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Law Enforcement of Traffic Violations by Children as Motorcyclists in the Jurisdiction of the Pohuwato Police

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ABSTRACT

This study examines law enforcement against traffic violations by children as motorcyclists in the jurisdiction of the Pohuwato Police. This issue is important because Law Number 22 of 2009 requires every motorized vehicle driver to have a driving license, while children under the required age do not yet have sufficient legal capacity and driving skills. This study aims to analyze the role of the police and the obstacles and efforts made in handling traffic violations by children. The method used is empirical legal research with a descriptive approach through the study of legislation, observation, and interviews at the Pohuwato Police Traffic Unit. The results show that violations by children under 16 years old increased from 52 violators in 2023 to 84 violators in 2024. The dominant violations include not wearing a helmet, not having a driver's license/vehicle registration, riding more than the stipulated number of passengers, and going against the flow of traffic. Law enforcement is carried out through pre-emptive, preventive, and repressive efforts, but still faces obstacles such as uncooperative children, turning around when seeing officers, and parental resistance. This study emphasizes the importance of educational law enforcement, child protection, and family involvement in building a culture of orderly traffic.

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1. Introduction

Traffic order is an important part of legal protection for public safety. Traffic is not only related to vehicle movement, but also to driver compliance, infrastructure availability, officer supervision, and the legal culture of road users. Law Number 22 of 2009 concerning Traffic and Road Transportation places the police as one of the main actors in regulating, guarding, escorting, patrolling, public education, taking action against violations, and handling traffic accidents [1]. In this context, traffic violations by children as motorcyclists are a serious problem because they are directly related to the safety of children and other road users.

Children are legal subjects who require special protection. The Child Criminal Justice System Law emphasizes that the handling of children in conflict with the law must prioritize the best interests of the child and a restorative justice approach [2]. On the other hand, the Traffic and Road Transportation Law requires a certain age to obtain a driver's license. Article 77 paragraph (1) requires every driver to have a driving license, while Article 81 regulates the minimum age limit of 17 years for driving licenses A, C, and D [1]. This means that children under this age are not legally eligible to ride a motorbike on the highway.

The phenomenon of children riding motorcycles is still common in the jurisdiction of the Pohuwato Police. Practical reasons such as efficiency in getting to school, distance from home, family habits, and weak parental supervision are often the social backgrounds for violations. Research data shows that traffic violations by children under 16 years of age increased from 52 in 2023 to 84 in 2024. The most prominent types of violations are not wearing helmets, not having complete vehicle registration, riding in an illegal manner, and going against traffic flow. These facts indicate a gap between legal norms and traffic practices in society.

Previous research on traffic violations generally emphasizes the relationship between legal compliance, enforcement effectiveness, and road safety. However, specific discussions on law enforcement against children as motorcyclists in the local context of the Pohuwato Police Department still need to be deepened. The research gap lies in the need to understand children's dual position: as violators of traffic regulations and as subjects who must be protected from overly repressive law enforcement approaches. The novelty of this article is that it positions child traffic law enforcement within the relationship between police authority, the age limit for obtaining a driver's license, parental responsibility, and the principle of child protection.

Based on this description, this article formulates two problems, namely:

1. What is the role of the police in handling traffic violations by children as motorcyclists in the jurisdiction of the Pohuwato Police?
2. What obstacles and efforts have the police made in dealing with these violations?

In line with the problem formulation, the purpose of this study is to analyze the role of the police and identify obstacles and efforts to address traffic violations by children. This article's contribution is expected to strengthen academic understanding and law enforcement practices, emphasizing not only sanctions but also fostering child safety and protection.

2. Research Methods

This study employs empirical legal research, namely legal research that examines the application of legal norms in social reality. The approaches employed are a legislative approach and a sociological approach to law. The legislative approach is used to examine the Traffic and Road Transportation Law, the Juvenile Criminal Justice System Law, and police regulations related to traffic duties. The sociological approach is used to examine law enforcement practices against children as motorcyclists in the Pohuwato Police Department.

The object of this research is law enforcement against traffic violations by children as motorcyclists. Primary data were obtained through interviews and observations of traffic violation handling practices at the Pohuwato Police Traffic Unit. Secondary data were obtained from laws and regulations, legal books, journals, and violation data documents from 2023-2024. The collected data were analyzed qualitatively and descriptively by grouping facts, interpreting their relevance to legal norms, and drawing conclusions to answer the research questions.

3. Results and Discussion

This article's discussion focuses on assessing the relationship between police authority, children's compliance with traffic regulations, and the effectiveness of prevention efforts. The analysis is conducted using violation data as a factual basis, Law No. 22 of 2009 and Law No. 11 of 2012 as a normative basis, and law enforcement theory as an analytical framework. Therefore, this section not only explains the types of violations but also examines how the police carry out their pre-emptive, preventive, and repressive roles without neglecting the principle of child protection.

3.1. The Role of the Police in Handling Traffic Violations by Children as Motorcyclists in the Pohuwato Police Jurisdiction

The Pohuwato Police Traffic Unit plays a crucial role in maintaining security, safety, order, and smooth traffic flow. This role includes regulation, guarding, escorting, patrolling, public education, vehicle registration and identification, accident investigations, and enforcement of violations. In the context of children as motorcyclists, the police's role cannot be interpreted solely as issuing tickets, but also as a process of coaching children to understand the risks of riding without legal skills and permits.

Legally, law enforcement against child motorcyclists is based on the obligation to possess a driver's license and complete driving equipment. Children under 17 cannot obtain a Class Class

driving license and therefore do not meet the legal requirements to ride a motorcycle. Data from the Pohuwato Police Department shows an increase in violations by children under 16, from 52 cases in 2023 to 84 cases in 2024. This increase demonstrates that legal regulations have not yet fully become social behaviors that are complied with by both children and parents.

Types of violations found included not wearing a helmet, not having complete vehicle registration, riding with multiple passengers, violating traffic markings, and going against the flow of traffic. Violations of not wearing a helmet and not having vehicle registration were the most common. From a law enforcement perspective, these violations demonstrate low legal awareness and weak family supervision. Children are often given access to motorcycles for school or daily needs, even though they do not meet the age and riding ability requirements. The role of the police in such situations must be understood as educational law enforcement. Providing warnings, collecting data, summoning parents, providing counseling to schools, and issuing tickets for certain violations represents a balance between legal certainty and child protection. If the police use only a repressive approach, the child-rearing dimension can be neglected. Conversely, if the police only tolerate traffic laws, they will lose their coercive power. Therefore, the author's position is that law enforcement against children must be gradual, proportional, and safety-oriented.

3.2. Obstacles and Police Efforts Against Traffic Violations by Children as Motorcyclists

The main obstacle faced by police is uncooperative behavior by children during traffic enforcement. Children who see officers often turn around, go against the flow of traffic, or push past officers for fear of being stopped. This behavior actually increases the risk of accidents and endangers officers and other road users. Other obstacles arise after children are stopped, such as refusing to hand over vehicle registration, refusing to have the vehicle used as evidence in a traffic ticket, and even parents refusing to accept police action against their children.

These obstacles demonstrate that traffic violations by children are not solely a child's problem, but also a family and community legal culture issue. According to the theory of legal effectiveness, law enforcement is influenced by the substance of the law, law enforcement officials, facilities, society, and culture [3]. In this case, the legal norms are already in place, but societal and cultural factors remain obstacles. Parents who allow their children to ride motorcycles also weaken the effectiveness of law enforcement.

Police efforts are carried out in three forms. First, pre-emptive efforts, including guidance and patrol activities to ensure a police presence in public spaces. Second, preventive efforts include promoting traffic discipline in schools, safety campaigns, and establishing traffic-controlled zones. Third, repressive efforts include verbal warnings, written warnings, tickets, and handling violations that result in accidents. For children, repressive measures must still take into account their age, the severity of the violation, and parental involvement.

Compared with previous research that emphasized sanctions as the primary means of law enforcement, this article's findings suggest that addressing traffic violations by children is more appropriate through a combination of law enforcement and education. Police need to make schools and families their primary partners. This article's findings emphasize that the effectiveness of traffic law enforcement for children is determined not only by ticketing but also by consistent guidance, changes in parental behavior, and the development of a safety culture from school age.

4. Conclusion

Law enforcement against traffic violations by children as motorcyclists in the jurisdiction of the Pohuwato Police is carried out by the police through regulation, supervision, guidance, and action based on Law Number 22 of 2009. Data shows an increase in violations by children under 16 years of age from 52 violators in 2023 to 84 violators in 2024, so the role of the police remains very necessary to maintain safety and legal certainty.

Obstacles faced by police include children being uncooperative when stopped, turning around and going against the flow of traffic, refusing to hand over ticket receipts, and parental resistance. Efforts undertaken include preemptive guidance, preventive counseling, and repressive action. The author emphasizes that handling traffic violations by children must combine legal certainty, safety education, and parental responsibility to avoid a purely punitive approach.

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