

DYNAMICS OF TRAFFIC VIOLATIONS FROM THE PERSPECTIVE OF CULTURAL CRIMINOLOGY: A STUDI IN PEKANBARU, INDONESIA

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ABSTRACT

This article examines the dynamics of traffic violations in Pekanbaru, where community has been accustomed to it. The research method used is legal normative and legal-empirical, where data was obtained through surveys involving respondents from the community on how far understanding of traffic violations is perceived. Research findings indicate that frequent traffic violations have various consequences, such as an increase in incidents. Data obtained from the Pekanbaru Police Department over the last 4 years shows an increase in accident cases that stem from frequent traffic violations have become a common behavior in Pekanbaru communities, where people often perceive them as ordinary and even as part of everyday life. This is supported by survey results showing that 46% of respondents stated that the main reason for their traffic violations is because they are accustomed to doing so. In cultural criminology, the behavior of traffic offenders is considered a form of traffic crime culture. This is due to the high frequency and patterns of criminal activities that occur every day, even at all times, making it a deviant culture and an accepted habit in society. This would need to legal culture interventions to raise legal awareness on traffic law and the risks of violation to it.

Keyword: Violations; Traffic; Cultural Criminology, Pekanbaru

INTRODUCTION

Traffic is a vital element in daily life that defines the mobility of people worldwide. Traffic violations are not just administrative or legal issues, but rather a problem with serious implications for both society and individuals. Its impact involves a high number of traffic accidents, often resulting in severe injuries and even fatalities, traffic congestion that disrupts productivity and mobility, and a significant economic burden due to medical costs and infrastructure repairs. Additionally, traffic violations contribute to environmental damage, particularly through harmful vehicle emissions that affect air and environmental quality (Tuasikal, 2020).

In order to maintain order and safety, governments and authorities have established various rules and regulations governing driver behavior on the road. Ironically, traffic violations remain a global concern. There are various types of violations, ranging from minor infractions such as speeding to more serious offenses like driving under the influence of alcohol or drugs.

Traffic regulations serve as a form of guidance for vehicle drivers, and as such, they must adhere to the traffic laws while paying attention to the respective articles that govern them. Regulations regarding traffic are stipulated in Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ). In addition to being regulated by traffic laws, it is also governed by the Indonesian Criminal Code (KUHP), specifically Article 359, which states: "Anyone who, due to their fault (negligence), causes the death of another person, is liable to a maximum of five years of imprisonment or a maximum of one year of detention."

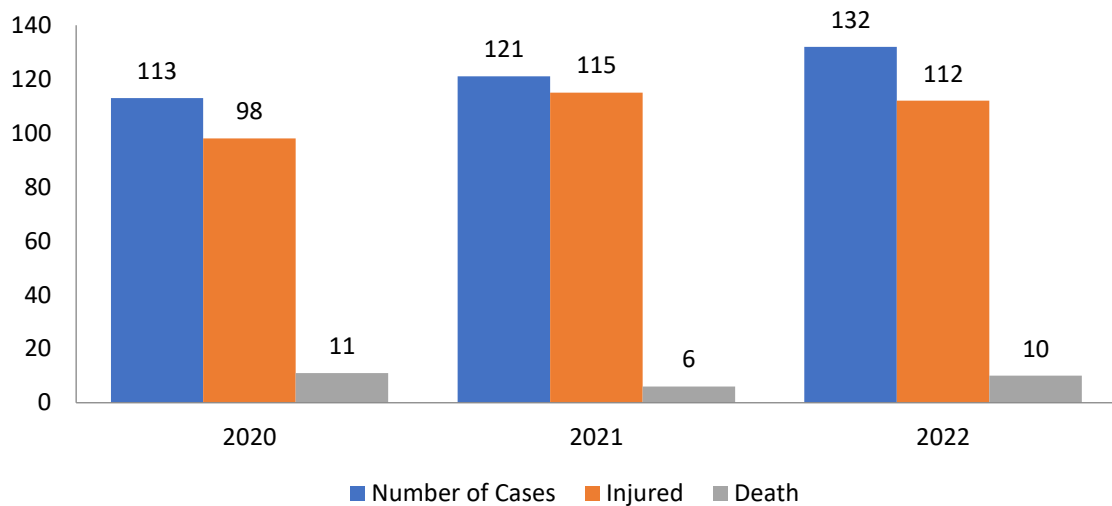
Societal habits play a crucial role in shaping the attitudes and behaviors of drivers on the road. While each country or region has its own norms and regulations concerning traffic, there are specific cultures where traffic violations appear to be the norm or even seen as acceptable behavior. One example is the behavior of running red lights, crossing lane markings, exceeding speed limits, driving without using seatbelts, and various other violations that are typically considered serious

under traffic laws but are viewed as commonplace by the public (Sadono, 2015). One intriguing aspect to investigate is how the culture of society, social norms, and social pressures can drive individuals to break traffic rules, even though they are aware of the consequences. The dynamics of traffic violations, when viewed through the lens of cultural criminology, can reveal the complex relationship between violation behaviors and the values, norms, and social actions within a society. Cultural criminology emphasizes the significance of culture in shaping criminal behavior (Rama, 2020). In the context of traffic violations, culture can influence violation actions through norms that disregard traffic rules or even applaud dangerous behaviors on the road. For example, a culture that promotes non-compliance with traffic regulations or elevating social status through risky behavior can encourage individuals to break rules and disregard their own safety and that of others. Therefore, an understanding of cultural criminology in the context of traffic violations is essential for designing more effective law enforcement strategies and educational campaigns that take into account cultural factors influencing violation behaviors.

Traffic is one of the social domains that reflect the complex relationship between individuals, cultural norms, and legal regulations. While many communities adhere to traffic regulations diligently, there are also cultures in which traffic violations appear to be an integral part of daily life. This phenomenon reflects an intriguing and intricate dynamic in which culture and social norms influence individual behavior on the road.

The focuses of this article is the city of Pekanbaru, Riau Province, Indonesia. According to information from *halloriau.com*, Pekanbaru is home to five categories of motorized vehicles, including passenger cars, commercial vehicles, buses, motorcycles, and specialized vehicles. Among these, motorcycles are the most numerous, totaling 796,611 units. Passenger cars follow with 165,615 units, commercial vehicles with 74,435 units, buses with 2,804 units, and specialized vehicles with 677 units. Given the high number of vehicles in Pekanbaru, the potential for traffic accidents in the city is significantly increased. Below is the data

on the number of traffic accident cases in the Pekanbaru City Police Resort from 2020 to 2022:



The data provided illustrates the number of cases, injuries, and fatalities/deaths over the past three years, namely 2020, 2021, and 2022. In 2020, there were 113 cases, which then increased to 121 in 2021, and rose again to 132 in 2022. This indicates fluctuations in the number of cases from year to year. In terms of traffic accidents that resulted in injuries, in 2020, there were 98 cases, which increased to 115 in 2021, and then slightly decreased to 112 in 2022. The average number of injury cases over the three years is approximately 108.33 (rounded), and like the number of cases, there is annual variation to be noted. Regarding fatalities, in 2020, there were 11 cases of death, which then decreased to 6 in 2021. However, in 2022, the number of fatalities increased again to 10. The average number of fatalities over the three years is approximately 9.

From the information above, there has been an increase in traffic accident cases from 2020 to 2022, resulting in casualties. The number of casualties in accidents is an undesirable situation for all parties, considering the immeasurable value of a person's life. Additionally, the surge in road accident cases at least reflects a lack of legal awareness among vehicle drivers, as many people still do not comply with traffic rules and signs.

This article aims to explore the dynamics of traffic violations from the perspective of cultural criminology. The article aims to initiate a deeper discussion about the complexity of traffic violation dynamics within the culture of Pekanbaru's community. Through a better understanding of these factors, we may be able to develop more effective strategies to address traffic violation issues, promote positive behavioral changes, and enhance traffic safety and overall quality of life for the entire community.

RESEARCH METHOD

The method used in this research is normative-empirical, a research approach that combines elements of normative legal research methods and empirical research. In the context of legal research, normative methods refer to analysis based on legal norms and positive law, while empirical methods focus on the collection and analysis of empirical data, such as surveys, interviews, or observations. Normative-empirical legal research integrates these elements to provide a more comprehensive insight into legal issues.

The data collection techniques employed in this study include interviews with the Pekanbaru City Police Resort (Polresta Pekanbaru), which is responsible for handling traffic violations in Pekanbaru. Additionally, the researcher conducted surveys with the aim of understanding the perspectives or perceptions of vehicle users regarding their driving habits and perceptions related to traffic violations. This was done by administering questionnaires to 35 licensed vehicle users who participated in the study. After collecting the data, the researcher analyzed it from the perspective of cultural criminology and the laws and regulations concerning traffic violations.

RESEARCH OUTCOME AND DISCUSSION

1) Traffic Violations in Pekanbaru

Pekanbaru, as one of the urban centers in Indonesia, is not exempt from the challenges and issues related to traffic violations. Violation is an act that goes against the law or regulations that can only be determined after regulations have been established to govern it (Rinaldi, 2022). Traffic violations are actions that contravene the regulations and traffic rules set by the government to maintain safety and order on the roads. These violations often result in serious consequences, such as accidents, injuries, and even fatalities, and have the potential to disrupt traffic flow and the quality of life for the community (Sasambe, 2016). According to Wieriyawan, traffic violations are actions that violate the rules and traffic regulations established to maintain order, safety, and comfort on the roads (Sumampow, 2013).

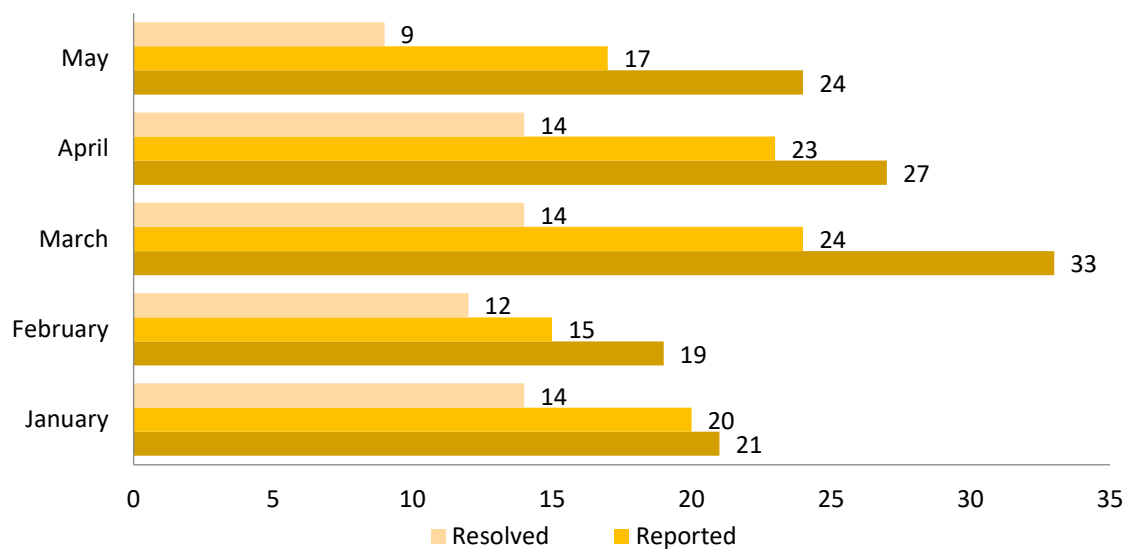
Pekanbaru, as one of the continuously growing cities, has experienced a significant increase in the number of motor vehicles. This has had a significant impact on the traffic situation in the city, including an increase in traffic violations (Erwin, 2021). Factors such as non-compliance with traffic regulations, potentially ineffective surveillance policies, and the need for improved driving culture all contribute to the high rate of violations (Lastriani, 2014).

The impact of traffic violations is very serious and can encompass various negative consequences. First, traffic violations can increase the risk of accidents, which can threaten the lives of drivers, passengers, and other road users. Additionally, traffic violations can lead to legal sanctions, including fines, license suspension, or even detention. The social impact can also damage one's reputation and cause discomfort within the community (Kasmanto, et al, 2022).

An even more serious issue is that these traffic violations often serve as the primary cause of accidents on the road (Silaban, 2021). Excessive speed, using mobile phones while driving, disregarding traffic signs, and other risky behaviors have led to many serious, and even fatal, traffic accidents in Pekanbaru. These

accidents result not only in material and physical losses but also claim the lives of city residents, shatter families, and have adverse economic consequences.

Based on the research findings collected in the field, the number of traffic accidents in 2023 during the period from January to May has experienced fluctuations. Here is the data on traffic accidents handled by the Traffic Accident Unit of Pekanbaru City Police Resort (Polresta Pekanbaru) in the year 2023 from January to May:



Source: *Polresta Pekanbaru, 2023*

Data regarding the traffic accident cases handled by the Pekanbaru City Police Resort (Polresta Pekanbaru) during the year 2023 reveals several significant patterns and comparisons. In January, there were a total of 21 recorded accident cases, with most, precisely 20 cases, reported to the authorities. Out of this number, 14 cases have been resolved. In February, the number of accident cases slightly decreased to 19, with 15 cases reported, and 12 of them have been resolved.

However, in March, there was a quite significant surge in cases, reaching a total of 33 accident cases. Out of this number, 24 cases have been reported, and only 14 of them have been resolved. April recorded 27 accident cases, with 23 of

them reported, and 14 have been resolved. Finally, in May, there were 24 accident cases, and 17 of them were reported to the authorities. However, the case resolution process in May showed a significant decline, with only 9 cases being resolved.

This data indicates a quite significant fluctuation in the number of accident cases during the year 2023, with March recording the highest number and May having the lowest figures in case resolution. Furthermore, the comparison between the reported cases and the cases that have been resolved highlights the challenges in the reporting and case resolution process, which may require further attention to enhance traffic safety and law enforcement effectiveness.

Based on the interview conducted with the Head of Traffic of Pekanbaru Police on May 19, 2023, it was mentioned that not all accident incidents are considered as resolved cases from the data previously presented. In this context, "resolved" refers to a situation where the case has been continued to the judicial process, and the case files have reached the P21 status. P21 is a term that refers to a declaration form sent by the prosecution to the investigator as a sign that the investigation has reached the required completeness level. On the other hand, cases that do not proceed may be due to the withdrawal of the case. The withdrawal of the case is usually done based on an agreement between the victim and the perpetrator to settle the matter in a more familial manner, such as when the victim does not wish to pursue legal proceedings against the accident perpetrator.

Traffic violations and accidents are closely related because traffic violations are often a leading cause of accidents on the road (Marsaid, Hidayat & Ahsan, 2013). Traffic violations encompass various behaviors of non-compliance with traffic rules and regulations that have been established to ensure the safety of all road users, including drivers, pedestrians, and cyclists. This can include exceeding speed limits, disregarding stop signs or red lights, driving under the influence of alcohol or drugs, using a mobile phone while driving, and many other violations (Nurfauziah & Krisnani, 2021). When traffic violations occur, the risk of accidents significantly increases. For example, if someone exceeds the speed limit, they may

not be able to control their vehicle properly in emergency situations, such as when another driver suddenly stops or there is an obstacle on the road. This can lead to collisions or serious accidents.

Furthermore, traffic violations can disrupt the normal flow of traffic and create hazardous situations on the road (Mustifah, 2023). For example, when someone disregards a red traffic light, they risk colliding with vehicles coming from the opposite direction or pedestrians crossing the road. This is an example of how traffic violations can directly lead to accidents.

Additionally, traffic violations can also create an environment where other drivers feel compelled to take risky actions or break rules as well, creating a domino effect that can lead to further accidents (Kurniasih, 2019). Therefore, it is important to understand that traffic violations are not just minor offenses but have serious consequences in terms of accidents and road safety. Compliance with traffic rules is key to reducing the risk of accidents and ensuring the safety of all road users. Governments and authorities have a crucial role in monitoring compliance with traffic rules and enforcing penalties for violators to make the roads a safer place for everyone (Encik, 2017).

If analyzed in accordance with the prevailing regulations or laws, traffic violations in Indonesia are based on Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ). Here are some common traffic violations and related articles in the Law Number 22 of 2009 concerning Traffic and Road Transportation:

1. **Running Red Lights (Article 287):** Article 287 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) regulates running red lights at intersections. Violating this article can result in fines and the suspension of a driver's license.
2. **Excessive Speed (Article 291):** Article 291 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) sets the speed limits to be followed. Exceeding the specified speed limit is a violation and can lead to fines and the suspension of a driver's license.

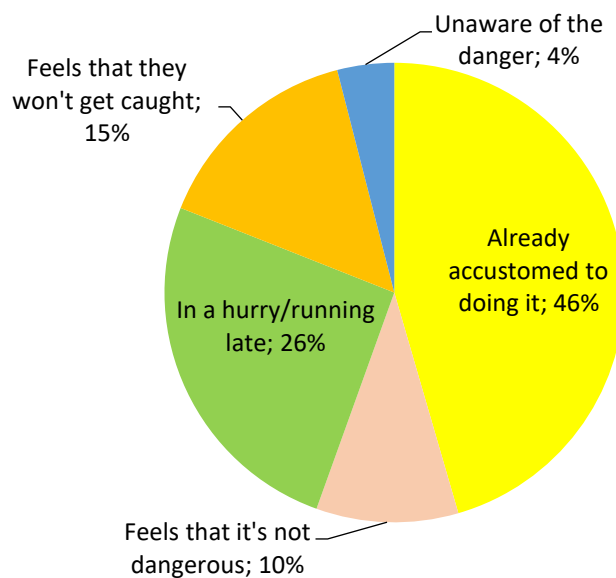
3. **Driving Under the Influence of Alcohol or Drugs (Article 303):** Article 303 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) deals with drivers who operate a vehicle under the influence of alcohol or drugs. Violating this article can result in criminal charges, fines, and the revocation of a driver's license.
4. **Failure to Use Seat Belts (Article 286):** Article 286 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) regulates the use of seat belts. Driving without wearing a seat belt is a violation and can result in fines.
5. **Using a Mobile Phone While Driving (Article 106):** Although there is no explicit article governing the use of mobile phones while driving, using a mobile phone during driving is typically categorized as a traffic safety violation, which can lead to sanctions based on relevant articles.
6. **Improper Parking (Article 281):** Article 281 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) regulates improper or unauthorized parking. Violating this article can result in fines and the suspension of a driver's license.
7. **Disobeying Traffic Signs (Article 287):** Article 287 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) also covers violations of traffic signs, such as crossing stop lines or entering special lanes. Violating this article can result in fines.
8. **Driving Without a Valid License (Article 88):** Article 88 of Law Number 22 of 2009 concerning Traffic and Road Transportation (UU LLAJ) deals with driving without a valid driver's license. Violating this article can result in criminal charges and fines.

The sanctions for these violations depend on their severity and may include fines, suspension of the driver's license, criminal charges, or even vehicle

confiscation. In addition, drivers who violate traffic regulations may also face administrative penalties and impacts on their motor vehicle insurance.

2) Community's Behaviors

Based on the research conducted by distributing questionnaires to 35 respondents, there are several findings related to the behavior of vehicle users. Here are the respondents' responses regarding the main reasons for committing traffic violations:



The respondents' data on the main reasons for traffic violations reveal various motivations behind the behavior of breaking driving rules. More than a quarter of the respondents (26%) admitted to committing traffic violations because they were in a hurry or running late. This indicates that time pressure and the need to arrive quickly at their destination may be a common trigger for traffic violations.

Furthermore, the majority of the respondents (46%) have developed a habit of breaking traffic rules, demonstrating how strong the influence of bad habits is on their driving behavior. Although only 10% of the respondents feel that traffic violations are not dangerous, this still remains a significant factor in explaining traffic violations.

A portion of the respondents (15%) also believes that they won't get caught when committing traffic violations, reflecting a lack of fear of legal consequences. Finally, 4% of the respondents stated that they are not aware of the danger of breaking traffic rules, indicating a low level of awareness regarding the risks involved in traffic violations. This data provides valuable insights into the motivations and perceptions of traffic violators, which can be used to design more effective educational and law enforcement programs to reduce traffic violations.

3) Traffic violations viewed from Cultural Criminology

In the context of criminology, traffic violation behavior carried out by motorbike riders is seen as a manifestation of everyday life crime, often referred to as "Everyday Life Crime." Mustofa views these crimes as falling into a gray area, existing between actions that are illegal or immoral. Examples of these violations include running red lights, driving against traffic, not wearing a helmet while riding, evading taxes, and making dishonest insurance claims. Such violations are typically considered unethical or dishonest behavior, both by the perpetrators and those affected by them. (Mustofa, 2020:197)

Jeff Ferrell, in his paper on Cultural Criminology published in the "Annual Review of Sociology" (1999), explains Cultural Criminology as an orientation that has emerged in the fields of sociology, criminology, and criminal justice. It explores the relationship between culture and criminal processes in contemporary social life. (Ferrell, 2017)

Cultural Criminology utilizes a cultural studies approach, postmodern theory, critical theory, interactional sociology, as well as ethnographic methodology and media/textual analysis to understand the construction and management of crime. This field places a greater emphasis on understanding the meanings and representations of crime in culture and the cultural impact on crime itself. Cultural Criminology also investigates the dynamics of subcultures,

symbolism in popular culture, and the media constructions related to crime and crime prevention (Hayward & Young, 2004).

Cultural Criminology focuses on the analysis of the interplay between the influence of culture on crime and vice versa. This approach is heavily influenced by cultural studies theory. The fundamental principles of Cultural Criminology emphasize that crime and deviance are not merely reflections of static cultural group characteristics, but rather complex and closely related to the evolving dynamics of culture. Cultural criminologists document cultural practices related to social class, investigate popular culture and subcultures as sites of deviance, and uncover ideologies that influence legal and social control. Thus, they present a complex relationship between cultural processes and criminality (Ferrell, 2017).

More broadly, the concept of cultural criminology refers to the increased analytical attention given by many criminologists today to the construction of popular culture, particularly mass media constructions, regarding crime and crime control. It also highlights the emergence of this common field in media and cultural studies as a relatively distinct domain within criminology, as demonstrated by many recently published collections exploring media, culture, and crime (Frederick & Larruskain, 2015).

On the other hand, the behavior of motorcycle riders who are less compliant with traffic rules can also be seen as a symptom of anomie in the context of demoralization prevailing in society today. As explained by Durkheim in his work "The Division of Labour In Society," this phenomenon illustrates a state of deregulation in society, which can be interpreted as the absence of adherence to the norms governing social order, causing individuals to no longer know what is expected of them in society. This condition of deregulation or loss of norms can trigger deviant behavior, considered a moral crisis (Hawkins, 1996). Therefore, the phenomenon of traffic rule violation behavior by motorcycle riders emerges as a condition of anomie in traffic because the patterns and frequency of these violations occur every day, even every moment, eventually becoming a deviant culture and an accepted habit within society. This behavior is considered something commonly

done by individuals in society due to the tolerance boundaries within the social environment towards traffic violations.

Furthermore, this issue is also related to the lack of effective social control and law enforcement regarding traffic violations. Law enforcement, especially traffic police, should impose strict sanctions for traffic rule violations. However, this problem cannot be fully addressed solely from a law enforcement perspective because this phenomenon is closely related to changes in societal behavior, which involve declining morality and a lack of adherence to values and norms in society, particularly among motorcycle riders on the road.

Based on the research findings obtained from 35 respondents regarding the main reasons why vehicle users commit traffic violations, the results show that 46% of them answered that they do it because they are used to it. In the context of cultural criminology, traffic violations committed by vehicle users are considered a form of "cultural criminology" on the road. This is due to the high frequency and patterns of criminal activities that occur every day, even at all times, eventually becoming a deviant culture and a habit accepted within society. These violation behaviors are considered something commonly done by individuals in society due to the tolerance for them within the social environment.

In this case, when analyzed using cultural criminology, it can be seen that in certain societies, traffic violation behavior can become normal or a common occurrence. This happens when many individuals in society regularly commit similar violations, so the behavior is no longer considered extraordinary or a norm violation. In this case, traffic violations become part of the cultural norm. In a society where traffic violations have been normalized, people may no longer see them as serious legal violations or wrongful acts. Instead, they may perceive them as acceptable or even expected behavior in their environment. This can happen due to factors such as social pressure, peer influence, popular culture, or even the lack of effective law enforcement in addressing traffic violations.

CONCLUSION

The dynamics of traffic violations, viewed from the perspective of cultural criminology, are often associated with the normalization of violations by vehicle users. Normalization of violations refers to the tendency within a society to perceive traffic violations as something common or acceptable. This phenomenon can occur within specific cultures and has a significant impact on driver behavior on the road.

Cultures that have accepted or even appreciated traffic violations, individuals may tend to violate rules regularly. The normalization of these violations can be influenced by various cultural, social, and psychological factors. For example, in a culture where exceeding speed limits is seen as a form of individual freedom or prestige, such violations tend to be more common. Likewise, peer pressure or influence from specific social groups can encourage the normalization of traffic violations, as individuals may feel the need to conform to existing social norms.

The normalization of traffic violations can create an environment where traffic rules become less effective, and the risk of punishment becomes low. As a result, road safety can be compromised, and potentially dangerous traffic violations can become commonplace. Therefore, to address the dynamics of traffic violations influenced by normalization, it is important to make efforts that include education, public awareness, as well as consistent and effective law enforcement.

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