

Abstraksi

Tesis ini bertujuan menganalisis : (1) penyebab terjadinya tindak pidana lalu lintas *overdimensi* di wilayah hukum Polrestaes Semarang. (2) Penegakan hukum terhadap pelaku tindak pidana lalu lintas *over dimensi*. (3) Hambatan dan solusi dalam mengatasi penegakan hukum terhadap pelaku tindak pidana lalu lintas *overdimensi* di wilayah hukum Polrestaes Semarang.

Metode penelitian yang digunakan melalui pendekatan yuridis empiris. Spesifikasi penelitian dalam tesis ini bersifat deskriptif analisis. Data primer berupa hasil wawancara berbasis *purposive sampling* beserta data sekunder meliputi data bahan hukum primer, sekunder dan tersier, dielaborasi melalui orientasi pendekatan teori penegakan hokum serta efektifitas hokum, selain itu juga menggunakan pendekatan peraturan undang-undang sedemikian rupa problematika tindak pidana lalu lintas *overdimensi* kendaraan bermotor menjadi terang benderang.

Penelitian ini menemukan hasil berupa : (1) Faktor penyebab tindak pidana lalu lintas *overdimensi* kendaraan bermotor di Polrestaes Semarang meliputi : aspek teknis, aspek pengawasan dan aspek ekonomi. Skala dominansi penyebab motif ekonomi menjadi determinan utama.(2) Penegakan hukum tindak pidana lalu lintas *overdimensi* kendaraan bermotor (*Criminal Justice System*), melalui tahapan penyidikan dan penyelidikan yang mengoperasionalkan diksi “ ..yang dioperasikan di dalam negeri..” sebagai *locus delicti* penerang adanya tindak pidana. Putusan majelis hakim menghukum terdakwa dengan sarana pidana denda yang cukup efektif dalam upaya menanggulangi tindak pidana yang berbasis ekonomi. (3)Kendala dan solusi penegakan hokum tindak pidana lalu lintas *overdimensi* kendaraan bermotor terdiskripsi dalam: pertama, substansi hukum berupa rumusan yuridis pasal 277 UU LLAJ yang masih berpotensi adanya kelemahan yuridis. Solusi yang mendasar adalah reformulasi dengan diksi jelas dan pedoman pemidanaan yang operasional. Kedua, struktur hukum/penegakan hukum berupa kendala koordinasi hampir di semua level *stake holder* pencegahan dan penindakan pelanggaran UU LLAJ. Solusi yang dapat dilakukan adalah penguatan sinergitas antar pihak yang berkepentingan berupa sinergi strategis, teknis dan operasional. Ketiga, budaya hukum yang teridentifikasi: kurangnya kepatuhan terhadap peraturan perundang-undangan yang ada dan prinsip ego sektoral pada Aparat Penegak Hukum. Solusi yang dilakukan adalah literasi budaya hukum masyarakat dalam berlalu lintas dan penguatan prinsip *distribution of power* bagi Aparat Penegak Hukum. Saran bagi pengusaha angkutan barang, dapat bekerjasama dengan mode transportasi Kereta Api.

Kata Kunci: Penegakan Hukum; Tindak Pidana Lalu Lintas; Over Dimensi

Abstraction

This thesis aims to analyze: (1) the causes of the occurrence of overdimensional traffic crimes in the jurisdiction of the Semarang Polrestabes. (2) Law enforcement against perpetrators of over-dimensional traffic crimes. (3) Obstacles and solutions in overcoming law enforcement against perpetrators of overdimensional traffic crimes in the jurisdiction of Polrestabes Semarang.

The research method used is an empirical juridical approach. The research specification in this thesis is descriptive analysis. Primary data in the form of interviews based on purposive sampling along with secondary data covering primary, secondary and tertiary legal material data, elaborated through the orientation of law enforcement theory approaches and legal effectiveness, in addition to using a statutory regulatory approach in such a way that the problems of traffic crimes are overdimensional vehicles motor is bright.

This study found the results in the form of: (1) The factors causing the traffic crime of overdimensional motorized vehicles at the Semarang Police Station include: technical aspects, supervision aspects and economic aspects. The scale of the dominance of the causes of economic motives is the main determinant. (2) Law enforcement of the over-dimensional motor vehicle traffic crime (Criminal Justice System), through the stages of investigation and investigation that operationalizes the diction "...which is operated domestically .." as the locus delicti illuminator there is a crime. The decision of the panel of judges sentenced the defendant to a fine which was quite effective in an effort to tackle economic-based criminal acts. (3) Obstacles and solutions for law enforcement of motorized vehicle traffic crimes are described in: first, the legal substance in the form of a juridical formulation of Article 277 of the LLAJ Law which still has the potential for juridical weaknesses. The basic solution is reformulation with clear diction and operational punishment guidelines. Second, the legal structure/law enforcement is in the form of coordination problems at almost all stakeholder levels to prevent and prosecute violations of the LLAJ Law. The solution that can be done is to strengthen the synergy between interested parties in the form of strategic, technical and operational synergies. Third, the legal culture identified: lack of compliance with existing laws and regulations and the principle of sectoral ego in Law Enforcement Apparatus. The solution is the literacy of the community's legal culture in traffic and strengthening the principle of distribution of power for law enforcement officials. Suggestions for freight forwarders, can cooperate with the Rail transportation mode.

Keywords: Law Enforcement; Traffic Crime; Over Dimension