



Application of Title 45, Chapter 22 of the Laws of 2009 Relating to Supporting Facilities for the Implementation of Traffic and Road Transportation

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Abstract

Road traffic and transit safety, security, order, and smoothness depend on supporting facilities and infrastructure. This empirical study analyses and explains the execution of Article 45 of Law Number 22 of 2009 on supporting facilities for commuters and drivers in Prabumulih City and its barriers. Based on study and discussion, Article 45 of Law Number 22 of 2009 addressing supporting facilities for commuters and drivers in Prabumulih City is still inadequate due to the lack of bicycle lanes and disabled facilities. Street merchants still misuse walkways. The implementation of Article 45 of Law Number 22 of 2009 in Prabumulih City is hindered by inadequate supporting facilities and infrastructure due to a lack of funds for transportation infrastructure, weak enforcement against the misuse of sidewalks into street vendors; people crossing the road without using zebra crosses or overpasses, and the bus stop not being used for passenger boarding and disembarkation.

Keywords: *Traffic; Road Transportation; Law; Implementation*

Introduction

Road Traffic and Transport Network Regulation aims to realise an integrated Road Traffic and Transport Network. A Road Traffic and Transport Network that connects all regions on the mainland is developed to recognise integrated commuters and drivers (Shill, 2021). Government Regulation Number 79 of 2013 concerning Commuters and drivers Networks regulates road equipment, traffic, and transportation infrastructure, everything from road markings and street lights to traffic signals and passenger waiting areas. (Sharma et al., 2022). Road equipment and transport infrastructure are essential in implementing commuters and drivers to protect road traffic and vehicle safety, security, order, and smooth running (Zhang et al., 2018).

In the general explanation of Government Regulation (PP) Number 79 of 2013 concerning Commuters and drivers Networks as amended by PP No. 30 of 2021 concerning the Implementation of the Commuters and drivers Sector, roads contribute significantly to national growth and unity. Thus, a good network and supporting infrastructure are needed to provide safe, orderly, and seamless road traffic and transit (Martinouva, 2021). Planning, executing, administering, and supervising institutions ensure the feasibility of traffic and road transport networks and infrastructures (Aiyitibieke et al., 2019).

A Road Traffic and Transport Network that connects all regions on the mainland is developed to realise integrated road traffic and transportation. The development of the Road Traffic and Transport Network is guided by the master plan of the Transportation Systems and Roadway Commutes according to needs.

Division of coaching authority is meant to make each coach's tasks and obligations to Commuters and drivers more evident and transparent so that Commuters and drivers may be implemented safely, orderly, seamlessly, and efficiently. It can be accounted for (Barnett et al., 2021). This Law strictly regulates operational and technical matters previously handled in government regulations and implements Law 14 of 1992 on Commuters and drivers to legal certainty and eliminates the need for many such regulations (Gunawan, 2020).

Legal certainty in its rule necessitated the strict and detailed regulation provided by Law Number 14 of 1992 concerning Commuters and drivers. As a result, less bureaucracy and implementing regulations are needed to carry out the Law's provisions. (Chaudhari et al., 2020). In Law Number 22 of 2009, the terminology regarding Commuters and drivers is refined into Commuters and drivers, a unified system consisting of traffic, road transportation, Commuters and drivers Networks, Commuters and drivers The administration of roads, transportation systems, drivers, and passengers Infrastructure, Vehicles, Drivers, Road Users, and their management (Gusti et al., 2021).

There is a fact that the supporting facilities for the implementation of Commuters and drivers in Prabumulih City are still inadequate or have not been utilised as they should be (Handoko & Maryanto, 2021). Based on the researcher's observation, the condition of the supporting facilities for implementing Commuters and drivers in Prabumulih City, such as public sidewalks, is quite good (Martinouva, 2021). However, there is still a lot of abuse, especially along the City Traditional Market, where the existing sidewalks are used by street vendors so that pedestrians are forced to walk on the shoulder of the road (Ngatmin & Ma'ruf, 2018).

Methods

The research method used is an empirical juridical research method. Article 45, Implementation of Law Number 22 of 2009 Supporting Commuters and drivers in Prabumulih City, is analysed qualitatively using practical legal theory.

Result and Discussion

Implementation of Article 45 Specifically, Act 22 of 2009 concerning Supporting Facilities for the Implementation of Commuters and drivers in Prabumulih City

Pancasila-based national development and transportation have a substantial and strategic position in environmentally sound nation-building. This must be reflected in the mobility needs of all sectors and regions (Tarigan et al., 2020). Transportation is a significant strategy for improving the economy, fostering national harmony, and reshaping the country as a whole and state (Park & Lee, 2021).

Supporting facilities in traffic is very important to keep smooth running and create a conducive atmosphere when driving. But the fact is that nowadays, if we observe around us, especially in Prabumulih City, it turns out that many highways still do not have adequate facilities for road users (So & Kim, 2021).

The Regional Government provides supporting facilities for Commuters and drivers Law, Number 22 of 2009, article 45, paragraph (2). With the annual APBD funds, the Prabumulih City Government can be an excellent facilitator in creating a comfortable driving environment. Traffic accidents have long plagued developing and developed nations. According to WHO data, traffic accidents killed 1,170,694 people in 2017, making them the ninth leading cause of death worldwide. Due to population growth, vehicle numbers, and road traffic, death rates are high.

Supporting traffic implementation facilities can prevent accidents and make the community more orderly in driving, creating a favorable climate. As one of the city mates whose highway density will increase every year, the Prabumulih City Government must take the increasing number of vehicles seriously. Not equipping facilities to deliver good traffic in compliance with the existing Traffic Law will produce traffic clutter in Prabumulih City. In addition to congestion, Prabumulih City has transportation issues, such as the high incidence of accidents in the last four years. The city's traffic accidents have been severe since January-July 2022. 2022 saw 21 Prabumulih City Police Satlantas accidents. Seventeen died, and 36 were severely and lightly hurt.

Prabumulih City has had multiple high-accident years. Prabumulih City's traffic problems contributed to the accident. The Prabumulih City Government said it needs 720 traffic signs to regulate traffic. However, the budget is insufficient. The Prabumulih City Government should prioritise bicycle lanes and disabled individuals, even if there are fewer of them than motor vehicle users. Even if the Law provides it, section 45 of the Traffic Act No. 22 of 2009 states that funds are insufficient to provide facilities, making it challenging to implement. Physical and mental health facilities are lacking in Prabumulih City. According to the poll, victims struggle in traffic. Most of them sit dormant by the family because they don't have clear signs or specific lanes. Those with bicycles and pushchairs need a dedicated lane even though the distance between home and school is short.

Road users include walkers, non-motorists, motorists, public transit users, and those with disabilities. Road users are regulated and protected under the Law of the Republic of Indonesia Number 22 of 2009 on Commuters and drivers. Many Prabumulih City roads lack sidewalks. The government rarely builds sidewalks. The Bina Marga Agency built sidewalks at only two roadside locations. Many sidewalks that are no longer usable are still waiting for Department construction. According to the above description, Prabumulih City's implementation of Article 45 of Law Number 22 of 2009 concerning Supporting facilities for the performance of Commuters and drivers is still inadequate due to the lack of bicycle lanes and disabled facilities and the misuse of existing supporting facilities like sidewalks used by street vendors.

Factors That Become Obstacles in the Implementation of Article 45 of Law Number 22 of 2009 in Prabumulih City

National road operators must comply with road safety regulations under Law Number 22 of 2009 on Commuters and drivers (LLAJ). In Prabumulih City, Article 45 of Law Number 22 of 2009 requires proactive activities that have not been optimally achieved.

According to the Explanation of the Law of the Republic of Indonesia Number 22 of 2009 on Commuters and drivers, Commuters and drivers contribute significantly to national growth and integration as part of broader efforts to improve the public good, as required by Indonesia's Constitution of 1945. Commuters and drivers must actualise welfare security; as a vital component of the nation's

transportation network, maintaining traffic order and relying on road transport to boost the economy, advance science and technology, empower regions, and hold state governments accountable are all essential.

a. Its Legal Factors

All provisions of Law Number 22 of 2009 and its implementing rules are in sync; therefore, Prabumulih City can implement Article 45 of the Law. The Prabumulih City Government also adopted Bylaw Number 5 of 2021 on Commuters and drivers to implement Law Number 22 of 2009.

b. Elemental Enforcement Factors

notably those who create or use them. In this scenario, legal enforcement is still lax on violations connected to supporting infrastructure for traffic and highway transportation, such as sidewalk vendors hawking. Because many field workers are honorary or freelancing daily employees, human resources are inadequate.

c. Factors of Means or Facilities That Support the Enforcement of Elements

As previously stated, Prabumulih's supporting facilities for commuters and drivers are still inadequate and often misused, such as sidewalks used by street vendors. Some service users don't use bus stops for passenger boarding and disembarkation, so several points have not been made into finishes. According to an interview with the Head of the Prabumulih City Transportation Office, funding/budget issues prevent the city from implementing Article 45 of Law Number 22 of 2009. Development has always had this funding/budgeting dilemma. Prabumulih City's regional budget has also declined in the past two years. "Capital spending on roads, networks, and irrigation" includes the funding for supporting road traffic and transport facilities. Supporting facilities for commuters and drivers make up less than 2% of the budget, whereas road building and repair dominate the budget. Even if it is allocated because this financial issue has been a crucial impediment in the last two years, there has been no facility budget (Fiscal Years 2021 and 2022). It demands the government's attention to increase support facilities for Commuters and drivers.

D. Community Factors

The public is unaware of Prabumulih's commuters' and drivers' infrastructure. People still cross roads without zebra crosses or footbridges.

e. Cultural Factors

In a small city like Prabumulih City, traffic is more straightforward. Homogeneous and small-population societies appear more humanitarian than huge cities—no hours-long traffic congestion. Thus, traffic offenses are widespread. Motorcyclists who don't wear helmets and break traffic laws demonstrate this. Pedestrians also ignore zebra crosses and overpasses.

According to the above description, Prabumulih City's implementation of Article 45 of Law Number 22 of 2009 is hindered by inadequate supporting facilities and infrastructure due to a lack of funds for transportation infrastructure, weak enforcement against the misuse of sidewalks in the street vendors; people crossing the road without zebra crosses or overpasses; and the bus stop's lack of a shelter.

Conclusion

Prabumulih City's implementation of Article 45 of Law Number 22 of 2009 on Supporting Facilities for Commuters and drivers still lacks bicycle lanes, disability facilities, and street vendor-used walkways. The implementation of Article 45 of Law Number 22 of 2009 in Prabumulih City is hindered by inadequate supporting facilities and infrastructure due to a lack of funds for transportation infrastructure, weak enforcement against the misuse of sidewalks into street vendors; people crossing the road without zebra crosses or overpasses, and the bus stop not being used for passenger boarding and disembarkation.

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