



Special Plates and Beautiful Plates in the Perspective of Traffic Law Law Special Plates and Beautiful Plates in the Perspective of Traffic Law

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Abstract

Abuse of authority is an act against the law, an act that goes beyond the authority one has for personal gain or gain. This abuse of authority occurred in the Complete Systematic Land Registration (PTSL) program in Cikupa Village. The Complete Systematic Land Registration Program itself is a government program so that people in villages or sub-districts register their land to obtain certificates of ownership rights to the land, in order to achieve legal certainty and protect land rights according to the UUPA. In practice, there was abuse of authority in the form of extortion. This article uses normative legal research methods, qualitative data analysis is carried out as an analytical knife, Gustav Radbruch's legal theory about the purpose of law, legal behavior according to Lawrence M Friedman and Donald Black, and Ateng Syafrudin's theory of authority. The mode of abuse of authority through illegal levies is by inflating the cost of implementing the land registration program beyond what is stipulated by law, the proceeds of illegal levies by the suspects are used to finance the Village Head election campaign funds and personal gain. To deal with this action, administrative and criminal sanctions are needed for the perpetrators, public control by community members and assistance by the academic community is also very necessary to prevent acts of abuse of authority in this program.

1. Introduction

In social life there are always dynamics that eventually lead to social shifts and even social change (Schatzki, 2019). Social dynamics includes social structures and processes where the two elements are intertwined with one another (Bibri, 2021). While various social relations that are built in people's lives require interaction between individuals, individuals with groups, and groups with groups. During the interaction process, each individual or community group communicates using various kinds of symbols or signs that represent certain events or situations as a result of perceptions of the facts encountered so that the symbols or signs used are actually is an abstraction of facts as a result of a deposit of experience and knowledge as well as a system of beliefs and certain values.

Even though in essence everything is neutral, it is only considered to be of good or bad value, right or wrong and so on after a person or group of people interprets it with a certain perception based on experience (Gamez et al., 2020), knowledge and values that he previously had. This will be seen from the attitude and behavior of a person or group of people in relation to social life which gives rise to various kinds of assumptions about a fact and sometimes the assumptions that underlie an action or attitude in social interaction. or a group of people position themselves in a particular social group even though the meaning given to a certain thing can never fully describe the object in question (Selbst et al., 2019).

For example, gemstones that are scattered in various parts of the world have a high selling value because they are considered unique (Coba-Daza et al., 2022), it takes a long time to form and the accuracy and shape are so that they are in demand by some people. This also occurs in transportation facilities, which were originally meant to move goods and people from one place to another. In its development, a very complicated process of meaning occurs in the minds of individuals or groups of people (Leithwood, 2021), so that later it develops into a status symbol of a person in society (Kelley, 2021). This meaning has expanded along with the enactment of motorized vehicle numbering which originally functioned more as an administration then added to other functions as well (Leviäkangas & Molarius, 2020), but unfortunately this has been re-interpreted by some residents or community groups because the registration system uses a classification on the basis of regional origin, ownership private or public vehicles, to government agency official vehicles, embassies, and watering cans.

LLAJ Law No. 22/2009 has a strategic role in supporting national development and integration. The existence of this law does not seem to be a scourge for the establishment of the law (Ventriglio et al., 2021). In recent years, several social media have seen operations to control the use of license plates for motorized vehicles carried out by the police and other institutions such as the TNI, which have conducted raids on the use of military vehicle license plates provided without rights by civilians.

A woman from Batununggal, Bandung City flaunts a TNI number plate which turns out to be fake or unofficial. The former Minister of BUMN, with the initials DI, forged vehicle license plates with the number DI 19. This number does not exist in Indonesian territory and was never issued by the police. Then the artist with the initials DM faked the vehicle's license plate and used a strobe.

There is also, the term magic plate also creates unrest in society, especially car drivers with 'RF' plates. The magic plate regulated in Perka Polri No. 3 of 2012 is used by the Police, TNI TRI Matra, and high echelon officials depending on agencies, embassies and tidying up, for example plates with special codes such as RFS, RFD, RFL, RFU, RFP, RFQ, RFH, RFO, CD, CC plates this is not intended for the public. However, there is something unique in the case of RV celebrities who have plate no. B139 RFS. As we have observed, RFS can only be used by government officials, not intended for the general public, even though celebrities. Selegram is just a society that has no privileges in driving. This case went viral, after checking by the traffic police it turned out that the RV number plate was a beautiful number plate. National Police No. 7/2021.

People who are unfamiliar with the law will lose that the magic plate gets special treatment on the road even though it doesn't at all. According to Sambodo, these plates will not be above the law, for magic plates they can be fined or even revoked at any time when they violate rules such as odd-even rules and using a strobe, using road shoulders on toll roads. Likewise with the pretty plates the RV celebgram doesn't have road privileges.

2. Materials and Methods

This article is presented on the basis of normative legal research which in its implementation uses secondary data as the main source, which is distinguished from primary legal materials (binding, such as laws), secondary legal materials which provide an explanation of primary legal materials (such as articles) (Budianto, 2020), and tertiary legal materials that provide an explanation of primary and secondary legal materials. This study uses a qualitative approach to determine the symptoms studied (Rudduck, 2020). The collection, processing and analysis of data was carried out qualitatively using the Miles and Hooberman model (Rezapouraghdam et al., 2018). Analysis of legal material is carried out by using content analysis by implementing hermeneutics to reveal the unspoken meanings of the various symbol systems used in the use of motorized vehicle numbers.

3. Results and Discussions

1. Secret Plate Arrangements, and Beautiful Plates

Law as a rule (norm), is a law that is easy to understand as a set of life instructions, namely in the form of orders, prohibitions, and binding notions and must be implemented. Humans need orders that are

binding and must be carried out. The life instructions such as wearing a seat belt when driving a vehicle must be obeyed. While a prohibition can often be recognized by traffic signs or signs not to turn left or right or a prohibition on turning around, permission or permission is allowing something that was not allowed before.

With regard to the implementation of state functions, the instruments of state power are formed consisting of legislative, judicial and executive institutions (Yanto et al., 2019). The executive function covers several fields, namely (government) which functions as the executor of laws, (administration) to implement laws, (diplomacy) to regulate diplomacy with other countries, (military) to regulate the armed forces, security, defense and defense of the country. The judicial function is to provide amnesty, abolition, clemency and rehabilitation. The function of legislation is to draw up laws and laws on the state budget (Chugunov & Makohon, 2020). The president, vice president and ministers are elements of the governing bodies which function for the direct exercise of executive power in each of them. Apart from the legislative, executive and judicial institutions, there are 3 institutions, namely the MPR, DPA, BPK which carry out state functions at the central level. Meanwhile, in the regions there are also state tools that function to carry out state functions, namely the Governor and DPRD.

In order to support the state's tasks, state apparatuses, both central and regional, require security and secrecy from the president, vice president, ministers, POLRI, TNI and intelligence. Chief of Police Regulation No.3/2012 regarding the issuance of STNK and TNKB recommendations for official vehicles referring to UU LLAJ No.22/2009. The National Police issues TNKB or appropriate number plates as proof of registration and identification of motorized vehicles containing the main number and active period.

Special and secret TNKB plates are regulated in Article 1 of the Chief of Police Regulation No. The purpose of the STNK is specifically for the official vehicles of the Indonesian National Armed Forces, Law Enforcement and Government Agencies. Secret STNKs are issued to intelligence officials or investigators. From the two secret plates and also the special purpose is the same, namely to carry out state duties aimed at security and secrecy.

A special TNKB has certain characteristics and a special registration number issued by the National Police with an area code, registration number, active period and installed on official vehicles used by government officials. In Article 5 of the Chief of Police Regulation No.3/2012 those who are entitled to use a special STNK/TNKB are Echelon 1, 2 and 3 officials from the TNI, Polri and Government Agencies. Provisions for the numbering of official vehicle plates for TNKB in particular, for example, such as presidential cars that have registration numbers RI-1, vice president RI-2 and those listed in the Appendix to the Chief of Police Regulation No.3/2012. There is a special number assignment with/without letter series, including state officials at the central level. Unlike the rules for issuing motorized vehicle license plates to civil servants, which are determined by area code letters, the registration number is 1 without serial letters for the governor, 2 for the deputy governor, 3 for the chairman of the DPRD, 4 for the high prosecutor, 5 for the head of the high court, and 6 up to 99 without serial letters are assigned to other officials based on the order of the respective provincial civil officials.

Secret STNK/TNKB are intended for military intelligence, police, prosecutors, BIN, investigators and investigators. STNK/TNKB is given based on recommendations issued by the Propam and Intelkam functions, this recommendation is a requirement for submitting applications for STNK/TNKB. The secret TNKB includes the registration area code according to the registration area, the allocation of registration numbers depends on the type of vehicle, and the Regional Police determines the serial letter.

Regarding official plates or beautiful plates, they have special privileges or priority plates for number plates with top priority such as vehicles for heads of RI State institutions, vehicles for leaders and officials of foreign countries and international agencies who are state guests, sponsoring convoys or vehicles for certain purposes at the discretion of the State Police RI. Priority vehicles must be escorted by police and/or use red or blue signal lights and sirens. Traffic signs and signaling devices do not apply to priority vehicles.

The special and secret TNKB are considered as plates that are above the law with the term sacred plates by ordinary people. However, this special and confidential TNKB plate can be ticketed and revoked when making mistakes that endanger motorists such as using the shoulder of the road, being reckless, entering the busway lane and entering the odd-even road area while the TNKB is odd and the day's date is even and vice versa.

TNKB also has beautiful plates for people who want to choose a number or TNKB according to their wishes, as was previously viral on a program with the initials RV which has a beautiful plate number. The difference is that the beautiful plates are regulated in PP 60/2016 Types and Tariffs of PNBP and the Decree of Kakorlantas Polri No: KEP/166/VII/2019 concerning selected NRKB. NRKB is known to the public as a beautiful plate. The NRKB option can use letters after numbers or without letters. There is a price range for NRKB options starting from 5 million to 20 million.

Beautiful or optional plates can be used for new cars and can even change ordinary NRKB to selected NRKB. Optional NRKB or beautiful plates are not above the law, the only difference being the rate and amount of tax. The difference between the beautiful plate and the official special plate is that the magic plate starts with number one consisting of four numbers followed by agency codes such as RFP, RFD, RFU, RFL, RFS (State Secretariat Reform) also includes special codes for State Civil Servants such as Echelon 1 Officials equivalent the director general in the ministry, while in the case of the beautiful plate belonging to the celebgram with the initials RV who has the beautiful plate B 139 RFS. The car is believed to belong to a government official.

Mr. Fichkar Hadjar believes that Rachel Venya's license plate does not comply with the Police Regulation 3/2012. If a celebrity with the initials RV pays taxes, has a vehicle registration and BPKB, then he will only be subject to fines based on UU LLAJ No.22/2009. Using "RFS" for crime protection aims to trick law enforcement officials, they are subject to fines and Article 378 concerning theft and counterfeiting. After checking the license plate, the car was purchased by an RV with an RFS ending and a three-digit combination, which is a beautiful plate, not a special and secret category, such as an official's magic plate, which consists of a four-digit number starting with number one. The code for the sacred plate number belonging to a state official has a number attached to it.

2. Law Enforcement Efforts in Controlling Violations in the Use of Magic Plates and Beautiful Plates

Upholding legal values carries out the function of philosophical values that must side with justice by applying the values of comfort, truth and independence. The executive component that carries out law enforcement and the law enforcement bureaucracy that implements it. Therefore, in the law, violations committed by law enforcement officials impose heavier criminal sanctions. Government officials one ballast criminal. They should make themselves role models or role models for society, especially since Indonesians have a paternalistic culture that refers to "great people". As there is a saying that says "Teachers pee standing, pee pee running" is a necessity for anyone who happens to get the mandate to become a public/state official to continuously build and develop high moral integrity in every task implementation or not when living his personal life.

In this case, the private side of life must be able to be placed in such a way that the public roles it has are placed in a priority position. In this context, it is necessary to actualize that the way of thinking of indigenous peoples in Indonesia is the forerunner of the life of the Indonesian nation where a high official in the customary law environment is *primus inter pares*, meaning that the main thing is among equals. Because the person has voluntarily dared to take over the responsibility of fulfilling the obligations of other parties to be fulfilled in daily life, therefore the person concerned is given an honorable position as *primus inter pares* for his dedication, credibility and high integrity in public life which is communal services in various forms of service to all individuals and components of society while remaining humble, polite and equal.

During the early struggle for independence until recently, one can still find figures of public officials as described above. However, unfortunately this is something to look for. In general, because the authority possessed by public/state officials seems to settle more in figures as rulers than as civil servants/public servants. Which in many ways often demands preferential treatment as a very very important person or a very important person. Even if special treatment is given to very important people equivalent to the president, vice president and heads of state high institutions, then this will lead to an unavoidable necessity because the president in the life of the nation occupies the position of Center for Ceremonies, Symbol of the Nation and Symbol of Loyalty.

Referring to Part One of Article 259 CHAPTER XIX of the UULAJ regarding traffic and road transport violations, it gives authority to uncover the POLRI division of Polantas and state investigators in this case called investigators and auxiliary investigators giving crimes to the police in taking action and

discipline the public in violations of the law. The police can take initiative according to the surrounding conditions stated in Article 18 of Law no. 2 of 2002 concerning the Indonesian National Police which states that the police can act on their duties and authorities according to their own judgment. Likewise the Traffic Police (Satlantas) in enforcing the law which has been upheld in law enforcement in the field of traffic as stipulated in Law LLAJ No.22/2009. The function of law regulates society to protect human interests. Therefore the law must be upheld in order to protect human interests.

LLAJ Law No. 22/2009 is law enforcement that regulates traffic, including allowing the use of signal lights and/or sirens for special purposes. The special interest in question is that vehicles that have certain characteristics and functions are given red or blue signal lights to have top priority for smooth traffic and yellow traffic as a sign of the need for special attention from road users for safety according to what is regulated in Article 59 Paragraph 1 s/d 4 UU LLAJ, one of which is "The NKRI Police can only use blue signal lights and sirens, for red for TNI escort, firefighters, ambulances, red cross, rescue and corpses, for yellow without sirens for toll road patrol vehicles, surveillance LLAJ infrastructure, maintenance and cleaning of public facilities, towing vehicles, and special goods transportation.

Vehicles that have special or priority privileges must be escorted by Indonesian police officers and/or use red or blue signal lights and sound sirens. For the vehicle. If there is a vehicle with a strobe and/or siren sound that does not meet these criteria, other road users may ignore this and there will be criminal sanctions for careless strobe and/or siren users.

Article 287 Paragraph 4 of the LLAJ Law regulates any person driving a motorized vehicle on a road that violates the provisions regarding the use or primary rights for motorized vehicles using sound and light warning devices as referred to in Article 59, Article 106 Paragraph 4 Letter (F), or Article 134 shall be punished with imprisonment for a maximum of 1 or a fine of up to 250 thousand.

For learning and education that plate magic and plate beauty are equal to the law, there are no privileges, except for road users who get priority or main rights as regulated in the LLAJ Law and its implementation. Violations of vehicle violations with an odd-even system will be subject to sanctions according to Article 287 Paragraph 1 of the LLAJ Law. Odd-even violations can be jailed for 2 months or subject to a maximum fine of 500 thousand. The shoulder of the road is not intended for vehicles passing and overtaking vehicles on the toll road. Violators on the shoulder of the road will be subject to sanctions in accordance with Article 287 Paragraph 1 of the LLAJ Law. Violators will be subject to imprisonment for a maximum of 2 months or a fine of up to 500 thousand.

The provisions of Regulation Article 5 Paragraph 2 of the National Police Chief No.3/2012 need to be limited to echelon 1 only, because more and more are issued (also echelon 2 and 3) the potential for violations will increase. These special numbers can be handed over to other parties who do not have public authority to protect arrogant people on the street. Optional/beautiful numbers should be abolished because they are not in line with the principles of good public governance as well as contrary to the purpose of the law itself which places the value of justice alongside the value of benefit and legal certainty as stated by Gustav Radbruch.

Issuance of elective/beautiful numbers does not place citizens equally in obtaining non-tax state revenue consideration services by providing elective/beautiful numbers that are discriminatory on the basis of differences in the financial capabilities of citizens.

For example, efforts to strengthen traffic in East Kalimantan, which won 1st place in the Road Safety Award in 2016 with a population of under 1 million, apply the 5 pillars of the National General Plan for Road Safety (safe management), safe roads, safe vehicles. (safer vehicles), road user behavior pre and post cash responses). It takes the form of a verbal and written warning, the removal of the signal lights in place during zebra operations. The Polantas also took steps to resolve amicably when a signal lamp user chose to pay a fine or ticket money rather than be punished. There are direct socialization activities, as well as social media, radio outreach to various groups, from children to adults, transport drivers, even direct supervision of major road sections and those considered vulnerable, the Balikpapan traffic police also invites the Department of Transportation, the Ministry of Transportation, the TNI in a series of cross-cross operations, various forms of preventive law enforcement carried out by the Balikpapan Traffic Unit. For repressive law enforcement by giving appeals and warnings, such as when finding a traffic light signal user, the traffic police warns by the way the driver sees the light signal he is using.

On February 14, 2022, 600 cars with RF plates were fined in a special operation for violations of using sirens, using the shoulder of the road, odd-even violations. There is also a Toyota Fortuner with RFY plates on the Jl. Ragunan Wildlife Park, South Jakarta, this car is registered as belonging to a government agency. The perpetrator was detained and the plate was confiscated and was not allowed to use the plate.

Law enforcement efforts by the Metrojaya Polantas violation in March 2022, an artist with the initials DM was fined for committing a double violation due to an attack on a strobe and a fake plate when DM overtook a patrol member on Jl. Margonda, Depok Local Traffic Chief Jhoni Eka Putra said that DM's car was on finally brought to the Depok Police and fined and DM proved problematic Article 287 Paragraph 4 of the LLAJ Law. Law enforcement does not only apply to the community but also to the magic plate users.

4. Conclusion

The use of special plates regulated in Kapolri No. 3/2012 and is intended for echelon 1, 2 and 3 officials. Sociologically it causes problems on the highway because of indications of preferential treatment and in some cases violations of the busway lane are found. Issuance of beautiful number plates according to the initials of motorized vehicle owners based on the Decree of the Kakorlantas Polri No: KEP/166/VII/2019 raises inconsistencies in the use of special plate numbers, as happened in the case of the program with the initials RV, the owner of the vehicle with number B 139 RFS.

Violation of the use of strobe, odd-even, busway lanes by vehicle owners with special plates which are partly used by parties who do not have public authority against the background of nepotism between certain officials and their relations has caused anxiety and a sense of community justice is handled by revoking the special number through the operation of fixing the use of special plates.

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