

ABSTRACT

THE ANALYSIS OF CRIMINAL LAW ENFORCEMENT TO THE VIOLATIONS THAT CAUSING THE DISRUPTED OF ROAD FUNCTION (The study of a Judicial District Police Resort City of Bandar Lampung)

By

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There are some citizens who are using a part of road to do their personal activities. This leads to the disruption of road function and at the end, the purpose of road implementation by the state would not be attain. Infact, in the Regulation number 38, 2004 and number 22, 2009 the sanction has been regulated for whoever that violate it or causing the disrupted of road function. The issues on this research are : (1) How is the criminal law enforcement done by the police department to the people who is violating the road function? And (2) What are the odds that police department face to do some criminal law enforcement to the people who has violated road function?

The researcher are using normative juridist and empirical approachment in this research. Data that used are primary and secondary datas. Data analysis method that used is qualitative analysis method, and taking the conclusion inductively.

According to research and discussion, it can be concluded that the action that has been taken by the police department in criminal law enforcement to the road function violation this time are based on police discretion and never refering to the Regulation number 38, 2004 and number 22, 2009. One of the example is like happened at R.E. Martadinata street, East Teluk Betung, Bandar Lampung. The citizens using the half of the road to do their personal activities, although in the license it is only for a quarter. This is an example of road function violation. The police department already give a written warning, but it is not concerned by people who are using a half of the road. When the police department meet that

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people to do some forcible demolition, finally the people do the demolition by themselves.

Suggestions from this research are hopefully the police department will act based on current regulation, because criminal sanctions upon those violations has been regulated in the regulation, so in the future there will be no more violation in road function that arising road function disruptions.

Key words : road function, law enforcement, violation.