



# Resolving ETLE Disputes: Determining Ownership Status Key to Admin Fines

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**Abstract.** This scientific article aims to determine how disputes related to Electronic Traffic Law Enforcement (ETLE) between renters and rental car owners can be resolved. The study used the Juridical Normative research method, which involved examining the law in the Act through deductive analysis to find answers to the research question. The results of the study suggest that efforts to resolve disputes between car renters and rental car owners regarding the ETLE system can be made by determining the status of car ownership after the car owner receives an ETLE ticket. If the vehicle has been sold, the party responsible for paying the administrative fine would be the new vehicle owner. This finding has important implications for rental car companies and renters who use these services, as it can help prevent disputes and ensure that fines are paid by the appropriate parties.

**Keywords:** ETLE · Car Rental · Digitization

## 1 Introduction

The combination of the use of 3 electronic traffic law enforcement (ETLE) units and one integrated node capture attitude record (INCAR) unit resulted in the prosecution of 3,039 traffic violators. “[1] Moreover, the people in Sidoarjo Regency are still ignorant of traffic regulations as a result, the number of violations increases and the risk of accidents is very high, which is explained in jawapos.com that “the number of violations is getting higher, even in the next month the figure reached 10 thousand. Kasatlantas Polresta Sidoarjo Kopol Fahrian Saleh Siregar said, the number of actions was a sign that the enlightenment of the people to comply with traffic regulations was still low.

In Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information & Transactions (ITE) there is still a budget that has been obvious over Electronic Documents / Electronic Systems being a sense of legal evidence.[2] Here are some previous studies in line & synchronous using the article written: The first study entitled Implementation of the E-Tilang System in Bantul Regency compiled by Rahmad Trianto, the second study entitled Analysis of the Implementation of E-Tilang in Realizing Good Governance in Indonesia compiled by Syeni Rakhmadani, the third study entitled Effectiveness of the Application of E-Tilang Fines for Traffic Violators

Based on Law Number 22 of 2009 concerning Road Traffic and Transportation (Study at Rembang Police Station) compiled by Setiyono.

From the results of the description of previous research listed, there are differences between previous research and the author's research that this study focuses on how the Electronic Traffic Law Enforcement (ETLE) dispute resolution between the tenant and the rental car owner where in the regulations listed if there is a traffic violation committed by the rental car tenant for the payment of fines will be charged to the tenant who is paid by the rental car owner with the approval of the previously agreed rental contract and in the discussion of previous research that focuses on the effectiveness of the ticket that has been applied and in assessing the Good Governance of the ticket with the methods used are different. And the purpose of this research is to find out and carry out the practice of dispute resolution efforts related. Electronic Traffic Law Enforcement (ETLE) between renters and rental car owners. [3].

## 2 Method

The author of this study used the Juridical Normative research method, which involves examining legal materials and literature to study laws based on existing regulations and legal doctrines. The author used the Statutory Approach problem-solving method, which involves systematically interpreting laws and connecting different sections of a law. The author specifically used systematic interpretation on the articles found in the Undang-Undang No 22 Tahun 2009, PP No 80 Tahun 2012, and Kitab Undang-Undang Hukum Perdata (KUHPerdata). The author also employed deductive reasoning in their analysis. Result and Discussion.

## 3 Result and Discussion

The implementation of ETLE is based on Article 5 (1), (2) of the Electronic Information and Technology Law 11/2008, Article 249 (3) of the Road Traffic and Transportation Law 22/2009 Article 27 2 (1) and (2), and PP No. 80/2012 concerning Road Motor Vehicle Inspection. Electronic Traffic Enforcement (ETLE) in order to facilitate the assessment process so that it used to be recorded on paper blanks manually now no longer applies.

Article 1 (1) of the ITE Law states that "Electronic information means any one or series of information including but not limited to text, sound, images, maps, designs, photographs, electronic data exchange, electronic mail (e-mail), telegram, telex, facsimile, and others, which have meaning in processed letters, letters, numbers, access codes, symbols, or perforations, or which can be understood by people who can understand them." Based on this explanation, the basis of (ETLE) is Law Number 22 of 2009 concerning Road Traffic and Transportation. This classification stipulates that video surveillance falls under the category of closed electronic equipment. on fines and disclosureThe application of this ETLE according to Article 5 (1), (2) of the Law on Electronic Information & Technology 11/2008, Article 249 (3) of the Law on Road Traffic & Transportation 22/2009. Article 272 (1) (2), Government Regulation No. 80/2012 concerning Inspection of Motor Vehicles on Roads. This Electronic Traffic Enforcement (ETLE) helps the ticketing process which used to be manually recorded on blank paper or ticket

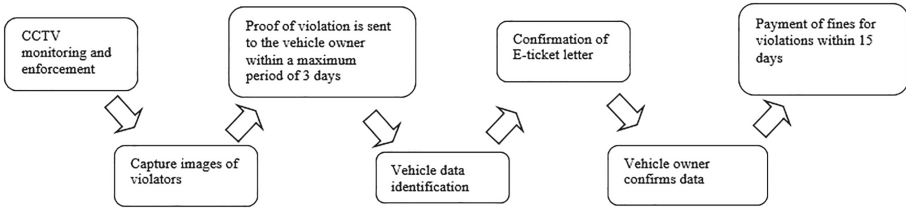


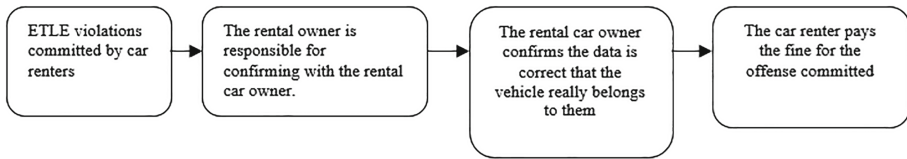
Fig. 1. ETLE Process

letters as applicable. Article 1 (1) of the ITE Law states that “Electronic Information is one or a set of electronic data, including, but limited to writing, sound, images, maps, designs, photographs, electronic data interchange, electronic mail, telegram, telex, telecopy, or the like, letters, signs, numbers, access codes, symbols, or holes have been processed with meaning, or can be understood by people who can understand them”. Based on this description, the basis according to the Electronic Traffic Law Enforcement (ETLE) regulation is already regulated in the Road Traffic, Transportation Law no.22/2009 where in the structured division of things it is stated that CCTV is included in the category of electronic devices that can be used in the crossing of disclosure of traffic violations [5].

Another goal according to ETLE is to reduce corrupt practices that are often carried out by the rule enforcement officers responsible for violators, to make it easier for the people because the perpetrators need to attend court hearings, of course spending when to improve public services. Safety of driving vehicles on the road, order and increased discipline then traffic using prioritizing the number of deaths of victims of traffic accidents [6]. Because violators will be recorded exclusively through the implementation of the police, To then continue the E-Tilang process. This system creates convenience in ticketing. The ETLE process can see on Fig. 1.

The Electronic Traffic Law Enforcement (ETLE) system effectively monitors traffic violations through CCTV installed at high-traffic points and on patrol vehicles equipped with automatic detection devices. The system automatically detects traffic violations and sends evidence of the violation within three days to the authorities. To identify the vehicle data, the authorities use electronic registration identification (ERI). They then send a confirmation letter to the rental car company’s address, which the owner can verify either online or by visiting the Law Enforcement Office. The officials issue a ticket within 15 days of the violation date using the briva payment method, and failure to pay will result in vehicle blocking.

Overall, the ETLE system provides an efficient method of traffic violation monitoring and enforcement, utilizing advanced technology and electronic systems for identification and payment methods. The use of CCTV and automatic devices, combined with the electronic registration identification and briva payment method, streamlines the entire process and ensures that violators are held accountable for their actions. The system also provides a convenient and accessible way for vehicle owners to verify their information and make payments, reducing the likelihood of disputes and confusion [7]. Thus, we suggest the dispute resolution in Fig. 2.



**Fig. 2.** Suggested dispute resolution efforts related to ETLE

If the vehicle used by the driver is a rental car, then (ETLE) will be sent to the owner of the rental car, not the borrower. The responsibility of the rental car is borne by the renter, on the toll road, the electronic ticket is responsible, and the one who pays the fine of the rental car ticket is the renter of the rental car in the event of a traffic violation, and the renter first Check with people, check with the owner's vehicle [8]. Deputy Director (Dakgar) Ditgakkum Korlantas Polri Kombes I Made (Dakgar) Countermeasures and Violations, Agus Prasatya said, the data recorded in the e-ticketing system is a single ID. Single identity here means an identity owned by an individual in relation to ownership of personal data and assets [9].

Government Regulation No. 80/2012 on the Regulation of Motor Vehicles on the Road. This ETLE (Electronic Traffic Enforcement) supports ticketing processes that previously had to be documented manually on a blank piece of paper. Failure to do so will invalidate the ticket. As referred to in Article 28 (1) regarding the Enforcement of Road and Road Traffic Violations Based on Electronic Records under Article 23 (c), the Indonesian National Police Officers or State Civil Apparatus Investigators at the Department of Road Traffic and Transportation shall ticket (2) Tickets under paragraph (1) must be accompanied by evidence of electronic law enforcement records. (4) If the violator does not fulfill the summons to appear before the court, the violator may deposit the fine in a bank designated by the government. (5) Further provisions regarding the prosecution of violators based on electronic recording evidence shall be regulated by Regulation of the Chief of the Indonesian National Police. And as referred to in Article 29: (1) Within a maximum period of 14 days after the violation occurs, the ticket and evidence must be submitted to the court.

A rental agreement mechanism to resolve disputes over ETLE violations, where the owner rents a car to the renter at a certain rate so as not to violate the speed limit and follow existing road signs so that ETLE violations do not occur [10]. Becoming. Rental car owners must pay off and rental car borrowers must pay fines. Car ownership is known after the car owner obtains an ETLE ticket, and if the vehicle is sold, it becomes the party responsible for paying administrative fines to the new car owner.

In this way, each Polda first verifies from the back office whether the vehicle recorded matches the vehicle ID [11]. If verified, the police will send a ticket to the rental car owner according to the vehicle ID address. After going through the data verification process, you will receive a confirmation letter.

For example, the offending vehicle in the Semarang photo has a Jakarta license plate. Because the crime occurred in Semarang, the local police confirmed with Korlantas that they would then send the data to Dirlantas Polda Metro Jaya for electronic ticket data verification. If the court decides the ticket fine, the offender will be notified in the form

of a notice and the fine paid by the offender will be returned to the offender's bank account [12]. The existence of electronic tickets certainly supports the accountability of the police who have the authority to handle traffic violations. All traffic violations are automatically recorded by the system from entry to exit. Avoid losing data on how to handle violations. And of course it is easier to understand if there is something wrong with the existing data [13].

## 4 Conclusion

In conclusion, efforts to resolve disputes between car renters and rental car owners related to the Electronic Traffic Law Enforcement (ETLE) system require the rental car owner to bear the responsibility for the violation and the administrative fine. When a rental car user is caught violating the ETLE system, the evidence will be sent to the rental car owner who is responsible for paying the fine. The vehicle ownership status is determined after the owner receives an ETLE ticket. The fine must be paid within 15 days, and failure to do so will result in the fine being added to the annual vehicle tax. The implications of this study suggest that rental car companies should ensure that renters are aware of the rules and regulations regarding the ETLE system to prevent disputes and confusion. It also highlights the importance of timely payment to avoid additional costs and legal consequences.

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