



Juridical Review of Conduct of Traffic Violations Based on Lei No.6/2003

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Abstract: Highway traffic plays a crucial role in transportation, but it requires further development to ensure it covers all areas and integrates seamlessly with other modes of transport. Unfortunately, the condition of roads and pedestrian facilities falls below standard, leading to frequent accidents due to lack of traffic awareness among drivers and pedestrians. The Codigo Estrada government regulation in Timor Leste emphasizes the importance of road safety and transportation, outlining rules for vehicles and pedestrians. To gather data for this study, the authors relied on empirical laws and interviews. Traffic violations that result in accidents are met with criminal and administrative sanctions, aiming to prevent future incidents. Hence, it is essential for the government to implement annual plans and educate the public through mass media to enhance awareness of traffic regulations in Timor Leste.

Keywords: Accidents; Causal Factors; Traffic Violations.

1. Introduction

According to history, Timor Leste became an independent country or restored its independence on the 20th of May, 2002 (Rustamana & Narendra, 2023), (Syarqiyah & AS, 2019). The country has fundamental principles outlined in Article 1, paragraph 1 of the Constitution of the Democratic Republic of Timor Leste, stating that the country is democratic, sovereign, independent, and united, based on the rule of law, the will of the people, and respect for human dignity (Waluyo, 2022). This country has been independent for Twenty-One years from Indonesian colonial rule, counted from May 20, 2002 to May 20, 2023. As an independent country like others, there are specific laws that are applied in that country (Amri, 2023). An issue that needs attention in Timor Leste is the traffic problem, especially in the city of Dili. Dili, as the capital city of Timor Leste, is experiencing continuous economic development leading to an increase in the number and types of vehicles and traffic congestion (Liem & Purwanto, 2022). This has made urban traffic a problem that needs to be addressed specifically. The issues faced by major cities everywhere are not only social problems of various forms, but also daily traffic issues (Adriansa, 2022), (Syaid, 2020).

Traffic in Lei number 6/2003 concerning traffic as stated in article 1 as the legal law for road transportation in Timor Leste. The regulations clearly stipulate traffic rules, priority on the road, traffic lanes, and traffic control at intersections within a community (Rizal, 2021). Article 6 of Traffic Regulation No. 1 and 2 specifically addresses the disobedience of traffic lights on the highway. However, many people in the community are still unaware or ignorant of the importance of following these regulations, especially those related to traffic and road transportation as stated in Lei No. 6/2003. The focus of discussion here is the perpetrators of traffic violations (Riesma, 2023). According to the Indonesian Dictionary (KBBI), a perpetrator is someone who commits an act. This often leads to fatal accidents. It is mandatory for individuals or members of a society in a country to abide by the articles of the law (Pahotan, 2021). However, most traffic violators do things that are not in line with the substance of these articles, resulting in legal violations due to a lack of discipline in traffic. Traffic violations would occur less frequently if there is good cooperation between the police and the community. In this

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modern era and current times, road users are increasingly neglecting their own safety and that of others (Bangun, Zuska, & Ginting, 2022), (Nugroho, 2021).

Traffic violations are situations where there is a discrepancy between rules and implementation. In this case, the rules refer to the laws that have been established and agreed upon by the state as legally binding, while the implementation is carried out by individuals or the society of a country who are bound by these laws (Sulfinadia, 2020). The majority of traffic violators are those who violate traffic signs and traffic lights, such as prohibitions on stopping and parking in certain areas, running red lights, and so on. The use of vehicles by the public is increasing over time, which causes the roads to become narrower due to the increasing volume of vehicles (Apriliyantomo, 2020). The narrowing of roads is caused by the large number of vehicles, which can lead to congestion on the roads that usually occurs when people are going to carry out their activities in the morning and when they return from their activities in the evening (Sriharyani & Hadijah, 2023). In order to reduce or suppress the number of violations, accidents, and congestion in traffic on the roads, road authorities carry out engineering measures (Kusprinitis, 2021), (Omrizal, 2022).

The engineering on the road is intended to make the use of the road as one of the supporting means of community mobility more effective. The government's efforts to create comfort and safety for the community in driving on the road and highways (Pane, Lubis, & Batubara, 2021). The management of traffic and road transport is entrusted to the National Directorate of Land and Transport (DNNT) in collaboration with the Traffic Police (Poltrans). The purpose of installing these signs is so that every road user can be assisted and be more alert while driving on the road, thus emphasizing the reduction of traffic accidents. Complementing activities for the safety of endangered lives is a collective obligation in a country. Because as social beings, we are interdependent in human life (Djajasinga, 2022), (Hinonaung et al., 2023).

This research aims to develop legal science, especially the law for traffic offenders based on Lei No. 6/2003 regarding traffic. Specifically, this research aims to explain and analyze the factors that cause traffic violations also describes and analyzes the efforts made by the police to address traffic violations (Afriza, Hasim, & Elfalahy, 2023), (Tampubolon, 2019).

2. Materials and Methods

The type of research in this study is normative juridical, which is a normative approach that considers the applicable legal principles, outlined in library books and normative documentation. The approach used in this writing is an approach with laws or normative deductive approach, meaning conveying ideas from general to specific, and also analyzing data qualitatively, towards articles regulating the issues, this approach method is used considering the issues studied based on legislation. Primary legal materials are legally binding materials including; RDTL Constitution article 115 (Competência do Governo) paragraph 1c reinforced by article 147 (Polícia e forças de segurança) paragraphs 2 and 3, Penal Code (KUHP) in articles 207 to 210, Decree Law No. 6/2003 regarding non-compliance with traffic light traffic signs in traffic regulations article 6 no.1 and 2; article 7 no.2; connected to traffic regulations article 4 no.2 on traffic. Secondary legal materials are library studies research results, literature books, laws and theories of other scholars related to the topic taken by the researcher on "juridical review of traffic violators based on lei no. 6/2003".

This research was conducted in Kaikoli, Dili, Timor Leste, as one of the central parts of the Timor Leste National Police (PNTL). The chosen research location is the Traffic Police or Polisi Transito (Poltrans) in Dili. The data collection technique involved direct questioning by the interviewer to the respondents, such as the Traffic Police officers in Dili and also some drivers and residents in Dili. The respondents are the subjects who provide answers to the research questions during the interview. In this legal research, interviews were conducted with the respondents to obtain information related to the researched issues. The respondent in this research is Inspector Domingos Gama, SH., who

serves as the Head of the Traffic Department at the Caicoli Police Office, Dili. The Legal Material Analysis technique used by the author involves utilizing various legal regulations to establish rules, prohibitions, and notifications that should be complied with by everyone, especially traffic violators, based on lei no. 6 / 2003.

3. Results and Discussion

Traffic violations are primarily caused by human behavior. The main reason behind these violations is the insufficient understanding of rules, markings, and signs. The lack of awareness regarding the meanings of markings, signs, and traffic regulations results in recurring violations. The main factor contributing to traffic violations is the lack of consciousness among road users. It is evident in society, particularly among road users, that some individuals do not adhere to proper etiquette and tolerance towards others on the road. This behavior is often due to the inadequate maturity level of many drivers in controlling their vehicles.

Commander Domingos Soares Gama, the Head of Poltrans in Timor Leste, stated that the traffic violation data recording is detailed enough to be analyzed for identifying the reasons behind traffic violations, enabling effective measures to be taken to address them. The causes of traffic violations can be categorized into three elements: human, road, and vehicle. Suwardjoko's theory further supports the notion that the main cause of almost all traffic violations and accidents is the driver.

The reasons for traffic violations and accidents are also emphasized by Hobbs' statement that the most common causes of traffic violations and accidents are caused by humans, which include human psychology, sensory systems such as vision and hearing, and knowledge of traffic rules. These Human factors are determined by several indicators that shape their attitudes and behaviors on the road including.

a. Mental

The mental and behavioral aspects of road users are one of the key factors that greatly influence traffic situations. The tolerance among road users, emotional control, and road use awareness will create an interaction that can color the situation with positive outcomes such as safety, security, and smooth traffic flow, as well as negative impacts that lead to congestion, violations, and traffic accidents. Therefore, the mentality of road users is fundamental in creating a good traffic situation. The mental and behavioral aspects of road users reflect traffic culture, which cannot be formed instantly by a specific institution, whether it be an educational institution or any other organization. Instead, it is formed continuously starting from daily life in the family, environment, and traffic situations that are always visible to road users, shaping the traffic mentality habits of individuals.

b. Knowledge

Road users must have a thorough understanding of traffic laws and regulations to ensure consistency in behavior and decision-making while driving. Knowledge of vehicle characteristics is also crucial for safe operation on the road. Regulations are continuously updated to reflect advancements in technology and promote safe and efficient traffic flow.

c. Skills

The ability to control (drive/operate) motorized and non-motorized vehicles on the road will greatly influence the traffic situation. The skill of controlling a vehicle is an absolute necessity for the safety, security, order, and smooth flow of traffic for both the driver or rider of the vehicle and other road users. Licensing for the ability to control a vehicle is formalized through a Driving License (Carta condução) issued by the National Directorate of Transport and Traffic (DNNT) in accordance with the vehicle's intended use as regulated by Law No. 6 of 2003 on road traffic, stated in Article 116, paragraph 1 "the document that entitles the right to drive automobiles and motorcycles is called a driving license," which means that a valid Driving License is required to operate a vehicle. One of

the requirements states that every applicant for a driving license must be able to read and write, as there are two stages of tests to be passed, namely the theory and practical tests. Therefore, the skill to control motorized and non-motorized vehicles is mandatory, and it can be acquired either through driving education and training institutions or without them, meaning that the applicant has undergone a skill training process before proceeding to the skill testing process to obtain a driving license.

Besides those factors, there were another factor such as: The Vehicle Factor; Vehicles as one of the factors contributing to traffic violations are closely linked to the rapid evolution of vehicle types alongside advancements in vehicle manufacturing technology. This has enabled various types and quantities of vehicles to be produced within a relatively short timeframe. The swift development of vehicles, without corresponding improvements in road infrastructure, can result in traffic congestion. Heavy traffic flow can lead to criminal activities such as theft, robbery, pickpocketing, and more. Common traffic violations stemming from vehicle factors include worn-out motorcycle tires, malfunctioning turn signals, and others.

Factor of Road Infrastructure; Road infrastructure as a cause of traffic violations and accidents is partly due to the presence of underground pipes. These pipes can be electrical pipes, drinking water pipes, and so on, all of which can result in traffic congestion. In addition to the presence of underground pipes, another factor of road infrastructure is the existence of damaged roads, which leads to the formation of water puddles when it rains. These water puddles usually cause congestion and often result in accidents among road users. For example, when there is a pothole, drivers may have to take the opposite lane to avoid it. This situation is actually dangerous because there may be high-speed vehicles coming from the opposite direction, thus increasing the risk of accidents.

Natural Condition Factor; Traffic violations caused by natural or environmental factors usually occur unexpectedly. When it rains, typically all vehicles will increase their speed, making traffic violations very likely to happen. For example, a motorcyclist who is afraid of getting wet in the rain may choose to take a shortcut by either disregarding traffic signs or still following the existing rules.

Furthermore, the following information presents the data on the number of traffic violations in the city of Dili from 2019 to 2021, obtained from the Poltrans Sub Section of Dili Municipality Traffic (Dili District Traffic Subsection). Please refer to Table 1 below for details

Table 1. Data on the number of traffic violations in the city of Dili from 2019 to 2021 based on Type of Violation

Years	Type of Violation		
	Vehicle Equipment (Equipamento do Veículo)	Traffic Signs (<i>Sinais</i> <i>Trânsito</i>)	Vehicle Documents (Documentos do veículo)
2019	1.126	784	663
2020	1.392	1.722	2.397
2021	2.474	2.080	2.532
Total	4.996	4.586	5.592

Source: Dili City Traffic Police Unit (June 27, 2022)

Based on the data on table 1, it can be concluded that the most common violation committed by drivers in the Municipality of Dili is related to vehicle documents, especially not carrying a driver's license. Due to several factors such as drivers with insufficient age for owning a driver's license, this high traffic violation occurs. This is caused by drivers being in a hurry or human negligence itself, especially among motorcyclists. On the other hand, these drivers do not consider a driver's license as an important document, even worse, they do not prioritize their own safety and that of others. Several traffic violations that occur can actually be avoided if road users can behave in a disciplined, or-

derly manner and cultivate safe and controlled traffic, as seen in Table 2 from 2019 to 2021.

Table 2. Data on the number of traffic violations in the city of Dili from 2019 to 2021 based on Occupation

Occupation	2019	2020	2021	Number of Cases
Student	708	620	794	2.122
University student	354	753	397	1.504
Civil servant	581	74	521	1.176
Private sector employee	291	23	52	366
Entrepreneur	56	113	8	177
Diplomatic	8	7	13	28
Total	1.988	1.590	1.785	5.373

The table 2 indicates that traffic violation cases in the city of Dili from 2019-2021 involve not only young individuals such as students and university students, but also adults from various professions, including government employees, private sector employees, entrepreneurs, and diplomatic personnel.

According to the information gathered, insights from various experts suggest that traffic violations occur due to a lack of awareness and adherence to the law in general. Ewick and Silbey (Ali, 2009), two experts who focus on legal awareness, define it as the understanding of how individuals comprehend the law and legal systems, providing meaning to people's experiences and behaviors. They argue that legal awareness is shaped through actions and should be studied empirically.

Based on the data obtained from the Commander of Poltrans Kota Dili and interviews with several motorcyclists in the city of Dili, it is found that there are not only the factors previously mentioned, but also several main factors that contribute to why drivers violate traffic regulations, especially riding motorcycles without a Driving License (SIM). These factors include negligence, lack of knowledge, and lack of discipline. Therefore, it depends on each individual driver to raise awareness about these regulations. In other words, legal consciousness is a matter of legal behavior, not just rules, norms, or principles.

According to Achmad Ali, legal consciousness is divided into two categories: (Ali, 2009)

- 1) Positive legal consciousness, which is synonymous with legal compliance;
- 2) Negative legal consciousness, which is synonymous with legal non-compliance

Achmad Ali (2009) also formulated his own language to understand H.C. Kelman's concept of dividing legal compliance into three types, as follows:

- a. Compliance-based obedience, where an individual follows a rule only out of fear of sanctions. The weakness of this type of obedience is that it requires continuous monitoring.
- b. Identification-based obedience, where an individual follows a rule only out of fear of damaging their good relationship with others.
- c. Internalization-based obedience, where an individual follows a rule truly because they believe that the rule aligns with the intrinsic values they hold

3.1 Government efforts in law enforcement against offenders

Law enforcement is the effort to carry out the enforcement or function of legal norms in a tangible manner for guidance in behavior within legal relationships or traffic in social and national life. The enforcement of the law is a process of making efforts to ensure the actual functioning of norms as guidelines for behavior in social life related to the law (Asshiddiqie, 2010). The law serves as the protection of human interests. In order for human interests to be protected, the law must be enforced. The enforcement of the law can occur in a normal and peaceful manner, but violations of the law can also occur, in

which case the violated law must be upheld. It is through the enforcement of the law that the law becomes a reality. Law enforcement is an effort to realize ideas of justice, legal certainty, and social benefits. The essence of law enforcement is essentially the process of embodying ideas. According to Satjipto Raharjo, law enforcement is not a definite action, namely applying the law to an event, which can be likened to drawing a straight line between two points (Rahardjo, 2010). Hence, before the recurring traffic violations take place, a persuasive educational approach must be implemented. Analyzing the behavior of the community in Timor Leste towards traffic, it is essential to educate them about discipline and ethics in traffic. In a conceptual sense, law enforcement is about aligning values with firm principles and actions to establish, uphold, and safeguard peace in so-ciety.

3.2 The government's efforts to prevent traffic accidents

Efforts to enforce the law in a non-penal manner involve policies outside of criminal law aimed at reducing traffic accidents, including sympathetic warnings, providing education and outreach to the public (road safety campaigns, public debates, visits, seminars, and discussions). Therefore, in this context, a program is planned to increase public knowledge about traffic through the education curriculum for long-term road safety prospects, the availability of education programs that are essential to provide knowledge and skills regarding traffic safety. This program is carried out through the process of imparting knowledge about traffic safety through workshops, simulations, and short training sessions at all university campuses.

Law enforcement efforts in a non-penal manner involve policies beyond criminal law that aim to reduce traffic accidents, such as sympathetic warnings, providing education and outreach to the public (road safety campaigns, public debates, visits, seminars, and discussions). Therefore, in this context, a program is being planned to enhance public knowledge about traffic through the education curriculum for long-term road safety prospects, ensuring the availability of education programs that are crucial in imparting knowledge and skills related to traffic safety. This program is implemented through the process of imparting knowledge about traffic safety through workshops, simulations, and brief training sessions at all university campuses.

Knowledge cultivation and material simulation in the "Kultura hadomi vida" program must adhere to age-appropriate standards and real-life conditions encountered by students in traffic. Understanding traffic regulations and imparting good driving ethics for motorcycles or cars are examples of essential teachings. The concrete enforcement of laws involves the application of positive laws in practice that must be followed. Thus, ensuring justice in a matter entails making concrete legal decisions to guarantee and uphold compliance with material laws through procedural methods outlined by formal laws (Shant, 1988). By being taught the basics of traffic safety in schools in Timor-Leste, riders are equipped to build their knowledge about traffic. And a positive attitude that will bring benefits when these riders drive motorcycles on the road. It is better to teach good habits at an early age rather than eliminating bad habits later on.

Law enforcement can be divided into two different types based on its subjects. The broad sense of law enforcement involves all legal subjects in every legal relationship. Whether or not normative rules are enforced is based on the norms of the applicable laws, meaning that these laws must be enforced. The narrow sense of law enforcement is the effort of certain law enforcement apparatus to ensure that a legal rule is implemented as it should be. Law enforcement can also be viewed based on its legal objects. In the broad sense, it encompasses justice values that consist of formal rules as well as justice values present in society. In the narrow sense, it only deals with enforcing formal and written regulations.

The efforts made by the Poltrans Kota Dili in addressing traffic violations are considered to be less than optimal. This is evident from the data obtained from Poltrans Dili, which shows an increasing number of traffic violations, especially involving motorcycles and public transportation, from 2019 until the end of 2021. Taking this into account,

the Commander of Poltrans Dili explains that the police have been making efforts to emphasize the importance of traffic law compliance among offenders, such as:

a. Efforts to instill norms (Pre-emptive)

Efforts are the initial steps taken by the police to prevent criminal acts. The activities carried out in crime prevention through pre-emptive measures involve instilling good norms so that these norms are internalized within an individual. Even though there may be opportunities to violate traffic rules, if there is no intention to do so, then no violation will occur. Therefore, in these efforts, the factor of intention is eliminated even though there are opportunities. Preventing crime is better than trying to rehabilitate criminals, as stated in criminology, efforts to improve criminals need to be considered and directed to prevent repeat offenses (Atmasasmita, 1995). This activity essentially involves nurturing and developing a simple lifestyle and promoting positive values, especially for teenagers or young people, through positive and creative activities.

In addition to being stated in government regulation number 6 of 2003 concerning traffic and road transportation, the administrative penalties are also mentioned. Law enforcement agencies are making efforts to eradicate and prevent traffic accidents. The pre-emptive efforts carried out by the police include providing counseling and guidance to the community and conducting awareness campaigns in schools, from elementary schools to universities, about how to prevent traffic accidents. They also foster good co-operation between the community, including parents, teachers, and the police, in order to prevent traffic accidents in the city of Dili. Furthermore, they collaborate with non-governmental organizations to conduct educational activities and enhance the understanding of the law among students and the entire community regarding the consequences of non-compliance with Decreto Lei Numeru 6/2003 regulations. They also explain the severe sanctions for traffic violators who cause accidents, even resulting in casualties.

b. Preventive measures (Preventive)

Preventive measures are the follow-up actions to pre-emptive efforts that focus on preventing crimes before they occur. The emphasis in these efforts is on eliminating opportunities for criminal activities. In other words, preventive measures are intended to bring about positive changes that reduce the likelihood of disturbances within society, thus promoting legal stability. According to Barnest and Teeters, there are several ways to address crime: (Atmasasmita, 1995).

- a. Recognizing the need to develop social impulses or pressures and economic pressures that can influence someone's behavior towards criminal acts
- b. Focusing on individuals showing criminal or social potential, even if that potential is due to biological and psychological disturbances or lack of good socio-economic opportunities to form a harmonious unity

The opinions of Barnest and Teeters above indicate that crime can be combated if the economic and social environmental conditions that influence someone towards criminal behavior can be restored to a good state. In other words, economic improvement is essential. Meanwhile, biological and psychological factors are only secondary factors. So, in preventive efforts, it is about how we make positive efforts and create conditions such as the economy, environment, and cultural society that become a dynamic force in

development, rather than causing social tensions that lead to deviant behavior. Additionally, it is about increasing awareness and community participation that security and order are collective responsibilities.

Based on the interview conducted by the Author with Commander Poltrons Do-mingos Soares Gama, who also serves as Dikmas (Head of Traffic Police at Dili City Police Resort), it was stated that the preventive efforts made for traffic violators mostly face challenges in enhancing public knowledge about road usage rules, providing information through socialization at universities, radio, and mass media. Furthermore, it was emphasized that the introduction of traffic signs along the roads as guidance for road users is crucial for ensuring safety, security, order, and smooth traffic flow, along with conducting regular patrols.

Repressive measures are actions taken by law enforcement officials after a criminal offense has occurred. These measures are seen as a deterrent for traffic violators who cause accidents resulting in death. The deterrent effect is based on the premise that the state's threat through the enforcement of traffic laws and road transport regulations. This is intended to make traffic violators who have previously caused fatal accidents think twice and address their past experiences before they occur again. When discussing the repressive system, it is impossible to ignore our criminal justice system, where there are at least 5 (five) subsystems: the judiciary, the prosecution, the police, corrections, and legal aid, which are interconnected and functionally related as a whole.

Based on the interview conducted by the author with Mr. Lino Matos, who holds the rank of Inspector Chief of Police in the Administration Section of the Dili Municipal National Police of Timor-Leste, he stated that the efforts made by the police force in addressing traffic violations committed by offenders are as follows;

- a. Introducing traffic awareness campaigns in schools and universities through the program "Cultura hadomi Vida - Goes To School".
- b. Organizing School Flag Ceremony with Police Officers as the Inspecting Officer in various schools.
- c. Encouraging students and university students to become School Security Patrol (PKS) members.
- d. Enhancing knowledge on traffic regulations and conducting traffic quiz competitions

Law enforcement is the act of enforcing regulations on students, both male and female, as well as university students in general, who do not meet the driving requirements in collaboration with the education department and school authorities. As we can see from the above interview, the author concludes that the efforts mentioned by Mr. Lino Matos are considered preventive measures due to their nature of prevention through persuasion, guidance, and direction.

In an effort to minimize traffic violations committed by traffic violators in the city of Dili through preventive measures, if traffic violations are still found to be rampant, the police must resort to repressive measures to apprehend all offenders to create a deterrent effect felt by all drivers who violate the rules and prevent them from repeating their actions, that is, the police are carrying out:

- a. A traffic ticket serves as evidence of a violation. Its main purpose is to summon the driver who committed the traffic offense to attend a court hearing, as well as to serve as proof of the confiscated items seized by the police from the offender;

- b. Confiscation is carried out when the offender does not possess a valid driver's license or when they are underage and not eligible to obtain a license yet; and
- c. A warning is given to traffic violators who have broken the rules but promise not to repeat the offense by providing a written statement declaring their commitment to abide by the law.

The role of the police in addressing traffic violations committed by school children includes

- a. Carrying out regular enforcement activities through operations at schools.
- b. Installing traffic advisory banners.
- c. Distributing traffic brochures

The efforts and roles undertaken by the police in addressing traffic violations committed by all motorcyclists and public transportation in Dili City are the police's way of minimizing traffic violations. This is because, based on existing facts, the majority of traffic accidents are caused by traffic violations. Law enforcement essentially aims to align legal values by reflecting on how we behave and act in society in order to achieve justice, legal certainty, and benefits by implementing sanctions. There are three things that need to be considered in enforcing the law: legal certainty, utility, and justice:

- a. Legal certainty ensures that the law is consistently applied to all events, without deviation, even in extreme circumstances like doomsday. This promotes order in society.
- b. Utility of the law considers its benefits for society, ensuring that its implementation and enforcement do not harm society and lead to unrest.
- c. Justice, according to Soerjono Soekanto, is based on equality and needs, resulting in proportionality in the field of law

Enforcement and upholding of the law must also achieve justice. Legal regulations are not synonymous with justice. Additionally, there is law enforcement through the Sociological approach of Roscoe Pound, who views law as a social fact, law as a tool of social control, or what is known as As a Tool of Social Engineering (Darmodiharjo, 2002). The essence of law enforcement lies in the activity of harmonizing the relationship of values described in the rules to create, maintain, and preserve peace in social life. In law enforcement, these pairs of values need to be harmonized. Therefore, there must be agreements in society that can be complied with, namely:

- a. The conflict between order and tranquility can be resolved through concrete legal methods that contain commands, permissions, or prohibitions.
- b. The conflict between justice and legal certainty can be resolved by considering the goals of the law, utility, and justice. While justice is important, it should not overshadow legal certainty, as pursuing justice alone can lead to legal uncertainty and injustice for a larger number of people. Law enforcement requires a state apparatus with specific authority to enforce compliance with legal provisions, as power without law is tyranny

Law enforcement is a process that involves multiple aspects (Dellyana, 1988):

- a. Total enforcement refers to the scope of criminal law enforcement as defined by substantive criminal law, but it is not feasible due to limitations imposed by criminal procedural law and substantive criminal law itself.
- b. Full enforcement involves reducing the scope of total enforcement by eliminating areas of no enforcement and expecting law enforcement officers to enforce the law to the fullest extent. However, full enforcement is considered unrealistic due to limitations such as time, personnel, investigative tools, and funds, which require the exercise of discretion.
- c. Actual enforcement refers to the remaining enforcement that is possible within these limitations

Factors that consider Law enforcement:

- a. The law itself; The law's role in law enforcement is to provide justice, certainty, and utility. However, conflicts can arise between legal certainty and justice, as the law is concrete while justice is abstract. For example, Article 209 of the Penal Code only mentions the maximum and minimum punishments for a crime, limiting the judge's ability to determine an appropriate sentence. This can result in lenient sentences or discrepancies between prosecution demands and imposed punishments, creating obstacles in law enforcement.
- b. Law enforcement officers; Law enforcement officers play a crucial role in law enforcement, as their mentality and personality can impact the effectiveness of regulations. If officers lack quality, it can hinder the resolution of criminal cases. Misunderstandings between investigators and prosecutors can also impede their duties. Quality and quantity of officers are important factors in law enforcement.
- c. Infrastructure and Facilities; The infrastructure and facilities in Timor Leste are lacking compared to developed countries, hindering law enforcement effectiveness. Soerjono Soekanto and Mustafa emphasized the importance of proper vehicles and communication tools for police work. Infrastructure and facilities are crucial for law enforcement to fulfill their roles effectively.
- d. The community; The community plays a crucial role in determining the effectiveness of the law. If the community is not aware of or does not comply with the law, it will not be effective. Legal awareness is the understanding of the importance of laws in maintaining order and peace.
- e. Culture; Culture guides individuals and societies in their actions, behavior, and relationships, serving as a framework with rules for what is allowed and forbidden (Soekanto, 2012). After considering the factors mentioned above, we can conclude that law enforcement cannot be accomplished solely by the authorities. It also requires legal awareness among the community and the necessary facilities to ensure effective implementation. Additionally, it is important to continually update regulations in line with the progress of society and the emergence of new types of offenses

4. Conclusions

The conclusions drawn from this study are as follows: Firstly, drivers, especially motor-cyclists, frequently violate traffic laws by ignoring signs, speeding, and driving without a license, leading to accidents and legal penalties. Secondly, human factors like ignorance of rules, desire to save time or money, and carelessness contribute to the rising number of violators in Dili City. Lastly, the government's strategies to combat violations include preventive, preemptive, and repressive actions.

The suggestions to tackle traffic problems in Dili City include educating the public about traffic rules, particularly "Decreto Lei número 6 / 2003," to prevent violations and promote safety when using motorcycles or public transport. Additionally, it's proposed that the police use more effective methods beyond solo patrols to reduce accidents and enforce regulations impartially. Lastly, improving road conditions in Dili and raising awareness through media campaigns are recommended to enhance legal understanding among the people of Timor-Leste.

References

- Adriansa, A. (2022). Peranan polisi lalu lintas dalam meningkatkan kesadaran hukum bagi pengendara di bawah umur yang belum mempunyai izin mengemudi di Kabupaten Sinjai. UNIVERSITAS ISLAM AHMAD DAHLAN.
- Afriza, R., Hasim, O. M., & Elfalahy, L. (2023). Tinjauan Hukum Islam Terhadap Peran Ganda Istri Sebagai Pencari Nafkah Utama Dalam Keluarga (Studi Kasus di Kelurahan Talang Benih Kecamatan Curup, Kabupaten Rejang Lebong). INSTITUT AGAMA ISLAM NEGERI CURUP (IAIN) CURUP.
- Amri, S. (2023). DINAMIKA PARTAI ISLAM DALAM PROSES AMANDEMEN UNDANG-UNDANG DASAR 1945 (PERAN,

PELUANG DAN TANTANGAN).

- Apriliyantomo, B. (2020). PERTIMBANGAN PUTUSAN PENGENAAN DENDA DALAM PELANGGARAN LALU LINTAS JALAN RAYA. *MIMBAR YUSTITIA: Jurnal Hukum Dan Hak Asasi Manusia*, 4(2), 70–88.
- Bangun, D., Zuska, F., & Ginting, B. (2022). Perilaku Masyarakat Pengendara Kendaraan Bermotor Dalam Berlalu Lintas di Kota Medan. *PERSPEKTIF*, 11(3), 1146–1160.
- Djajasinga, I. N. D. (2022). *Manajemen Dasar Resiko*. CV Rey Media Grafika.
- Hinonaung, J. S. H., Sriasih, N. K., Pramadhani, W., Dewi, L. M. A., Utami, K. C., Natalia, E., ... Widiastuti, I. A. K. S. (2023). *Keperawatan Anak*. PT. Sonpedia Publishing Indonesia.
- Kusprinitis, T. (2021). Analisis Yuridis Terhadap Pelanggaran Lalu Lintas Yang Menimbulkan Kecelakaan Berakibat Kematian (Studi Penelitian Polresta Barelang Kota Batam). *Zona Keadilan: Program Studi Ilmu Hukum (S1) Universitas Batam*, 11(1), 55–69.
- Liem, Y., & Purwanto, L. M. F. (2022). Rencana Pemindahan Bandar Udara Eltari Kupang Strategi Perencanaan Kota Berkelanjutan. *Jurnal Lingkungan Karya Arsitektur (LingKAr)*, 1(1), 1–15.
- Nugroho, Y. (2021). Pelanggaran Lalu Lintas Yang Dilakukan Oleh Anak Ditinjau Dari Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan. *FENOMENA*, 19(2), 246–267.
- Omrizal, O. (2022). ANALISIS PERAN KORBAN DALAM TERJADINYA KECELAKAAN LALULINTAS SEBAGAI UPAYA PENANGGULANGANNYA (Studi Pada Satlantas Polresta Padang). *Unes Journal of Swara Justisia*, 6(2), 177–184.
- Pahotan, R. (2021). Proses Penyidikan Terhadap Tindak Pidana Kecelakaan Lalu Lintas Yang Menyebabkan Matinya Orang Di Wilayah Hukum Polres Pelalawan. Universitas Islam Riau.
- Pane, R. R., Lubis, M., & Batubara, H. (2021). Studi Kebutuhan Fasilitas Keselamatan Jalan Di kawasan Kota Kisaran Kabupaten Asahan. *Buletin Utama Teknik*, 16(3), 224–234.
- Riesma, H. T. (2023). PENEGAKAN HUKUM TERHADAP TINDAK KRIMINAL YANG DILAKUKAN GENG MOTOR BERBASIS HAK ASASI MANUSIA DI WILAYAH HUKUM POLRESTABES SEMARANG. Undaris.
- Rizal, M. C. (2021). Buku Ajar Hukum Pidana. *Lembaga Studi Hukum Pidana*.
- Rustamana, A., & Narendra, D. (2023). PROSES INTEGRASI DAN TERLEPASNYA TIMOR-TIMUR TERHADAP INDONESIA. *Kultura: Jurnal Ilmu Hukum, Sosial, Dan Humaniora*, 1(4), 1–18.
- Sriharyani, L., & Hadijah, I. (2023). KEPADATAN LALU LINTAS AKIBAT HAMBATAN SAMPING RUAS JALAN KI HAJAR DEWANTARA KOTA METRO. *TAPAK (Teknologi Aplikasi Konstruksi): Jurnal Program Studi Teknik Sipil*, 12(2), 179–189.
- Sulfinadia, H. (2020). *Meningkatkan kesadaran hukum masyarakat studi atas pelanggaran peraturan perundang-undangan tentang perkawinan*. Deepublish.
- Syaid, M. N. (2020). *Penyimpangan sosial dan Pencegahannya*. Alprin.
- Syarqiyah, A. S. T., & AS, A. S. (2019). Faktor Geopolitik Republik Demokratik Timor Leste (RDTL) dalam Rekonsiliasi RDTL “Indonesia Pada Tahun 2002–2016”. *Balcony*, 3(1), 71–79.
- Tampubolon, D. W. (2019). PENERAPAN TANGGUNG JAWAB SOSIAL DAN LINGKUNGAN PT. BANK SUMUT BERDASARKAN PP NO. 47 TAHUN 2012 TENTANG TANGGUNG JAWAB SOSIAL DAN LINGKUNGAN PERSEROAN TERBATAS (Studi Pada PT. Bank Sumut Cabang Koordinator Medan).
- Waluyo, B. (2022). *Pemberantasan tindak pidana korupsi: Strategi dan optimalisasi*. Sinar Grafika.