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## Traffic Violations by Minors: An Analysis of Impact, Causes, and Solutions

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### ABSTRACT

*Traffic violations committed by minors have become a serious problem in many countries. This phenomenon is worrying because it can cause traffic accidents that threaten people's lives and safety. The purpose of this research is to analyze the level of traffic violations committed by minors and the factors that influence their behavior on the road. The research method used is normative. Factors that influence children's traffic violation behavior include lack of knowledge about traffic rules, lack of parental supervision, peer influence, and ignorance about the serious consequences of traffic violations. This research provides important insights into the problem of traffic violations by minors and their implications for road safety. Collaborative efforts from the government, schools, families and the community are needed to increase children's awareness of the importance of obeying traffic rules. Effective educational programs and strict law enforcement need to be implemented to change the behavior of these children. In addition, the role of parents and better supervision can also contribute to reducing traffic violations by minors.*

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## I. INTRODUCTION

Traffic is the movement of vehicles and people in the road traffic space.<sup>1</sup> Meanwhile, what is meant by road traffic space is infrastructure designated for the movement of vehicles, people and goods in the form of roads and their supporting facilities.

Traffic violations in Indonesia are still quite high, especially in big cities that are dense with vehicles and pedestrians. Indonesia's high traffic violations can cause serious consequences, such as traffic accidents, injuries, and death. Therefore, the government and society must work together to increase awareness and discipline in traffic, educating the public about traffic regulations, as well as supervising and providing strict sanctions for violators. In addition, it is also necessary to improve road infrastructure and better public transportation to reduce traffic jams and increase people's mobility.

The phenomenon of the number of motorists below not a few ages have had many negative impacts one of them traffic accidents and violations that often occur. Besides that do not have a driving license (SIM), mostly teenagers commit reckless stunts on the road with that vehicle, and without it realizing that their actions could be dangerous and they themselves, besides endangering himself, reckless can also harm others.<sup>2</sup> According to Law no. 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, namely What is meant by a child is someone who is not yet 18 years old, incl child who is still in the womb.<sup>3</sup>

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<sup>1</sup> Undang-undang no.20 Tahun 2009 Tentang Lalu Lintas pasal 1 ayat (2)

<sup>2</sup> Syamsu Yusuf, 2012, Psikologi Perkembangan Anak dan Remaja, Penerbit PT. Remaja Rosdakarya. Hal. 26

<sup>3</sup> Undang-undang No. 35 Tahun 2014 Tentang Perubahan Atas Undang-undang No. 23 tahun 2002 Tentang Perlindungan Anak Pasal 1 ayat (1)

Therefore, it is important to increase children's awareness about the dangers of traffic violations and provide education about the rules and procedures for safe traffic and Correct. In addition, parents and guardians should also pay attention and supervise their children while on the road to reduce the risk of traffic violations by minors.

Several factors causing traffic violations for minors include a lack of understanding of good and correct traffic rules, lack of supervision and education from parents or guardians, and minimal community participation in providing education about traffic safety. Therefore, this article aims to raise awareness and knowledge of minors about good and correct traffic rules, as well as increased supervision and education from parents and guardians in terms of traffic safety.

One of the relevant previous studies is research conducted by Danu Anindhito et al (2018) which examines the legal policy of traffic violations by children in the East Java Regional Police. The research involved a survey of underage drivers, and found that factors such as self-confidence, and ignorance of the consequences of traffic violations were closely linked to breaking the rules. The results of this study provide a better understanding of the factors of traffic violations by minors that can be the target of effective road safety interventions.

Another interesting research is research conducted by Ida Ayu Putu Monika Dewi and her team (2020) with the title law enforcement against children in traffic violations that cause the loss of other people's lives in the city of Singaraja. In this study they collected data through empirical research, which is a study that views law as a reality that includes social reality, cultural reality and others that depart from the gap between *das sollen* and *das sein*. The results of this study provide valuable insights for traffic authorities in developing more efficient law enforcement strategies.

## II. RESEARCH PROBLEMS

Associated with the high number of traffic accidents involved minors due to traffic violations. Traffic violations committed by minors may endanger their own safety and that of others at around them. Based on this background, the problem is: how is law enforcement against children in traffic violations that cause accidents? what are the inhibiting factors for law enforcement against children in traffic violations that result in accidents?

## III. RESEARCH METHODS

The approach method used in the preparation of this article is the normative legal research method. Normative legal research is research conducted by studying laws and regulations that apply or are applied to a particular legal issue. The research specification used in this paper is descriptive analysis. In addition, the data collection method used in this paper is the library research method which is carried out by examining various secondary data sources in the form of books, journals and other legal writings related to the research subject. Then the data that has been collected is then analyzed using qualitative methods supported by deductive logical thinking as an answer to all the legal problems that exist in the author of this article.

## IV. RESULT AND DISCUSSION

### 1. Law Enforcement Against Child Traffic Violators Causing Accidents

In every case of a traffic accident that occurs on the highway, it must have legal consequences for the driver of the vehicle. Provisions related to fatal accidents resulting in the loss of other people's lives can normatively be seen in Article 359 of the Criminal Code (hereinafter referred to as the Criminal Code) and are regulated in more detail in Article 310 of Law Number 22 of 2009 concerning Road Traffic and Transportation (hereinafter referred to as the LLAJ Law).<sup>4</sup> The main view of traffic regulations is to create security, safety, order and smooth traffic on the highway.

The involvement of children in traffic accident cases encourages children to inevitably have to deal with the law. The regulation of children who are in conflict with the law in Indonesia is regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System which explains that what is meant by children who can become perpetrators of crimes are those who are 12 (twelve) years old but not yet 12 years of age.<sup>5</sup> twelve years. not yet 18 (eighteen) years old.

Law enforcement against children in traffic violations that result in accidents involves a series of actions aimed at enforcing traffic rules and providing legal consequences for children involved in these violations. The purpose of law enforcement is to create awareness of the importance of traffic safety, provide a deterrent effect, and prevent similar violations from occurring in the future. However, in the context of law enforcement against children, there are several aspects that need attention.

- a. Age and Responsibilities Considerations

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<sup>4</sup> Pasal 310 Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan

<sup>5</sup> Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak

In law enforcement against children in traffic violations, it is important to consider the age of the child and the level of responsibility they can understand. Children may not have the same understanding as adults about the legal ramifications and traffic safety. Therefore, a sensitive approach is needed and pays attention to aspects of rehabilitation and education.

b. Children's Legal System

In many countries, there are special legal systems for children who break the law. This system aims to provide protection and pay attention to the best interests of children. Law enforcement against children in traffic violations must pay attention to the principles and procedures regulated in the child's legal system.

c. Proportional Sanctions

Sanctions given to children in traffic violations must be proportional to the violations committed and aim to provide effective learning. Rehabilitative approaches such as traffic education programs or social work may be more appropriate than punitive sanctions.

d. Role of Parents or Guardians

Parents or guardians of children must also be involved in the law enforcement process against children who commit traffic violations. They must support efforts to rehabilitate children, provide stricter supervision, and play an active role in educating children about traffic safety.

e. Prevention and Education

In addition to law enforcement, it is also important to carry out proactive prevention and education efforts. Through traffic safety programs specifically aimed at children, we can raise their awareness about traffic rules and the consequences of violating them that can cause accidents.

In conclusion, law enforcement against children in traffic violations that result in accidents must pay attention to aspects of sensitivity to age, responsibility, and the legal system that applies to children. The sanctions given must be proportional and aim to provide effective learning. In addition, rehabilitative approaches and traffic education are important in efforts to prevent similar violations in the future.

## **2. Factors inhibiting law enforcement against children in traffic violations that result in accidents**

In law enforcement against children in traffic violations that result in accidents, there are several inhibiting factors that can affect the process. These factors can affect the legal system's ability to enforce traffic laws effectively and have consequences for children who are involved in violations. Some of these inhibiting factors include:

- a. **Lack of Awareness and Education** One of the main factors is the lack of awareness and education about traffic rules. Children may not have an adequate understanding of the legal consequences of traffic violations and the importance of road safety. Lack of traffic education in schools and families can also be an obstacle in providing adequate understanding to children.
- b. **Limited Resources:** Limited resources such as personnel, budget and infrastructure can affect law enforcement against children in traffic violations. The legal system may not have sufficiently trained personnel to deal with child abuse cases. In addition, a lack of budget can hinder efforts to prevent, rehabilitate and educate children.
- c. **Legal Complexity:** When a child is involved in a traffic violation, there are legal complexities that must be considered. Law enforcement of children concerns the consideration of the child's age, the applicable children's legal system, as well as the protection and rights of children. This can complicate the law enforcement process and affect the ability of the legal system to deliver effective consequences.
- d. **Rehabilitative Approach:** Law enforcement against children must consider a rehabilitative approach that aims to improve the child's behavior and prevent the recurrence of violations. However, this rehabilitative approach may require considerable time and resources, as well as strong support from relevant agencies. Lack of focus on rehabilitation can hinder effective law enforcement efforts against children involved in traffic violations.
- e. **Family and Environment Support** The role of the family and the environment is very important in shaping children's behavior related to traffic safety. Lack of support from family and environment can affect the effectiveness of law enforcement. In addition, social and cultural pressures that view traffic violations as normal can also hinder law enforcement against children.

In overcoming these inhibiting factors, collaborative efforts are needed between the government, educational institutions, families and communities to increase awareness, education and law enforcement against children in traffic violations. In addition, the allocation of adequate resources and the development of an effective rehabilitation program are also important in achieving the objectives of effective law enforcement and prevention of traffic violations by children.

## V. CONCLUSION

Based on the results of the research that in terms of law enforcement against children in traffic violations that result in accidents regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, where the law mandates diversion as a form of resolution, namely by diverting cases outside the criminal justice system. It's just that in order to apply diversion, certain conditions are required besides the agreement of the parties, namely a crime that is punishable by imprisonment under 7 (seven) years and the crime is not a repeat offence.

Furthermore, law enforcement efforts against children in traffic violations that result in accidents cannot be carried out optimally because they are still influenced by several inhibiting factors including child social psychology, namely because the age of the child is still in the process of finding identity. so that children's understanding of traffic hazards is still lacking. many children do not want to ask for information regarding the accident cases they experience, lack of participation of parents to guide their children and explain the dangers of traffic disobedience, lack of maximum traffic outreach, unavailability of diversion rooms, differences in information given by witnesses, differences in the statements of witnesses and defendants, and determine who is really guilty or negligent of committing a crime.

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