

Increased Public Legal Awareness of the Primary Rights of Road Users That Need to be Prioritized

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Abstract

The rampant violations of the main rights of road users that need to be prioritized can cause material and immaterial losses for those who get the main priority for road use. These violations can occur while driving or when utilizing road functions, due to intent, negligence, or ignorance. As a result of a lack of legal understanding and awareness, there is still a tendency to use and use roads not according to their designation, such as disruption of traffic order, delays for users of priority rights to obtain road access, and the potential for legal problems. The priority rights of road users that must be preceded are not fully understood by the community, especially regarding actions, criminal sanctions, and the importance of community participation. With this activity, people can add insight and knowledge to prevent and anticipate violations of the main rights of road users that need to be prioritized. The community is moved to orderly traffic to create conditions of obeying and obeying the law. As well as being able to provide awareness and increase legal awareness to prevent traffic violations in the future.

A. Introduction

The social life of the community has led humans towards an increasingly dynamic life order and has an impact on both positive and negative value changes in society. People who use the road, should first know and understand the rules of traffic properly and correctly, in order to avoid causing harm to other parties, especially to road users who need to prioritize the speed of their vehicles on public roads.

Roads are land transportation infrastructure that includes all parts of the road, including connecting buildings, complementary buildings and equipment intended for traffic, which are on the surface of the land, above the surface of the land, below the surface of the land and / or water, and above the surface of the water, except rail roads, lorries and cable roads (Pemerintah Indonesia, 2022). Roads according to their designation consist of public roads and special roads. Public roads according to their function are grouped into arterial roads, collector roads, local roads and neighborhood roads, while special roads are not intended for public traffic.

People must know and realize that there are main rights that get priority when driving on the road (Zamzami, 2018). This needs to be a concern for others. People should not ignore the safety and caution of fellow road users by being selfish, self-willed, and losing empathy. Therefore, it is necessary to be careful and cautious in behavior and behavior when driving and utilizing the road for the common good.

The existence of motorized vehicles, both two-wheeled and more, has provided convenience and benefits for its users by offering access to the destination more time-efficient than not using transportation. People can easily adjust to the dynamics of this social life behavior that is so rapidly changing. It is undeniable, ranging from children to adults, many have been able to carry these vehicles, but normatively these actions are not necessarily justified under the applicable laws.

The use of available vehicles and public roads is vulnerable to abuse. The freedom offered can actually lead to violations of the law. One of them is blocking vehicles that have the right of way, either intentionally or through neglect (Suherman & Ramadhani, 2023). Every road user has the potential to be a traffic violator, due to a lack of caring attitude, lack of self-control, and negligence in maintaining morals and ethics when driving. There is a lack of consideration of the negative impacts on themselves, their families, the community and the legal consequences of violating traffic laws.

Juridically, these actions can be held accountable and punished. Based on Article 287 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic and Transportation states:

"Every person driving a Motor Vehicle on the Road who violates the provisions regarding the use or main right for Motor Vehicles using warning devices with sound and light as referred to in Article 59, Article 106 paragraph (4) letter f, or Article 134 shall be punished with a maximum imprisonment of 1 (one) month or a maximum fine of Rp250,000.00 (two hundred fifty thousand rupiah)."

The acts referred to above are prohibited by law and must not be committed by any road user. Violators can be held criminally liable, because, the impact, in addition to endangering their own safety and can also endanger other road users. In recent years, the phenomenon of ignoring the right of first priority on the road has continued to occur, namely the blocking of fire trucks and ambulances in several regions in Indonesia. As a result of these ambulance blockades, there are even patients who die in the ambulance before reaching the hospital. For example, an ambulance carrying a small child who was in critical condition was blocked by a kijang car, which delayed the ambulance and caused the child to die (Astika, 2020). An ambulance with sirens blaring carrying an elderly patient with complications was blocked by a private car (Sanusi, 2021). An ambulance carrying a mother in labor was blocked and followed to the hospital by a Mercedes Benz (Tristiawati, 2022). An ambulance carrying a critical patient was not allowed to pass by road blockers, so the critical patient died (Khusuma, 2016).

This can take the form of obstructing the flow of vehicles, blocking the road, forced stopping, or other actions that have the potential to harm the primary rights of road users who must come first. The occurrence of this violation is not just a matter for the government alone. Although the government through its state institutions is authorized to conduct repressive law enforcement against violators and apply criminal sanctions. However, non penal efforts also need to be made to prevent the recurrence of the same act in the future, protect and distance themselves from negative behavior, and avoid the application of sanctions.

In an effort to protect the public interest from all forms of traffic violations, it is very necessary for public legal awareness when utilizing the road to drive and others in accordance with traffic rules (Apriyanto et al., 2021). The community has a very dominant and main role in preventing and minimizing violations of the law. Bengkulu Tengah is one of the regencies in Bengkulu Province, the Regency Capital is located in Karang Tinggi District. Part of its territory comes from North Bengkulu Regency, with a total area of 1,223.94 km² with a population of 114,695 people in 2019. The northern region is bordered by Air Napal Sub-district, Kerkap Sub-district of North Bengkulu Regency and Curup Sub-district of Rejang Lebong Regency. The east is bordered by Ujanmas Sub-district, Kepahiang Sub-district, and Seberang Musi Sub-district of Kepahiang Regency. The south is bordered by Sukaraja Sub-district, Seluma Regency. The west is bordered by Selebar Subdistrict, Sungai Surut Sub-district, Muara Bangkahulu Sub-district of Bengkulu City and Teluk Pering Indian Ocean (Pemerintah Indonesia, 2008).

Kabupaten Bengkulu Tengah consists of eleven sub-districts with the total population of people / area in KM² in 2019, namely Kabupaten Talang Empat as many as 12,824 people / 59.91 KM². Semidang Lagan district: 5,943 inhabitants/80.59 km². Karang Tinggi Regency with 10,886 inhabitants/110.59 km². Taba Penanjung Regency 11,239 people/134.38 km². Merigi Kelindang District 6,867 people/98.42 km². Pagar Jati district 6,244 people/188.57 km². Merigi Sakti district 5,923 people/99.93 km². Pondok Kelapa district 29,353 people/165.20 km². Pondok Kubang District with 9,769 inhabitants/92 km². Pematang Tiga district 8,136 people/129.64 km². Bang Haji district with 7,511 inhabitants/70.71 km² (Badan Pusat Statistik Bengkulu Tengah, 2019).

Pondok Kelapa sub-district consists of the villages of Abu Sakim, Bintang Selatan, Harapan, Kembang Ayun, Padang Betuah, Pagar Dewa, Panca Mukti, Pasar Pedati, Pekik Nyaring, Pondok Kelapa, Sidodadi, Sidorejo, Sri Kuncoro, Sriaton, Sunda Kelapa, Talang Boseng, Talang Pauh. The male population is 2,191 people, women are 2,192 people, a total of 4383 people consisting of 1251 family heads with a population density of 175.32 KM². Tourism objects owned, namely Sungai Suci Beach, Gendang Lake, Solar Rides, Balai Buntar Royal Palace.

In particular, Padang Betuah Village, Pondok Kelapa Sub-district, Bengkulu Tengah is located on the edge of the causeway and is still thick with ethnic Malay tribes, the people of Padang Betuah Village come from the Semitul Clan which is on the coast between Lake Gedang to the waterfall. The forerunner of Padang Betuah Village, starting from the coastal residents opening a new residence called Dusun Baru. Gradually they began to move to the place. Along with its development, the name of Dusun Baru changed to Padang Betuah Village. Demographic data based on population per area consists of 438 family heads with a total of 1615 people, 831 men and 784 women. While the education of the community as contained in the family card is No / not yet in school as many as 490 people, Not graduated from elementary school / equivalent as many as 155 people, graduated from elementary school / equivalent as many as 383 people, junior high school / equivalent as many as 227 people, high school / equivalent as many as 297 people, Diploma I / II as many as 6 people, Academy / Diploma III / Junior College as many as 10 people, Diploma IV / Strata I as many as 47 people. 32% of the population are unemployed, 20.56% take care of households, 15.7% are students, 1.30% are civil servants and the rest are self-employed (Pemerintah Desa Padang Betuah, 2022).

The conditions and realities that occur on the issue of the main rights of road users who must come first, need to get the attention of everyone, especially the PKK women's group in Padang Betuah Village, Pondok Kelapa District, Central Bengkulu Regency, Bengkulu Province. Considering that there are still many people who are still unfamiliar with the law, they do not understand the rules and regulations of traffic laws that are good and correct. Violation of the applicable laws will certainly harm yourself and others.

The community must play an active role in helping the government become a pioneer of traffic safety. Increase understanding, awareness and compliance with the law, be able to educate, guide and direct others to always be aware and obey the law in utilizing the road while driving. Because the community is the object controlled by the law as well as the subject controlling the course of the law. Thus, it is necessary to make efforts and effective steps to increase public legal awareness of the main rights of road users who must be preceded on the highway, in the PKK mother group of the Padang Betuah Village community in order to avoid unwanted things in the future.

Based on the above conditions and situations, it is necessary to conduct legal counseling in order to provide practical knowledge to the community regarding, increasing public legal awareness of the main rights of road users who need to take precedence on the highway in the PKK women's group of Padang Betuah Village community, Central Bengkulu. It is hoped that this service will increase the knowledge, understanding, and awareness of the community about acting and behaving while driving so as not to harm the rights of other road users.

This community service activity was carried out with the aim of: socializing Law No. 22 of 2009 concerning Road Traffic and Transportation. Especially with regard to the main rights of road users who need to take precedence on the highway based on applicable laws. Providing education and understanding to the public about the attitudes and actions that need to be taken when driving on the highway, as well as minimizing the occurrence of legal violations against neglecting the main rights of road users who need to take precedence on the road. And encourage the public to be aware of the law and obey the law in using and utilizing the road.

The benefits of community service activities are as follows: So that the community is able to know and understand the legal basis, permitted and prohibited acts, and the application of criminal sanctions for violators who violate the main rights of road users who need to take precedence on the road. So that the public is able to know and understand the negative impact of traffic violations on the main rights of road users who need to take precedence on the road. In order for the public to be able to anticipate, behave and behave properly by giving the opportunity to the owner of the main rights of road users who need to take precedence on the road.

B. Research Method

This PPM activity was carried out on Wednesday, October 12, 2022, from 08.30 to 13.00 WIB and was attended by 30 participants who were a group of PKK mothers from Padang Betuah village, Central Bengkulu Regency. The implementation of this community service activity is carried out through various stages of activities. The implementation method is carried out by holding a meeting directly at the location where the target audience is. For those who have the opportunity to attend, masks, hand sanitizers and adjusting the sitting distance of the target audience will be prepared to anticipate unwanted things, one of which is preventing the spread of the covid-19 virus. The stages of this community service activity are carried out in the following way:

1. Lecture

This method is used to provide understanding to the target audience regarding regulations related to traffic and road transportation, especially regarding the main rights of road users that must be preceded on the highway in order to increase public awareness to always be orderly in traffic, aware and obedient to the law in order to prevent violations. The material will be described completely and clearly so that the target audience can understand, understand and practice it properly, when driving or using the road so that the objectives of this activity can be realized as expected.

The lecture method is in the form of delivering material regarding the legal basis, types of actions, criminal sanctions, anticipation and ways to increase public awareness in traffic. This method seeks to avoid theoretical discussions and use everyday language, in order to make it easier for the target audience to understand the purpose and objectives of implementing this activity. Because the target audience has a different level of education and insight from one another. As well as providing examples of real cases that have occurred in the midst of society in general that are published in the mass media. The implementation of the lecture method is carried out in a span of about 30 to 45 minutes, then will be followed by discussion, questions and answers and dialog.

2. Discussion, Q&A and Dialogue

The discussion, question and answer and dialog methods used aim to provide opportunities for the target audience to actively participate in two-way dialogic communication to express, convey and / or find the best solution for solving problems that occur in the environment where the target audience lives in accordance with the material that has been delivered.

C. Result and Discussion

This PPM activity was carried out on Wednesday, October 12, 2022 at 08.30 to 13.00 WIB and was attended by 30 participants who were a group of PKK mothers from Padang Betuah village, Central Bengkulu Regency. The determination of this activity was in accordance with the timing that had been discussed in advance with the Chairperson of the PKK women's group in Padang Betuah village, Central Bengkulu Regency.



Figure 1. PPM participants who are a group of PKK mothers in the Padang Betuah village community, Central Bengkulu Regency

The implementation of PPM activities took place at the Padang Betuah village hall, Central Bengkulu Regency. The selection of the time and place for the implementation of PPM activities by coordinating in advance with the Head of the Group of PKK women from the Padang Betuah village community, Central Bengkulu Regency before the implementation of activities carried out by the Service Team.

The material of this PPM activity is adjusted to national policy, through Law Number 22 of 2009 concerning Road Transport Traffic (LLAJ Law) and other related regulations that mandate the need to socialize the regulatory material to all levels of society, with the hope that not only do people know about the legal basis, but also are able to increase awareness and maintain traffic order safely and orderly while on the road. Avoiding unwanted things including but not limited to the occurrence of violations of the law that can harm yourself and other parties.

In general, the material presented to the target audience is material related to the legal basis, types of actions, criminal sanctions against violators of the main rights of road users who need to be prioritized on the road.

The participants were so excited and enthusiastic about listening to the presentation of the material presented by the community service team. From the presentation of the material, it is known that many participants are still unaware of the urgency and negative impact due to neglect of the main rights of road users who need to take precedence on the road, criminal sanctions awaiting violators, and efforts to increase public legal awareness of the main rights of road users who need to take precedence in creating safe traffic order in accordance with applicable laws.



Figure 2. Delivery of PPM material

With this activity, it is hoped that the target audience, which is a group of PKK mothers from Padang Betuah Village, Central Bengkulu Regency, can further increase awareness, concern, anticipation and be able to play an active role in maintaining order and security when driving and utilizing the road, both within the scope of the area where they live and when traveling outside the area using private vehicles. So as to minimize, protect themselves and prevent violations of the law due to deliberation, negligence or ignorance of traffic rules that can actually harm themselves and others. As well as being able to educate other mothers who have not been able to attend at the time of this activity.

The purpose of PPM activities through legal counseling is to provide education, understanding, and dissemination of information to the community, especially the PKK women's group in Padang Betuah village, Central Bengkulu Regency regarding increasing public legal awareness of the main rights of road users who need to take precedence on the highway. So that the growth of mutual awareness in utilizing the road, preventing and avoiding unlawful acts and minimizing the same act from happening again.

The implementation of this PPM can run optimally due to the support of the chairman and the PKK women's group of the Padang Betuah village community, Central Bengkulu Regency, who are so enthusiastic about wanting to know information regarding increasing public legal awareness of the main rights of road users who need to take precedence on the highway until the socialization event is over. In addition, the geographical location where PPM is carried out is easily accessible by both two-wheeled and four-wheeled vehicles. As well as considering and considering that it is still in a Covid 19 pandemic situation, the implementation of PPM activities is carried out by limiting the participants who attend in order to prevent unwanted things in the future.



Figure 3. Question and Answer Session

Awareness relates to very general matters, namely not harming others, not making others suffer, respecting or giving what is rightfully theirs (Scholten, 2013). This is because everyone has the desire to live properly

and appropriately (Purbacaraka & Soekanto, 1993). Ethical consciousness is not only aware of good and bad, it also includes the realization that everyone should do good (Mertokusumo, 2010b).

Awareness of the law means awareness of the law itself which is the protection of human interests is dynamic and its interests are prone to conflicts of interest (Mertokusumo, 2010a). Paul Scholten said, legal awareness is the awareness that exists in every human being about what the law is or what the law should be, a certain category of a person's psychological life in which people can distinguish between law and not law (onrecht), between what should be done and not done (Scholten, 2013).

According to Elwick and Silbey, legal awareness stems from the way people understand law and legal institutions, regarding the understanding that gives meaning to one's experiences and actions, formed in an action (Ali, 2009). Krabbe states that legal awareness is the awareness or values contained in humans about existing and expected laws (Scholten, 2013). Legal awareness means awareness of what should be done or done, or what should not be done or done especially to others (Mertokusumo, 2010a).

Legal awareness emphasizes law as behavior and not as rules, norms and principles (Ali, 2009). The difference with legal compliance is that there is an application of sanctions in legal compliance while legal awareness is not (Rosana, 2014). In essence, public legal awareness is a view that lives in society regarding law (Mertokusumo, 2010a). The relationship between legal awareness and legal compliance has a strong tendency because legal behavior is not solely based on the high and low level of actions, but is also determined by the basis of existing actions (Soekanto, 1977).

The law must embody a unity, forming a system (Scholten, 2013). In order for the law to work according to its function, namely as a means of integration, the community must be moved to submit legal issues to law enforcement agencies (Raharjo, 2003). In protecting their interests, everyone in society must remember, take into account, maintain and respect the interests of others, lest there be conflicts or conflicts that harm others (Ahmad, 2018). It is not permissible in protecting one's own interests, exercising one's rights, to do as one pleases, to the detriment of the interests of others (Mertokusumo, 2010a). Because of this right, the law is needed to maintain the continuity of the existence of rights in the pattern of social life (Marzuki, 2009).

The legal order that operates in society is basically an embodiment of the legal ideals adopted in the society concerned into a set of various positive laws, processes and legal institutions (Sidharta, 2009). Order and integration through law are essential elements, because the state is an institution whose main function is to fulfill the ideals of harmony and integrity of society and community renewal (Soekanto, 1977). Laws based on authority and in force are laws that must be followed, obeyed, applied and enforced (Scholten, 2013).

Law is addressed to humans as social beings, who live in ties with society and are affected by social ties (Mertokusumo, 2010b). These ties follow a certain order, namely an order. The emergence of this order is due to the members of society who bind themselves. In dealing with others, they know what they should do (Raharjo, 2003). These actions should be done with the aim of achieving harmony between order and tranquility for the sake of justice (Soekanto, 1977). The safety aspect is shaped by the surrounding social environment (Saleh et al., 2017).

The level of public legal awareness in traffic is minimal (Barthos, 2018), even though law enforcement against motor vehicle violations on the road already exists based on Law Number 22 of 2009 concerning Road Traffic and Transportation, there are many indicators that people ignore regulations and do not prioritize safety needs due to improper habits in riding motorbikes (Luiza, 2023). Through the materials provided, it is hoped that it can benefit road users in increasing awareness of driving safety and traffic order (Maizuar et al., 2022).

The importance of legal awareness is expected to support and make people uphold institutions or rules as a fulfillment of the need to crave obedience and legal order (Marsinah, 2014). The enforcement of a new legal regulation can become a reality if it is supported by public legal awareness. Awareness for the enactment of law as the basis for the implementation of the law itself (Rosana, 2014). So that in the end people are able to behave and behave well, in order to maintain order in society.

Rights can be interpreted as immunity from the power of others, this immunity is an exemption from the existence of a legal relationship to be changed by others (Raharjo, 2003). Meanwhile, road users are people who use the road for traffic purposes. Both walking and driving. So road user rights can be interpreted as someone who has immunity from the power of others in using the road for traffic.

As road users when they want to use the road must know and understand, there are motorized vehicles that have the main right to get priority and must take precedence over other road users, including the following:

- a. A firefighting vehicle on duty;
- b. An ambulance transporting sick people;
- c. Vehicles to provide assistance in Traffic Accidents;
- d. Vehicle of the head of the State Institution of the Republic of Indonesia;
- e. Vehicles of leaders and officials of foreign countries and international institutions who are guests of the state;
- f. Funeral procession; and
- g. Convoys and/or Vehicles for specific purposes at the discretion of the Indonesian National Police (Pemerintah Indonesia Pasal 134, 2009).

Vehicles with the right of way must be escorted by police officers and/or use red or blue light signals and sirens. For Police Officers who are aware of road users who have the right of way, it is necessary to provide security, and for these vehicles, traffic signaling devices and traffic signs do not apply (Pemerintah Indonesia Pasal 135, 2009).

Basically, motorized vehicles for certain purposes can be equipped with signal lights and/or sirens. The signal lights consist of red and blue colors, functioning as a sign of motorized vehicles that have the primary right to smoothness. While the yellow color serves as a warning sign and requires special attention from other road users for safety. The use of signal lights and sirens is intended to:

- a. Blue signal lights and sirens are used for police vehicles;
- b. red signal lights and sirens are used for detention motor vehicles, TNI escorts, firefighters, ambulances, red cross, rescue, and bodies; and
- c. yellow signal lights without sirens are used for toll road patrol motor vehicles, supervision of traffic and road transportation facilities and infrastructure, maintenance and cleaning of public facilities, towing vehicles, and special freight transportation (Pemerintah Indonesia Pasal 59, 2009).

Every person driving a motor vehicle on the road must understand and comply with the following provisions:

- a. command signs or prohibition signs;
- b. road markings;
- c. traffic signaling devices;
- d. traffic movement;
- e. stop and park;
- f. warning with sound and light;
- g. maximum or minimum speed; and/or
- h. procedures for coupling and attachment with other vehicles (Pemerintah Indonesia Pasal 106 Ayat (4), 2009).

Traffic signs are signs that indicate or the existence of a danger sign, prohibitions and orders, and provide instructions (Purbacaraka & Soekanto, 1993). The point is that road users can always be careful.

When driving, if the intersection is equipped with a traffic control device in the form of a roundabout, the driver must give the right of way to other vehicles coming from the right. Whereas at intersections that are not controlled by traffic signals, the driver must give the right of way to other vehicles coming from the right:

- a. Vehicles coming from the forward direction and/or from the direction of another branch of the intersection if it is indicated by traffic signs or road markings;
- b. Vehicles from the main road if the driver is coming from a smaller branch of the intersection or from a yard adjacent to the road;
- c. Vehicles coming from the direction of the left branch of the intersection if the branches of the intersection are 4 (four) or more and equal;
- d. Vehicles coming from the direction of the left branch at an intersection of 3 (three) that are not perpendicular; or
- e. Vehicles coming from the direction of a straight branch of the intersection at a perpendicular 3 (three) intersection (Pemerintah Indonesia Pasal 113, 2009).

In addition, at level crossings between railroad tracks and roads, vehicle drivers are required to stop when the signal has sounded, the railroad crossing has begun to close, and/or there are other signals; give precedence to trains; and give primary rights to vehicles that cross the tracks first (Pemerintah Indonesia Pasal 114, 2009).

Every person driving a motor vehicle on the road who violates the provisions regarding the use or main right for motor vehicles using warning devices with sound and light as referred to in Article 59, Article 106 paragraph (4) letter f, or Article 134 of the Traffic Law, shall be punished with a maximum imprisonment of 1 (one) month or a maximum fine of Rp250,000.00 (two hundred fifty thousand rupiah) (Pemerintah Indonesia Pasal 287 Ayat (4), 2009).

Every person is legally obliged to perform certain actions, meaning that sanctions must be applied to him if he commits acts that are contrary to the law (Kelsen, 2014). The moral obligation of people to obey the law is not absolute. Therefore, people can morally break the law. If there is a rule of law that applies with criminal penalties, everyone should obey the rule of law (Marsinah, 2014). In order to prevent violations of the law on the road.

According to Oetoyo Usman, disobedience to the law is a form of poor legal awareness (Ali, 2009). The formation of a law-aware and law-abiding society is the ideal of the norms that want a just society, so that the joints of the community culture will develop towards the creation of a system of society that respects each other, making people aware of the law and obeying the law (Rosana, 2014). Thus, creating balance and harmony towards the fulfillment of the rights of road users when using vehicles on the streets.

D. Conclusion

By conducting legal counseling on Law Number 22 of 2009 concerning Road Traffic and Transportation regarding the article on the priority rights of road users who need to be preceded, the target audience understands, understands and increases their knowledge about the types of actions, criminal sanctions, how to behave when driving on the road, the need for public legal awareness to strive to always be orderly and safe on the road to minimize the occurrence of criminal law violations that can harm other road users.

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