

ABSTRAK

PENEGAKAN HUKUM TERHADAP PELANGGARAN MUATAN ANGKUTAN BARANG DI JALAN KABUPATEN (STUDI DI KABUPATEN LANGKAT)

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Pelanggaran muatan angkutan barang di jalan kabupaten mengakibatkan kerusakan permukaan jalan, kendaraan dan pencemaran lingkungan. Penelitian ini bertujuan untuk menganalisis faktor penyebab terjadinya pelanggaran muatan angkutan barang, penerapan peraturan perundang-undangan tentang lalu lintas dan angkutan jalan yang mengatur ketentuan muatan angkutan barang dan mengkaji upaya yang dapat dilakukan dalam penegakan hukum terhadap pelanggaran muatan angkutan barang di jalan kabupaten. Penelitian ini merupakan penelitian hukum *sosiolegal* menggunakan metode kombinasi antara penelitian *yuridis normatif* dan *yuridis empiris* yang bersifat *deskriptif* dan berbentuk *preskriptif*. Pengumpulan data dilakukan dengan studi kepustakaan dan studi lapangan guna mendapatkan data sekunder dan data primer. Analisis data menggunakan teknik analisis kualitatif. Setelah dilakukan analisis data diketahui faktor penyebab terjadinya pelanggaran muatan angkutan barang di jalan kabupaten : 1) substansi hukum, perundang-undangan di bidang lalu lintas dan angkutan jalan belum mengatur secara jelas tata cara penindakan pelanggaran muatan angkututan barang di jalan kabupaten; 2) struktur hukum, rendahnya kuantitas dan kualitas penegak hukum serta sarana dan fasilitas penegakan hukum; 3) budaya hukum, masih rendahnya motivasi kerja, komitmen dan integritas moral penegak hukum serta kepatuhan dan pengetahuan masyarakat terhadap ketentuan muatan angkutan barang. Penerapan peraturan perundang-undangan yang mengatur ketentuan muatan angkutan barang di jalan kabupaten belum optimal dilaksanakan oleh masyarakat dan penegak hukum. Upaya yang dapat dilakukan dalam penegakan hukum terhadap pelanggaran muatan angkutan barang di jalan kabupaten secara preemtif atau pendidikan berlalu-lintas, preventif atau pencegahan dan represif atau menggunakan sarana pidana. Sebagai saran yang disampaikan adalah : 1) penyempurnaan undang-undang; 2) peningkatan kuantitas dan kualitas penegak hukum dan sarana/fasilitas penegakan hukum; 3) meningkatkan budaya hukum penegak hukum dan kesadaran hukum masyarakat serta perlunya dukungan dan kerjasama antara Pemerintah, pemangku kepentingan dan penegak hukum dalam meningkatkan efektivitas penegakan hukum terhadap pelanggaran muatan angkutan barang di jalan kabupaten.

Kata kunci : penegakan hukum, pelanggaran muatan angkutan barang, jalan kabupaten.

ABSTRACT

The violation regulation of the charge transport of goods on the road of district causes the damage of road surface, vehicle and environmental pollution. This research aims to analyze the factors that cause the violation regulation of the charge transport of goods, to see the implementation of traffic and transportation laws which regulate the rule of the charge transport of goods and to review the exertions that can be done in law enforcement to the violation regulation of the charge transport of goods on the road of district. This research is the research of sociolegal law using the combination of normative juridical and empirical juridical method which having descriptive characteristic and perspective form. The data collection was done by using the literature study and the field study to get the secondary and primary data. The data analysis was done by using qualitative analyze technique. After analyzing the data, noted that the factors of the violation regulation of the charge transport of goods on the road of district: 1) the law substance, the legislation of traffic and transportation has not clearly organized the system of punishment for the offender of the violation regulation of the charge transport of goods on the road of district; 2) the law structure, the low quality and quantity of law upholder and also the low quality and quantity of law enforcement's tools and facilities; 3) the law culture, the low level of work motivation, low commitment and low moral integrity of law upholder, along with the public's obedience and knowledge about the determinate regulation of the charge transport of goods. The implementation of laws which controls the certain regulation of the charge transport of goods on the road of district is not done optimally by the inhabitants, the law culture of society and law upholder. The exertions that can be done as the law enforcement of the regulation of the charge transport of goods on the road of district are in preemptive way or using punishment, in preventive way and repressive way or using punishment tools. As the advice : 1) consummation of legislation; 2) an increase in the quantity and quality of law enforcement and facility/facilities of law enforcement; 3) improve the legal culture of law enforcement and awareness of community law as well as a need of support and cooperation between the government, stakeholder and the law upholder in improving the effectiveness of laws toward the violation regulation of the charge transport of goods on the road of district.

Keyword : law enforcement, the violation regulation of the charge transport of goods, the road of district.