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**EFFECTIVENESS OF THE ODD-EVEN NUMBER PLATE
TRAFFIC POLICY BASED ON THE REGULATION OF
GOVERNOR JAKARTA**

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Abstract:

The development of the number of motorized vehicles in Indonesia from 2014 until 2017 has reached 138,556,669 units, the average number of vehicles continues to increase from 6% to 9% per year. The increase in the level of congestion can be felt very significantly. The principal aims of this paper, to evaluate the justification for a national road policy by investigating the Governor of Jakarta Regulation No. 155 of 2018 of its implementations on national roads in Indonesia, especially Jakarta. By looking deeper into the contents of the Articles in Governor of Jakarta Regulation No. 155 of 2018. From this, we will know whether the effectiveness of the Law can discipline highway users with odd-even strategies. The method used in the study is a normative juridical approach to literature and this research was conducted by collecting various literature and secondary data related to the research that will be conducted. The results found that the legal provisions still needed to impose sanctions for violations of the violation of Governor Regulation No. 155 of 2018, meaning that it needs to be reconsidered by the Jakarta Regional Government to make the provisions of separate sanctions outside Article 280.

Keywords:

Traffic Policy, Governor Of Jakarta Regulation No. 155 Of 2018

Introduction

The development of the number of motorized vehicles in Indonesia from 2014 until 2017 has reached 138,556,669 units, the average number of vehicles continues to increase from 6% to 9% per year. The increase in the level of congestion can be felt very significantly. Traffic congestion is the main problem faced by Jakarta as the Capital of Indonesia, which is also the center of the economy and trade in Indonesia. Figure 1 shows the number of motorized vehicles

in 2015. Data on the number of motorized vehicles is the number of types of passenger car, buses, freight cars, and motorcycles.

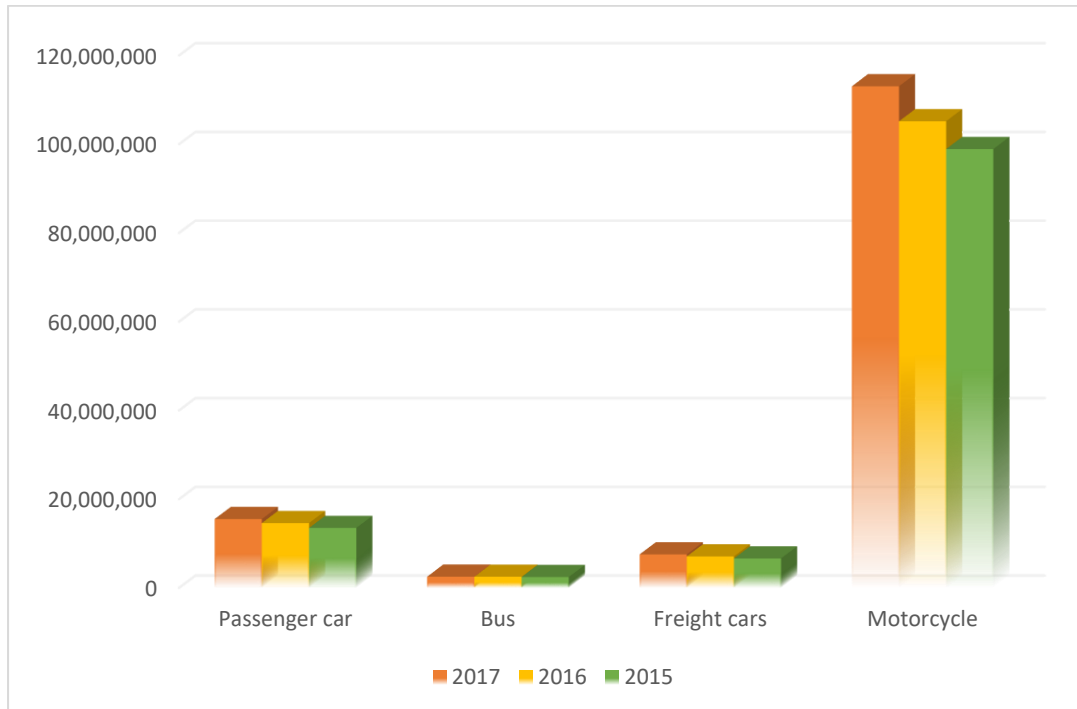


Figure 1: Number of Motorized Vehicles (units)

Source: Indonesian Central Bureau of Statistics

The Jakarta Regional Government has implemented a strategy to reduce the level of congestion, one of which is by developing a traffic management strategy, namely the number plate limitation policy, which is even odd. The limitation policy for motorized vehicles based on even and odd vehicle number plates requires socialization (28 June - 29 July 2016) and trials (27 July - 26 August 2016) before officially enacting 30 August 2016. This policy is actually a temporary transition by the DKI Jakarta Transportation Agency in preparing an Electronic Road Pricing (ERP) system that is a paid road to replace the 3-in-1 system.

The principal aims of this paper, to evaluate the justification for a national road policy by investigating the Governor of Jakarta Regulation No. 155 of 2018 of its implementations on national roads in Indonesia, especially Jakarta. By looking deeper into the contents of the Articles in Governor of Jakarta Regulation No. 155 of 2018. From this, we will know whether the effectiveness of the Law can discipline highway users with odd-even strategies. Furthermore, by evaluating the implementation of the law in the community and how the government as the state administrator can supervise and enforce it

Methodology

In line with research problems and research objectives, the type of research used is analytical descriptive with a qualitative approach. "Qualitative analysis tools are specifically designed to study these interdependencies, and thus are particularly useful for legal scholars" (Linos & Carlson, 2017). The method used in the study is normative juridical approach to literature. According to Linos & Carlson (2017), the data sources used in qualitative research for legal researchers are the Constitution, laws, administrative regulations, deposition, and interrogators.

Moleong (2017) argues that qualitative is research that intends to understand the phenomenon of what is experienced by the subject of research such as behavior, perception, motivation, action, etc., holistically and by means of descriptions in words and languages, in a special natural context and by utilizing the various natural method. This research was conducted by collecting various literature and secondary data related to the research that will be conducted. Then a field survey was conducted to obtain primary data. From the results of a compilation of primary and secondary data, an analysis was then conducted to illustrate the implementation of the Governor of Jakarta Regulation No. 155 of 2018 in overcoming public discipline with odd-even vehicle number plate strategies.

Result and Discussion

Traffic Management

Vehicle usage is an important input in urban transportation because rapid mobilization has an important role in the process of motorization in developing countries (Wandani, Siti, Yamamoto, & Yoshida, 2018). It is said that many major cities in Asia, such as Bangkok, Jakarta, and Hanoi, have become motorcycle cities and are referred to by certain transportation experts as "traffic disaster cities" (Kenworthy, 2011). According Wandani, Siti, Yamamoto, & Yoshida (2018) that traffic and transportation are organized with the aim of:

- a. The realization of traffic, road and transportation services that are safe, secure, orderly, smooth and integrated with other modes of transportation to encourage the national economy, promote public welfare, strengthen unity and national unity, and be able to uphold the dignity of the nation;
- b. The realization of traffic ethics and national culture; and
- c. The realization of law enforcement and legal certainty for the community."

In article 1 paragraph (1) states that "Traffic Management and Engineering is a series of businesses and activities which include planning, procurement, installation, regulation, and maintenance of road equipment facilities in order to realize, support and maintain security, safety, order and smooth traffic." In Article 1 paragraph (2) states that management activities and traffic engineering include: a) planning; b) arrangements; c) engineering; d) empowerment; and e) supervision. Whereas according to Hobbs the main purpose of traffic management is to maximize the use of existing road systems by increasing road safety, without damaging the quality of the environment (Hobbs, Mayou, Harrison, & Worlock, 1996).

Traffic congestion is a problem especially in some cities, due to the exponential growth of vehicles. Nellore & Hancke (2016) explained that basically there are two types of traffic congestion. "The first is repeated traffic congestion, which appears in the same place at the same time every day. The second is non-recurring traffic congestion, which occurs randomly like unplanned events." They also explained that in this non-repetitive effect it could cause a sudden increase in traffic volume. The need for detection of the second type is very important, compared to the first type. This is because it requires real traffic information and evaluation with the right traffic management decisions. Based on this, improving the proper traffic management system can provide the security and efficiency of the transportation system. A common traffic control system that gives priority to emergency vehicles such as ambulances, fire engines, and police cars, may cause loss of life, damage or damage to property, and increased fuel costs, pollution and congestion.

Vehicle Restriction Based on Vehicle Number Plate

The DKI Jakarta Government has carried out various ways to solve the increasing congestion problems. By using Odd-Even rules that have been successful in reducing congestion rates in Jakarta, although there are still many people who have not agreed to the regulation. Officially, the Governor of Jakarta (Anis Baswedan) has signed the Jakarta Governor Regulation No. 155 of 2018 concerning restrictions on traffic with odd-even systems, on December 31, 2018.

The governor's regulation is effective starting Wednesday, January 2, 2019. In article 3 paragraph (2), it states that this system will be implemented from Monday to Friday from 06.00 to 10:00 and starts again from 16.00 until 20.00 [10]. In article 1 paragraph (1) the Governor of Jakarta stipulates the road as an area of traffic restrictions with an odd-even system, namely [10]: West Medan Merdeka Road; M.H. Thamrin Road; General Sudirman Road; Part of General S. Parman Road (From the intersection of Tomang Raya Road to the Intersection K.S. Tubun Road); Gatot Subroto Road; General D.I. Panjaitan Road; General Ahmad Yani Road; and H.R. Rasuna Said Road.

However, this system does not apply on Saturdays, Sundays and national holidays stipulated by the Presidential Decree, as stated in article 3 paragraph (3). In addition, the Jakarta Transportation Agency explains that this system does not apply to several types of vehicles such as; vehicles of the President-Vice-President; Chairperson of the MPR (People's Consultative Assembly)/DPR (House of Representatives)/DPD (Regional Representative Board); Chief Justice (Supreme Court of Indonesia)/Judicial Commission of Indonesia/BPK (Indonesian Supreme Audit Institution); official car (red plate); TNI (The Indonesian National Armed Forces) and POLRI (Indonesian National Police); yellow plate public transport; fire and ambulance; motorcycle; goods transportation of fuel and gas fuel; vehicles that carry disability communities and certain vehicles that carry money or charge ATMs.

While in Article paragraph (2) states the restriction of traffic with odd-even systems on roads is not applied at the intersection up to the toll entrance and toll exit until the closest intersection. And Article 5 paragraph (2) force majeure includes natural disasters, riots, rebellions and strikes as well as circumstances that cause harm, the implementation of traffic restrictions with odd-even systems cannot be enforced.

In implementing the odd-even number plate system there are still some obstacles, namely difficult monitoring, because of the need for full supervision and monitoring on the road by the officer on duty. Officers must monitor carefully and carefully to see the license plate number of the vehicle that violates the road with an odd-even system. Meanwhile, based on Article 7 paragraph (1) that supervision and control are carried out by the Head of the Jakarta Provincial Transportation Office and in paragraph (2) monitoring and evaluation of the implementation of this Governor Regulation is conducted periodically every 3 (three) months. In practice, the provisions of the sanctions in the Governor Regulation in accordance with Article 8 state that "Violations of the implementation of the area of traffic restrictions with an odd-even system are subject to sanctions according to the provisions of legislation."

Discussion

In Governor Regulation No. 155 of 2018 does not regulate sanctions or clauses that designate a provision or regulation for violations of vehicle restrictions in the area mentioned in Article 1 paragraph (1). Furthermore, in terms of supervision, monitoring and evaluation of the

governor's regulation based on Article 7, it is only carried out by the Head of the Transportation Service of the Province of the Special Capital Region of Jakarta.

In practice, the enforcement of traffic violations is carried out by the Republic of Indonesia National Police, this is in accordance with Article 260 paragraph (1) Traffic Police is given the authority to act against violations of Road Traffic and Transportation. In this odd-even system still in the jurisdiction of the Jakarta Regional Police. Whereas in the Governor Regulation the supervision is carried out by the Jakarta Transportation Agency.

The police ensnare the "odd-even" traffic restrictions through Article 280, which states as follows: "Everyone who drives a Motorized Vehicle on a Road that is not fitted with a Motorized Vehicle Number determined by the National Police of the Republic of Indonesia as referred to in Article 68 paragraph (1) shall be sentenced to imprisonment for a maximum of 2 (two) months or at most Rp. 500,000 (five hundred thousand rupiahs)."

The elements in Article 280 including (a) Each person; (b) Driving a Motorized Vehicle on the Road; and (c) Do not use Motorized Vehicle Numbers. When considering Article 280, there is no word or clause that the Motor Vehicle Number has a vehicle number plate with an odd number or even number so that it can fulfill the violation element for action taken by the Traffic Police.

The elements in Article 68 paragraph (1) include a) each motorized vehicle operated on the road; b) shall be equipped with the Motor Vehicle registration number and; c) Motor Vehicle Number. When paying attention to Article 68 paragraph (1) and Article 280, there is no clause that explains the Motor Vehicle Number has odd-even, as implemented in the Governor Regulation. It does not fulfill the element for prosecution using Article 280.

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