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PUBLIC LEGAL AWARENESS IN TRAFFIC AS AN APPLICATIVE PRINCIPLE-BASED COMPLIANCE TO PREVENT ACCIDENTS

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Abstract

Public awareness of traffic law is an important factor in the implementation of compliance with the law, a basic principle of a law state. The high number of violations and accidents shows that law enforcement has not fully become a legal culture within society. This study analyzes the role of law enforcement in increasing public legal awareness. The juridical-sociological method is used in this study. This focuses on the clauses in Law Number 22 of 2009 concerning Road Traffic and Transportation, which also examines social factors that influence the level of legal awareness. The result of the study shows that effective law enforcement is not only repressive through sanctions, but also preventive, educative, and persuasive. The public legal awareness forms through the process of internalization law value, which includes knowledge, comprehension, attitude, and a pattern of legal behavior. Therefore, ideal traffic compliance is voluntary and arises from legal awareness, not solely from fear of sanctions. This research emphasizes that synergy between consistent law enforcement, transparency of authorities, and community participation is key in building a culture of traffic order as a manifestation of adherence to principles in community life.

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A. INTRODUCTION

The Traffic law-making process indicates that there are more severe sanctions for those who break the law. This is not meant to burden society, but it is an educative effort - societies are aimed at further developing traffic discipline. The heavy sanctions are also intended to be preventive[1]. Ismail Saleh, the Minister of Justice at the time, made it abundantly clear that the Traffic Law's provisions were intended to raise public awareness of the law and encourage compliance with all traffic laws by threatening severe penalties. Imposing

[1] Samsiar Samsiar et al., "Pentingnya Pengetahuan Tata Tertib Berlalu Lintas Dalam Mencegah Pelanggaran Lalu Lintas Terhadap Pelajar Kecamatan Sekernan Kabupaten Muaro Jambi," *Jurnal Karya Abdi Masyarakat* 6, no. 2 (2022): 366–73.

heavy sanctions is a way to encourage the community to participate in the law enforcement process.

Sociologically, the legislation process is not seen as a sterile and absolutely autonomous activity. In such a perspective, the work experiences social intervention and has social origins, goals, impacts, and so on[2]. Bentham stated that the legislation process is an art to find the ways to realize "*the true good of the community*". He also determines "*the greatest happiness of the community*" as a goal that has been realized through the law-making process and thus qualifies the work as a sociological activity.

The issue of public legal awareness regarding traffic discipline presents a complex challenge. Such awareness can be conceptualized as an assessment of legal reality against normative expectations. Inherently, every society possesses some degree of legal awareness, as no community desires to live in disorder. The core issue, however, lies in determining the extent of this awareness; while some individuals merely perceive the law as a set of regulations, others actively conform their behavior to it. Consequently, an indicator of high legal awareness is reflected in an individual's traffic discipline, which ultimately demonstrates actual compliance with the law.

From the aspect of traffic awareness, juvenile delinquency in the transportation sector can be seen from the many cases of accidents that occur on the highway due to non-compliance with traffic signs. Another example that is currently widespread is the crime of motorcycle gangs. The author utilizes social control theory to examine how factors like parenting styles, peer group conformity, and community indifference contribute to this traffic violation. While most parents utilize democratic parenting and students demonstrate a basic understanding of traffic discipline, these factors only minimally deter the behavior. The study concludes that the phenomenon persists due to lax parental supervision, the absence of police enforcement on local roads, and a social environment that facilitates underage driving through things like informal parking. Ultimately, the research characterizes this widespread legal infringement as a form of juvenile delinquency fueled by rapid technological growth and social acceptance.

A motorcycle gang typically originates from a community of motorcycle enthusiasts whose initially positive social cohesion deviates into negative behaviors. Motorcycle gangs are often associated with violence and crime due to a lack of supervision and guidance, which enables members to commit illicit acts under the guise of the group's identity. Furthermore, these gangs are predominantly composed of minors and teenagers, who are vulnerable to various environmental influences, both positive and negative. Although it brings some benefits, the presence of motor vehicles also brings other consequences, including the provision of adequate roads, the regulation of vehicle movement, and traffic accident problems. In developing nations such as Indonesia, public compliance with traffic regulations remains low. Common infractions such as driving against traffic flow, running red lights, and failing to wear helmets serve as primary catalysts for traffic accidents[3].

Traffic problems are common in big cities, especially in developing countries. The growing population leads to more activity and congestion on the roads. As the number of vehicles increases alongside insufficient infrastructure, traffic congestion and accidents inevitably rise. Traffic accidents remain a major global issue; for instance, approximately 13, 184 accidents occurred between 2024 and 2025.[4]

[2] Singgamata Singgamata, "Penegakan Hukum Lalu Lintas Melalui E-Tilang Dalam Meningkatkan Kesadaran Hukum Berlalu Lintas," *Jurnal Hukum Progresif* 11, no. 1 (2023): 23–35.

[3] Maizuar Maizuar et al., "Peningkatan Kesadaran Pengguna Jalan Terhadap Keselamatan Berlalulintas," *Jurnal Solusi Masyarakat Dikara* 2, no. 3 (2022): 154–57.

[4] S N Luiza, "Analisis Kesadaran Hukum Masyarakat Di Jalan Dalam Berlalu Lintas," *Jurnal Penelitian Ilmu Hukum*, 2023.

To address the high number of traffic accidents, strict adherence to principles is required, which is fundamental to social, civic, and national life[5]. Normatively, adherence to principles is understood as a consistent attitude in acting in accordance with applicable laws, norms, and regulations. This principle is not only formal but also contains moral and ethical dimensions that require awareness and responsibility of individuals and institutions.

B. RESEARCH METHODS

This study uses library research aimed at examining the level of public awareness regarding traffic laws and how legal compliance is practiced in daily life to prevent traffic accidents. Empirical legal research is used because this study not only analyzes applicable legal norms but also examines how the law is obeyed and applied by the community in practice.

C. ANALYSIS AND DISCUSSION

1. Increasing Legal Awareness of Traffic

In Law No. 22 of 2009 concerning Road Traffic and Transportation, all provisions regarding drivers are regulated. Article 1, number 23 of this law states that a driver is "a person who drives a motor vehicle on the highway who has a driving license". The driving requirement is regulated in Chapter VII, that is, Article 7. In Article 80, it also regulates the classification of driving licenses (SIM), which consist of SIM A, SIM B I, SIM B II, SIM C, and SIM D.

Drivers and other road users, shoddy road construction, cars that don't comply with regulations, ambiguous traffic signs, and so on are some of the causes. For instance, roads allow people to travel between locations using a variety of vehicles, both motorized and non-powered. Roads are utilized for the maximum prosperity of the populace and play a significant role in politics, economics, socioculture, defense, security, and law. Legal awareness is a condition where the community is willing to respect and comply with the law with their own awareness, without any coercion from anyone. In essence, legal awareness is the basis of activity in daily life and is used as a reference for behavior by society[6].

Legal awareness is a matter of "law as behavior". Legal awareness is more a formulation from the legal community regarding the assessment, which has been done by Soerjono Soekanto through scientific interpretations. In principle, what is emphasized is the values about the function of law and not a legal assessment of concrete events from the community concerned [7].

Related to legal awareness, law enforcement officers, in this case, Traffic Police, are needed to act as preventers (politie toezicht) and enforcers (politie dwang) in a political function. In addition, traffic police also carry out regulatory functions (e.g., regulations on the obligation of certain motor vehicles to be equipped with safety triangles) and bestuur functions, especially in licensing or begunstiging (e.g., issuing Driving Licenses). However, most drivers are aware of the dangers of driving vehicles exceeding the maximum speed. But in reality, not a few drivers do it. In dealing with conflict, a person usually does what is called displacement, which takes the form of shifting the target of aggressive behavior. Anxiety arises as a result of the feeling of danger from outside, which is sometimes just a perception of the person concerned. It is not uncommon for humans to use their defense mechanisms to overcome their anxiety, such as acting out, where the individual performs impulsive actions. Such behavior can occur in drivers, who then drive their vehicles recklessly.

However, to suggest some ways of enforcing traffic regulations that are more efficient. The common methods are periodic reinforcement or partial reinforcement. This method is applied

[5] Vera Evantiana Sukma Wardani, "Analisis Hukum Implementasi Undang-Undang Nomor 22 Tahun 2009 Untuk Mencegah Terjadinya Kecelakaan Lalu Lintas" (Semarang: Universitas Islam Sultan Agung Semarang, 2021).

[6] Suherman Toha, *Dampak Penyuluhan Hukum Terhadap Tingkat Kesadaran Hukum Masyarakat* (Badan Pembinaan Hukum Nasional, Kementerian Hukum dan Hak Asasi Manusia RI, 2011).

[7] Soerjono Soekanto, "Sosiologi: Suatu Pengantar," *Perpustakaan Sekolah Tinggi Ilmu Kepolisian (STIK)*, 2012.

when certain behaviors are not always rewarded or punished. If a driver is used to driving a certain highway route, there is a tendency to exceed the maximum speed. This is because the driver thinks they know the road well.[8] If police are placed at certain points on the road, drivers won't have a chance to speed. But if they're always in the same spot, drivers will know when to follow the rules and when they can break them. With periodic reinforcement, the goal is to make drivers think there are cops everywhere, so they'll be more careful, even if the cops are only there sometimes. This method aims to produce good driving behavior. Conspicuous enforcement is usually meant to prevent reckless driving. The idea is to place police cars or other means in a highly visible way, so drivers see them clearly. This usually prevents people from breaking the rules.

Table 1: ***Characteristics of Law Enforcement in Traffic***

No	Characteristis	Description	Implementation
1	Preventive	Law enforcement aims to prevent traffic violations before they occur.	Road safety awareness campaigns, traffic sign installation, and education in schools.
2	Repressive	Taking action against traffic violations that have already occurred.	Manual and electronic ticketing (ETLE), and impounding of vehicles without proper documents.
3	Educative	Providing a learning experience to prevent repeat offenses.	Verbal warnings, road safety training programs.
4	Persuasive	An approach that prioritizes communication and public legal awareness.	Traffic order campaigns by police and communities.
5	Transparent	The law enforcement process is conducted transparently and accountably.	The electronic ticketing system is accessible online.
6	Accountable	Every law enforcement action has a clear and accountable legal basis.	Enforcement based on the Traffic and Road Transportation Law.
7	Just	It is non-discriminatory and applies equally to all road users.	All violators are subject to sanctions regardless of social status.
8	Humanistic	It prioritizes a humanitarian approach in carrying out its duties.	Allowing for tolerance in certain emergency situations.
9	Technology-Based	It utilizes digital systems for monitoring and enforcement.	Electronic Traffic Law Enforcement (ETLE), CCTV road surveillance.
10	Integrated	It involves various agencies in monitoring and law enforcement.	Collaboration between the Police, the Transportation Agency, and the Regional Government.

Source: *processed by the author*

According to Soerjono Soekanto[9] , stated that compliance with the law is determined by factors such as knowledge of the law, knowledge of the content of the law, attitude towards regulations, and behavior that is in accordance with regulations. A society will obey the law based on these things;

[8] Khintani Zikirillah Wandira and Bisma Putra Pratama, "Efektivitas Pemasangan Rambu Lalu Lintas Terhadap Kesadaran Hukum Masyarakat Dalam Berlalulintas," *Ekasakti Legal Science Journal* 2, no. 1 (2025): 8–15.

[9] Wandira and Pratama.

a) Because of the doctrine, humans are taught from an early age to comply with the rules that apply in society as part of cultural elements. Through the process of socialization, humans are taught to recognize, know, and comply with these rules.
b) Because of the habit process, it's experienced every day, so it becomes a habit to comply together.
c) There's a human tendency to live in order. What's orderly for one person might not be for another. That's why we need objective rules that apply to everyone.

Compliance with the Law to Prevent Accidents is a fundamental principle asserting that adherence to occupational safety and health (OSH) regulations constitutes the primary foundation for accident prevention in the workplace. Legal compliance serves not merely as a statutory obligation but as a systematic risk-control mechanism that requires organizations to establish, maintain, and continuously improve safe working environments through the implementation of technical, administrative, and operational standards.

From a legal perspective, safety regulations are designed to establish minimum requirements that organizations must fulfill to protect workers from hazards. These requirements encompass workplace design, machinery safety, hazard identification, employee training, emergency preparedness, personal protective equipment (PPE), and incident reporting procedures. By complying with these regulations, organizations reduce the likelihood of unsafe conditions and unsafe acts that commonly lead to workplace accidents. Compliance with occupational safety laws functions as a proactive risk management strategy. Regulatory frameworks require employers to identify potential hazards, assess associated risks, and implement appropriate control measures before incidents occur. This approach aligns with the hierarchy of controls, which prioritizes hazard elimination, substitution, engineering controls, administrative controls, and personal protective equipment. For example, regulations may require machine guarding in manufacturing facilities. Compliance with such requirements reduces the risk of workers coming into contact with moving machinery parts, thereby preventing severe injuries such as amputations or crushing accidents.

2. Compliance with the law to Prevent Accidents

From a legal perspective, adherence to principles is a primary requirement for the rule of law. When individuals and the state apparatus consistently comply with rules, social stability and legal certainty can be achieved.[10] On the other hand, violations of established principles can lead to injustice, uncertainty, and weakening public trust in state institutions. In reality, traffic accidents are still common, and research shows that in Palembang, cases tend to increase from 2023 until 2025, with 1,007 cases recorded in 2025 (a 19.03 increase from 2024). Although the number of incidents increased, the number of fatalities reportedly decreased to 81 people in 2025 compared to 84 people in 2024.[11]

The reality above shows that the legal awareness of drivers is needed to create orderly traffic. According to Attorney General Sukarton, in his book "Penegakan Hukum di Negara Pancasila", legal awareness has two meanings: awareness to comply with legal provisions and awareness to take responsibility for upholding the law. The sociological study of legal compliance involves two variables: law and humans as the object of legal regulation. Thus, compliance with the law is not only a function of legal regulations, but also a function of humans as the target of regulation.

Legal compliance is explained not only by the presence of law, but also by humans' willingness to comply. Legal awareness is also related to the effectiveness of law and legal

[10] Rahman Amin and Winda Apricilya Van Hemert, "Penyuluhan Hukum Budaya Tertib Berlalu Lintas Menurut Undang-Undang Tentang Lalu Lintas Dan Angkutan Jalan," *Empowerment* 5, no. 02 (2022): 131–43.

[11] Budiman Candra, "Angka Kecelakaan Di Palembang Pada 2025 Meningkat, Angka Meninggal Dunia Menurun" (Palembang: Sumsel Update, 2025).

authority. This is in line with the theory of legal effectiveness, according to Soerjono Soekanto[12], effective refers to the extent to which a group can achieve its goals. Law can be said to be effective if there is a positive legal impact, when the law achieves its goal in guiding or changing human behavior to become legal behavior. One aspect of discussing legal effectiveness is often related to the influence of law on society. The essence of the influence of law on society is the pattern of behavior of community members that is in accordance with the applicable law or that has been decided. When associated with Soerjono Soekanto's indicators of legal awareness, there are 4 stages: (1) legal knowledge, namely a person's knowledge of certain behaviors regulated by law; (2) legal understanding, meaning a person's information about the content of regulations of a particular law; (3) Legal attitude, namely a tendency to accept the law due to appreciation of the law as something beneficial or advantageous if the law is obeyed; and (4) Legal behavior pattern.

Parties responsible for safety on the road have tried to tackle traffic accidents, as seen from various regulations that have been formulated and implemented, accompanied by counseling, improving the quality of vehicles and highways to be safer, and various activities carried out to minimize fatalities due to traffic accidents. Laws are made to ensure legal certainty, so they must be enforced with sanctions that deter offenders and won't repeat their actions. Similarly, traffic accidents causing death due to traffic violations can be subject to criminal sanctions under Article 359 of the Penal Code and Article 310 paragraph (4) of Law No. 22/2009 on Road Traffic and Transportation.

The formation of laws is essentially intended to provide a guarantee of legal certainty in the life of society, nation, and state. Therefore, every legal provision regulated in legislation must be accompanied by the application of strict sanctions as a form of law enforcement.[13] The imposition of sanctions aims not only to serve as a deterrent to offenders, but also to prevent the repetition of the same act in the future and to create social order.

In the context of traffic violations that can cause accidents resulting in fatalities. In Indonesian positive law, acts causing death due to negligence can be subject to criminal sanctions as regulated in Article 359 of the Indonesian Penal Code (KUHP). In addition, specifically in the field of road traffic and transportation, terms regarding criminal liability are also regulated in Article 310 paragraph (4) of Law Number 22 of 2009 concerning Road Traffic and Transportation, which states that any person who drives a motor vehicle due to their negligence resulting in a traffic accident with fatalities can be punished with imprisonment and/or a fine in accordance with applicable provisions. Thus, the existence of these criminal provisions indicates that traffic law not only serves as a regulatory instrument (regulatory function), but also as an instrument of social control aimed at increasing public legal awareness in traffic and reducing the number of accidents on the road.

D. CONCLUSION

Legal awareness plays a very important role in creating order and safety on the highway. Legal awareness is not only related to the public's knowledge of traffic regulations, but also involves the understanding, attitude, and behavior of the community in complying with applicable legal provisions. The application of the principle of compliance in traffic is a concrete manifestation of public legal awareness. When the community has a high level of legal awareness, it will be reflected in orderly, disciplined driving behavior and compliance with traffic signs and driving safety regulations. On the other hand, low legal awareness is often one of the main factors in traffic violations that have the potential to cause accidents on the road. In addition, the existence of laws and regulations, such as Law Number 22 of 2009 concerning

[12] Soerjono Soekanto, "Faktor-Faktor Yang Mempengaruhi Penegakan Hukum," *Perpustakaan Sekolah Tinggi Ilmu Kepolisian (STIK)*, 2011.

[13] Barda Nawawi Arief, *Beberapa Aspek Kebijakan Penegakan Dan Pengembangan Hukum Pidana* (Citra Aditya Bakti, 1998).

Road Traffic and Transportation, and the imposition of criminal sanctions for traffic violations are important instruments in encouraging public compliance with the law. Consistent and strict law enforcement is expected to have a deterrent effect on violators and increase public awareness to always obey traffic rules.

Regulatory frameworks require employers to identify potential hazards, assess associated risks, and implement appropriate control measures before incidents occur. This approach aligns with the hierarchy of controls, which prioritizes hazard elimination, substitution, engineering controls, administrative controls, and personal protective equipment. For example, regulations may require machine guarding in manufacturing facilities. Compliance with such requirements reduces the risk of workers coming into contact with moving machinery parts, thereby preventing severe injuries such as amputations or crushing accidents.

REFERENCES

Amin, Rahman, and Winda Apricilya Van Hemert. "Penyuluhan Hukum Budaya Tertib Berlalu Lintas Menurut Undang-Undang Tentang Lalu Lintas Dan Angkutan Jalan." *Empowerment* 5, no. 02 (2022): 131–43.

Arief, Barda Nawawi. *Beberapa Aspek Kebijakan Penegakan Dan Pengembangan Hukum Pidana*. Citra Aditya Bakti, 1998.

Candra, Budiman. "Angka Kecelakaan Di Palembang Pada 2025 Meningkat, Angka Meninggal Dunia Menurun." Palembang: Sumsel Update, 2025.

Luiza, S N. "Analisis Kesadaran Hukum Masyarakat Di Jalan Dalam Berlalu Lintas." *Jurnal Penelitian Ilmu Hukum*, 2023.

Maizuar, Maizuar, Nura Usrina, Muthmainnah Muthmainnah, Nanda Savira Ersa, Rahmi Nurrahim, and Putri Putri. "Peningkatan Kesadaran Pengguna Jalan Terhadap Keselamatan Berlalulintas." *Jurnal Solusi Masyarakat Dikara* 2, no. 3 (2022): 154–57.

Samsiar, Samsiar, Andi Najemi, Haryadi Haryadi, and Erwin Erwin. "Pentingnya Pengetahuan Tata Tertib Berlalu Lintas Dalam Mencegah Pelanggaran Lalu Lintas Terhadap Pelajar Kecamatan Sekernan Kabupaten Muaro Jambi." *Jurnal Karya Abdi Masyarakat* 6, no. 2 (2022): 366–73.

Singgamata, Singgamata. "Penegakan Hukum Lalu Lintas Melalui E-Tilang Dalam Meningkatkan Kesadaran Hukum Berlalu Lintas." *Jurnal Hukum Progresif* 11, no. 1 (2023): 23–35.

Soekanto, Soerjono. "Faktor-Faktor Yang Mempengaruhi Penegakan Hukum." *Perpustakaan Sekolah Tinggi Ilmu Kepolisian (STIK)*, 2011.

"Sosiologi: Suatu Pengantar." *Perpustakaan Sekolah Tinggi Ilmu Kepolisian (STIK)*, 2012.

Toha, Suherman. *Dampak Penyuluhan Hukum Terhadap Tingkat Kesadaran Hukum Masyarakat*. Badan Pembinaan Hukum Nasional, Kementerian Hukum dan Hak Asasi Manusia RI, 2011.

Wandira, Khintani Zikirillah, and Bisma Putra Pratama. "Efektivitas Pemasangan Rambu Lalu Lintas Terhadap Kesadaran Hukum Masyarakat Dalam Berlalulintas." *Ekasakti Legal Science Journal* 2, no. 1 (2025): 8–15.

Wardani, Vera Evantiana Sukma. "Analisis Hukum Implementasi Undang-Undang Nomor 22 Tahun 2009 Untuk Mencegah Terjadinya Kecelakaan Lalu Lintas." Semarang: Universitas Islam Sultan Agung Semarang, 2021.