other tasks, which delays the overall process. Ideally, safety inspections should involve at least five personnel or more.

At the Type A Bawen Terminal Service Unit, only four personnel are involved in safety inspections due to the limited staff size, with a total of only seven people in the field team. External factors affecting safety inspections at the unit are related to the public transportation operators. This is evident from the safety inspection recap data from 2022. The following is a summary of the safety inspection data conducted at the Type A Bawen Terminal Service Unit, held every Monday to Friday from 14:00 to 15:00 WIB.

## 4. CONCLUSION AND SUGGESTION

### Conclusion

- Based on the discussion above, it can be concluded that the implementation of Safety Inspections for Public Transport Modes, according to Law No. 22 of 2009 on Road Traffic and Transportation, at the A-type Terminal Service Unit in Bawen, is carried out every Monday to Friday at 2:00 PM. This procedure can be considered to have been conducted in accordance with the mandates of Law No. 22 of 2009. However, despite this, many obstacles were found during the inspections, and the process is deemed to be less than optimal.
- 2. The challenges identified in the implementation of safety inspections for land transportation modes, as outlined in Law No. 22 of 2009 on Road Traffic and Transportation, include the lack of firmness among law enforcement officers in enforcing sanctions, insufficient socialization to the public, the limited number of staff available to conduct safety inspections, and the lack of competency development for

officers, such as through training or workshops.

3. The proposed solutions to the challenges encountered during the public transport safety inspections, as per Law No. 22 of 2009 on Road Traffic and Transportation at the A-type Terminal Service Unit in Bawen, include issuing warnings and urging public transport service providers to comply with regulations set by officers, conducting socialization activities with service providers regarding the importance of maintaining and improving traffic safety, enhancing the facilities and infrastructure available to field officers, and imposing sanctions in the form of fines on vehicles deemed unroadworthy and which have already been warned.

### Suggestion

The following recommendations are made: To the government, particularly the Ministry of Transportation, Directorate General of Land Transportation, which has authority over terminal operations, it is recommended to increase the facilities and infrastructure supporting the enforcement of legal regulations, such as by adding more field personnel and improving the quality of law enforcement officers' human resources at A-type terminals through education, training, and regular performance evaluations. To the general public, it is crucial to understand the essence of Law No. 22 of 2009 on Road Traffic and Transportation, enabling them to be more selective when choosing public transport services. This is important because not all people are aware of the regulations governing public transportation, and transport providers should pay closer attention to the rules outlined in the Traffic and Road Transport Law.

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