

ANALYSIS OF PERIODIC TESTING FOR FREIGHT VEHICLES REGULATIONS

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Abstract

This study is motivated by the increasing number of traffic accidents caused by vehicle technical failures, primarily due to the ineffective implementation of periodic vehicle inspections. Periodic testing serves as a strategic legal instrument to ensure the roadworthiness of freight vehicles in terms of safety, operational efficiency, and environmental protection. However, the effectiveness of such regulations remains problematic, both in terms of normative quality and practical implementation. This research aims to analyze the legal framework governing periodic testing of freight vehicles and to evaluate its regulatory quality based on the standards of good legislation. This study employs a normative juridical method with statutory and conceptual approaches. The findings indicate that although several regulations exist, fundamental weaknesses remain in procedural provisions, supervision, authority, and sanctions that failed to provide deterrent effects. The novelty of this research lies in its comprehensive evaluation of legal norms using clarity of law and adequacy indicators, linked to legal effectiveness in practice. This study concludes that legal policy reform is required through stronger sanction mechanisms, improved supervisory systems, and institutional harmonization to enhance compliance and reduce traffic accidents.

Keywords : Periodic Testing, Freight Vehicles, Legal Regulations, Transportation Safety

1. INTRODUCTION

Transportation plays a strategic role in supporting economic, social, and national development activities. In the context of goods distribution, transport vehicles are the backbone of ensuring smooth logistics flows.¹ Land transportation services continue to improve, particularly logistics facilities and freight forwarding activities.² The demand for freight forwarding services has further expanded as technology has opened up broader and faster access for producers and consumers.³ This has driven high demand for freight forwarding services, particularly in Indonesia. In addition to bringing economic benefits, the development of goods delivery services in Indonesia also has a negative impact, namely the rise in violations in road use. The National Crime Information Center (Pusiknas) of the Indonesian National Police (Kepolisian) reported that there were 2.12 million traffic violations in Indonesia in 2021. These violations included 879,962 serious violations, 269,996 moderate violations, and 965,286 minor violations.⁴ In these violation figures, the Ministry of Transportation of the Republic of Indonesia stated that goods transport vehicles such as trucks ranked second as the largest contributor to traffic accidents in Indonesia, with a violation rate of 12%

¹ Armin Atmajaya, "The Influence of Transportation Development on Economic Growth", UNM, 2011, 1

² National Standardization Agency, "Fresh Shipping Trends Grow Rapidly, Package Shipping Standards Become a Concern," November 12, 2019, <https://bsn.go.id/main/berita/detail/10675/tren-pengiriman-barang-tumbuh-pesat-standar-pengiriman-paket-menjadi-perhatian>

³ Ministry of Communication and Digital, "E-Commerce Business is Getting More Savory", February 28, 2021 <https://www.komdigi.go.id/berita/artikel/detail/bisnis-e-commerce-semakin-gurih>

⁴ Sarnita Sadya, "National Police Record 2.12 Million Traffic Violations in 2021," DataIndonesia, October 27, 2022, <https://dataindonesia.id/varia/detail/polri-catat-212-juta-pelanggaran-lalu-lintas-pada-2021>

(twelve percent). ⁵In the same data, the causes of the high number of traffic accidents were caused by several factors, including human factors related to driver ability and character with a figure of 61% (sixty-one percent), inadequate road infrastructure with a figure of 30% (thirty percent), and vehicles recorded as not meeting roadworthiness requirements with a figure of 9% (nine percent). ⁶Focusing on the final cause related to failure to meet roadworthiness requirements, there are several examples of this. On September 23, 2023, a truck had an accident at the Bawen Toll Road exit intersection, where the truck was found to be unroadworthy. ⁷Semarang Police found that the accident occurred because the brakes were not operating properly, as the brake fluid had run out, which then resulted in an accident that killed three people and left one person seriously injured. Another example occurred on Jalan Diponegoro, Genuk, West Ungaran, where an unloaded ⁸dump truck crashed into a gas station park and a pole. The accident occurred due to brake failure, so the truck was unable to stop. Finally, there was a similar case that occurred on July 18, 2023, where a train en route from Jakarta to Blitar collided with a stalled truck at a railroad crossing on Jalan Madukoro, Semarang City. ⁹The accident resulted in a collision that caused an explosion, resulting in one victim.

These accidents are the result of businesses actively disregarding road safety requirements in order to meet market demand for speed and efficiency. ¹⁰Many businesses neglect the maintenance and roadworthiness inspections of their vehicles. ¹¹This neglect, rooted in a desire to ensure fast and efficient transportation, ultimately hinders the process. The resulting neglect leaves numerous vehicles unsafe and prone to accidents, threatening the safety of road users and the road infrastructure they use. Failure to perform these tests indicates that the testing process is not running properly, or is not being carried out at all. It can be concluded that there are weaknesses in the periodic vehicle testing system, which weaknesses or gaps can jeopardize road safety.

In Indonesia, there are three regulations in a vertical relationship that regulate periodic vehicle inspections, namely Law Number 22 of 2009 concerning Traffic and Road Transportation (UU 22/2009), Government Regulation Number 55 of 2012 concerning Vehicles (PP 55/2012), and Regulation of the Minister of Transportation Number PM 19 of 2021 concerning Periodic Motor Vehicle Inspections (PMP 19/2021). Law 22/2009 regulates administrative and criminal sanctions related to violations of the periodic inspection obligation, while PP 55/2012 regulates the validity period of the periodic inspection and the affirmation of administrative sanctions for violations of these provisions, and PMP 19/2021 stipulates the obligation of vehicle owners to undergo periodic inspections before operating vehicles on the road. These three regulations establish the pillars of periodic inspections, and serve as the basis for imposing sanctions for violations of the periodic inspection obligation. Specifically, vehicle drivers who do not meet the periodic inspection standards are subject to criminal sanctions, in accordance with the provisions of Law 22/2009.

Although the Indonesian legal system has implemented statutory regulations regarding periodic inspections, many vehicles still do not have periodic inspection certificates or existing certificates have expired. This is evident when the Deputy Chairperson for Regional Strengthening and Development of the Indonesian Transportation Society (MTI) stated that 80% (eighty percent) of trucks do not have periodic inspection certificates, where the letter serves as proof of roadworthiness. On August 7, 2023, the ¹²Yogyakarta Special Region Transportation Agency (Dishub)

⁵ Kumparan, "Freight Trucks Are the Second-Highest Contributor to Accidents, Here's the Data," KumparanNEWS, September 2, 2022, <https://kumparan.com/kumparannews/truk-angkutan-barang-jadi-penyumbang-kecelakaan-nomor-2-terbanyak-ini-datanya-1ym6ZcJZ2H9>

⁶ Ibid

⁷ Dian Ade Permana, Dita Angga Rusiana, "Truck Conditions Cause Fatal Accident in Bawen, Violating ODOL and Not Having KIR Tests Since 2025", Kompas.com, September 25, 2023, <https://regional.kompas.com/read/2023/09/25/181016278/syarat-truk-penyebab-kecelakaan-maut-di-bawen-langgar-odol-dan-tidak-uji>

⁸ UngaranNews.com, "This driver felt his brakes were out of order, causing a dump truck to collide with the Ungaran gas station park," November 26, 2023, <https://ungarannews.com/2023/11/26/rem-dirasa-loss-doll-sopir-ini-tabrakan-truk-dump-ke-taman-spbu-ungaran/>

⁹ Detik.com, "Today's Train Accident in Semarang, Here's the Chronology", July 18, 2023 <https://www.detik.com/sulsel/berita/d-6830197/kecelakaan-kereta-api-hari-ini-di-semarang-begini-kronologinya>

¹⁰ Syahrur Rozi, "Sanctions for Land Transportation Violations of Over Dimension Overloading Reviewed from Law Number 2 of 2009 Concerning Road Traffic", *Jurnal Global Indonesia* 2, No. 1 (2021): 15

¹¹ Ibid

¹² Ali Arifin Muhlis, "Transportation Expert Djoko Setijowarno Says ODOL Truck Accidents Occur Almost Every Day, This Is the Cause", *SuaraMerdeka*, October 3, 2023,

collaborated with the Bantul Transportation Agency, and other authorities to conduct a traffic operation, where the operation netted 28 (twenty-eight) transport vehicles, mainly sand transport vehicles. 18 (eighteen) of these vehicles violated the expired inspection period or KIR, 9 (nine) vehicles were found without inspection books, and 1 (one) vehicle was found with incorrect dimensions.¹³ These cases reflect shortcomings in the regulation of periodic inspections, which encourages neglect of periodic vehicle inspections. The Semarang area has experienced a series of accidents within a short period of time, all of which stemmed from inadequate technical roadworthiness. These included suboptimal braking function, poor engine quality, and the absence of vehicle roadworthiness certificates renewed since 2015 on the vehicles involved in the accidents. Despite Central Java Provincial Regulation No. 1 of 2020 concerning the Implementation of Transportation (Perda Jabar 1/2020) and Semarang Regency Regulation No. 1 of 2023 concerning the Implementation of Transportation (Perda Semarang 1/2023), which mandate periodic inspections of transport vehicles in the region, these provisions have not been effectively implemented. This demonstrates the suboptimal effectiveness of law enforcement, which is problematic. Specifically, this issue refers to Soerjono's theory of legal effectiveness. Soekanto, namely as a factor to evaluate whether a regulation is of quality or not.¹⁴

The issue of periodic testing in the Semarang region is closely related to the status of Semarang City and Regency as a vital part of the national transportation network. Given that Semarang City has a port and transportation network, and Semarang Regency has its logistics infrastructure, both play a role in improving distribution efficiency and the economy.¹⁵ To safeguard these interests, high-quality, well-implemented regulations are needed, ensuring optimal accessibility and connectivity. Based on these considerations, the author believes it is important and useful to further examine the understanding and enforcement of periodic testing regulations. Specifically, the author formulates the following questions:

"What are the regulations regarding periodic testing for goods transport vehicles based on the laws and regulations in the Semarang Region?"

This study aims to examine the laws and regulations in the Semarang Region relating to periodic testing for goods transport vehicles, namely whether the regulations are good or not based on good theories or norms of laws and regulations.

2. Research methods

This research uses a normative juridical method, namely legal research based on the collection and analysis of literature or secondary data related to periodic testing.¹⁶ The approach used in this research is a statutory approach (approach) which examines regulations related to periodic testing, and the conceptual approach (conceptual approach) which utilizes concepts and values in norms to evaluate whether the relevant norms in legislation are in accordance with their essence.

The laws and regulations that will be analyzed include:

1. Law Number 22 of 2009 concerning Traffic and Road Transportation (Law 22/2009)
2. Regulation of the Minister of Transportation Number PM 156 of 2016 concerning the Competence of Periodic Motor Vehicle Testers (PMP 156/2016)
3. Regulation of the Minister of Transportation Number 60 of 2019 concerning the Implementation of Goods Transportation by Motorized Vehicles on Roads (PMP 60/2019)
4. Minister of Transportation Regulation Number PM 19 of 2021 concerning Periodic Testing of Motor Vehicles (PMP 19/2021)
5. Regulation of the Minister of Transportation Number PM 17 of 2022 concerning the Organization and Work Procedures of the Ministry of Transportation (PMP 17/2022)

<https://wongapak.suaramerdeka.com/nasional/103410376097/pakar-transportasi-djoko-setijowarno-menyebut-hampir-setiap-hari-terjadi-kecelakaan-truk-odol-ini-penyebabnya>

¹³ Ivan Aditya, "Many Transportation Vehicles Still Found Not Having Passed Vehicle Inspection," Krjogja.com, August 7, 2023, <https://www.krjogja.com/bantul/1242651212/masih-banyak-ditemukan-kendaraan-angkutan-tidak-uji-kir>

¹⁴ Soerjono Soekanto, *Factors Influencing Law Enforcement* (PT Raja Grafindo Persada, 1993), 80

¹⁵ Semarang City Bappeda, *Semarang City Freight Transportation Integration Study 2021* (PT Tata Rekapraja Utama, 2021), 2

¹⁶ Bambang Sugono, *Legal Research Methodology* (Raja Grafindo Persada, 2003), 27-28

6. Minister of Transportation Regulation Number 29 of 2022 concerning Procedures for Supervision and Imposition of Administrative Sanctions for Violations of Laws and Regulations in the Field of Land Transportation (PMP 29/2022)
7. West Java Provincial Regulation Number 1 of 2020 concerning the Implementation of Transportation (West Java Regional Regulation 1/2020)
8. Semarang Regency Regional Regulation Number 1 of 2023 concerning the Implementation of Transportation (Semarang Regency Regional Regulation 1/2023)
9. Semarang Mayor Regulation Number 53 of 2020 Concerning Amendments to Semarang Mayor Regulation Number 46 of 2018 Concerning Changes to Motor Vehicle Testing Fee Rates (Semarang Mayor Regulation 53/2020)
10. Semarang Regent Regulation Number 88 of 2020 Concerning Amendments to Semarang Regent Regulation Number 85 of 2019 Concerning Motor Vehicle Testing Fees in Semarang Regency (Semarang Regent Regulation 88/2020)
11. Semarang Regent Regulation Number 99 of 2022 concerning Improving Traffic and Road Transportation Safety Through Motor Vehicle Testing (Semarang Regent Regulation 99/2022)

3. RESULTS AND DISCUSSION

3.1 Freight Transportation

According to Hasim Purba, transportation is the process of moving people and/or goods from one location to another, whether by land, water, or air, using appropriate means of transportation.¹⁷ Meanwhile, Lestari Ningrum states that transportation is a series of activities moving passengers and/or goods from the loading location to the destination location, where passengers disembark or goods are unloaded.¹⁸ It can be concluded that transportation is a series of activities aimed at moving goods or passengers from the starting point to a specific destination. Focusing on the transportation of goods, Article 1 of PMP 60/2019 stipulates that freight transportation is the process of moving goods from one location to another using vehicles in road traffic.¹⁹ Article 160 of Law 22/2009 divides the freight transportation category into two specific classes, which include general freight transportation and special freight transportation. General freight transportation refers to the transportation of goods that are not dangerous and do not require special facilities, while special freight transportation is the transportation of certain goods using certain vehicles that require special permits due to the dangerous nature of the goods.²⁰ Goods transportation, both in the general goods transportation category and special goods transportation, uses goods transport vehicles, which are special vehicles designed to move or transport goods from one location to another. Article 1 of PP 74 of 2014 explains the definition of goods transport vehicles as motor vehicles designed partly or wholly to transport goods.²¹ To accommodate various types of goods transportation needs, there are several types of vehicles used for goods transportation, including:²²

- a. Box cars for delivery between major cities;
- b. A flatbed truck with a capacity of 10 cubic meters which is generally used for moving offices, houses and delivering goods;
- c. Fuso flatbed trucks are larger and have a greater carrying capacity, both light and heavy Fuso ;
- d. Special towing car for transporting four-wheeled cars; and
- e. Car carrier truck to carry large numbers of cars and motorbikes.

Freight transportation requires maintenance to ensure that vehicles do not experience performance degradation or damage that could disrupt their use.²³ Maintenance, in this context, encompasses not only actions to prevent damage

¹⁷ Hasim Purba, *Law of Transportation at Sea* (Pustaka Bangsa Press, 2005), 5

¹⁸ Lestari Ningrum, *Travel Business in a Business Law Perspective* (Citra Aditya Bakti, 2004), 134

¹⁹ Regulation of the Minister of Transportation Number 60 of 2019 concerning the Implementation of Goods Transportation by Motorized Vehicles on the Road

²⁰ Law Number 22 of 2009 concerning Traffic and Road Transportation

²¹ Government Regulation Number 74 of 2014 concerning Road Transportation

²² Setiadi, "Decision Support System for Selecting Used Cars" *String Journal* 3, no. 3 (2019): 247-257

²³ Big Indonesian Dictionary

but also to ensure equipment is ready for optimal use.²⁴ In automotive maintenance, maintenance is defined as a series of procedures designed to improve vehicle efficiency while reducing the risk of damage and repair time.²⁵

3.2 Regulation of Periodic Testing in the Indonesian Legal System

3.2.1 Periodic Testing

Article 1 of PMP 19/2021 defines periodic testing as follows:²⁶

“Periodic testing is a series of testing processes by periodically inspecting and testing public vehicles with the aim of preventing undetected technical deficiencies that could threaten traffic safety, passengers, and the environment.”

This process includes a series of technical tests aimed at assessing the complete condition of a vehicle, including checking the braking system, lights, tires, and exhaust emissions. These tests are conducted periodically, generally every 6 (six) months or one year. Periodic tests play an important role in ensuring the safety of road users, as well as facilitating environmental protection efforts by reducing air pollution. Periodic tests are also intended to ensure compliance with traffic regulations, where the periodic test is accompanied by an administrative inspection process, visual and functional inspections, and technical tests with special equipment, which then results in a periodic test pass certificate if the vehicle meets all the qualifications set by each test set by the periodic test.²⁷

Objects in the vehicle that receive special attention in periodic testing include several parts, namely:²⁸

1. The lights, including headlights, brake lights and turn signals, function properly to provide sufficient illumination and clear signals for other road users;
2. Rear view mirrors must be ensured to be in good condition and free from cracks to provide optimal visibility to the driver;
3. Tires that have sufficient tread and do not experience excessive wear to maintain good grip on the road;
4. A braking system that works well to ensure the vehicle can stop safely in various conditions;
5. Engines must be in good condition and maintained to ensure optimal performance and fuel efficiency; and
6. A properly functioning seat belt provides protection to the driver and passengers in the event of an accident.

Furthermore, The Vehicle The UK's Vehicle and Operator Services Agency (VOSA) has established several components that require special attention when carrying out its functions of licensing, testing, and enforcing vehicle roadworthiness standards. These components include:²⁹

1. A properly functioning brake system and its components are key to safety, both for goods and passenger vehicles;
2. The exhaust system must function properly to reduce harmful emissions and keep vehicle noise within permissible limits;
3. Gas emissions must meet environmental standards set to reduce air pollution;
4. Lights, illumination and signal devices must function properly to provide clear visibility and communication to other road users;
5. Wheels or tires that maintain traction and stability of the vehicle;
6. Suspension in good condition to ensure optimal ride comfort and vehicle control;
7. The Braking Control System must function properly to ensure the vehicle can stop safely;
8. Seat belts that function properly to provide protection to the driver and passengers;
9. Electrical equipment that is functioning properly to ensure optimal vehicle operation; and
10. A well-functioning engine and transmission ensure optimal performance and fuel efficiency.

In general, testing is carried out based on objectives which include:³⁰

²⁴ *Ibid*

²⁵ Rifal Falaqi Muhammad, Anis Siti Nurrohkeyati, “Maintenance and Care of Toyota Cars” *UM Jember Proceeding Series 3*, No.1 (2024): 353

²⁶ Minister of Transportation Regulation Number 19 of 2021 concerning Periodic Testing of Motor Vehicles

²⁷ Rosika, "Supervision Pattern of Motor Vehicle Roadworthiness Tests at the North Konawe Regency Transportation Agency", *Jurnal Publicuho* 5, No. 4 (2022): 1382

²⁸ Andar Sri Sumantri, Irfan Misbahudin, "Factors Affecting Driving Safety on the Semarang-Banten Toll Road, Central Java Province", *Journal of Maritime Science and Technology* 16, No. 2 (2017): 129-138

²⁹ Kristina Jakimovska, Igor Gjurkov, and Cedimir Dubovka, “Assessment of the Impact of Vehicle Technical Condition on Road Safety by Means of MCDA (Multiple-Criteria Decision Analysis), Conference: 24th International Automotive Conference, 2013, p. 7

³⁰ Ahmad Munawar, *Urban Traffic Management* (Beta Offset, 2006), 90

1. Ensure the smooth running of work;
2. Correcting errors made by employees and preventing the same errors from recurring or new errors from occurring;
3. Ensure budget use is in accordance with established plans and targets;
4. Ensure the implementation of work in accordance with the established program;
5. Ensure work results meet established standards;
6. Ensure implementation is in accordance with established policies and orders;
7. Organize coordination of activities;
8. Prevent waste and embezzlement;
9. Ensuring public satisfaction with the goods or services produced; and
10. Building public trust in organizational leadership.

While periodic testing is subject to certain objectives based on PMP 19/2021 which include:³¹

1. Providing technical safety guarantees for the use of motor vehicles that require periodic road tests;
2. Supporting the realization of environmental sustainability from the possibility of pollution caused by the use of motor vehicles, periodic road tests are mandatory; and
3. Providing public services to the community.

A good periodic test essentially addresses important aspects such as accuracy, consistency, and reliability of test results. Furthermore, testing should also consider specific factors such as environmental considerations, safety, and vehicle roadworthiness. A periodic test can be considered good if it meets the following characteristics:³²

1. Accurate, Precise, and Based on Accurate Information, namely testing must be carried out precisely and accurately, using correct and valid information to obtain reliable results . results);
2. Objective and Comprehensive, using information that is easy to understand, objective and complete;
3. Focused on Strategic Test Points, meaning testing should be directed at specific points where deviations from general standards frequently occur or where serious damage could potentially occur. This is done to identify areas requiring special attention.
4. Economically Realistic, that is, the cost of testing must be affordable or comparable to the benefits of testing obtained, in order to ensure that as many people as possible will carry out routine testing, so that overall quality and safety are increased;
5. Coordinated, namely testing information must be well coordinated through the organization's workflow which prevents overlap or confusion in testing and evaluation procedures;
6. Flexible, where testing is responsive to changes in the environment or conditions that may occur, in order to enable rapid and responsive adjustments to developing situations; and
7. It is of an instructional and operational nature, that the testing information must provide clear instructions with regard to the detection or deviation from the standard, as well as the procedures or actions to be taken in response to a finding.

3.3 Good Legislation Especially Regarding Periodic Testing

As explained in 3.2, there are procedures to be followed during periodic testing. This begins with the vehicle's documentation, which must be carefully reviewed to ensure compliance with the administrative requirements for the periodic test. During the periodic test, officers conduct a series of technical inspections on the vehicle. In addition to the procedural steps, there are also technical aspects that must be considered to ensure the vehicle's roadworthiness. Furthermore, several other factors must be considered, such as proper and effective testing procedures to achieve the objectives, as well as the safety, efficiency, and legal implications of neglecting the periodic test.

3.3.1 Important Aspects in Periodic Testing Regulations

There are 4 (four) important aspects that need to be considered in formulating periodic testing arrangements, these four include:

1. Provisions on Procedures and Criteria;
2. Supervision;
3. Authority; and
4. Sanctions.

³¹ Minister of Transportation Regulation Number PM 19 of 2021 concerning Periodic Testing of Motor Vehicles

³² T. Hani Handoko, *Management* (BPFE, 2000), 133

In this context, provisions are defined as a problem-solving process that involves selecting the best alternative to resolve the problem at hand.³³ In periodic testing arrangements, provisions are necessary to ensure that the vehicle being tested complies with standards, that is, meets the procedures, standards, and requirements. Once these provisions have been met, an examiner can make a decision based on the existing provisions regarding the vehicle being tested. In the periodic testing process, this testing includes an inspection to evaluate whether a vehicle meets exhaust emission requirements and other environmental regulations, where the examiner will make a decision after considering the vehicle's general condition, safety level, and technical feasibility. In making this decision, the examiner must ensure that his or her decision is based on strong and objective evidence, in order to maintain the safety and security of road users and the environment.

Supervision is an activity carried out to ensure and guarantee that tasks or work have been carried out in accordance with established plans, established policies, and given orders or rules.³⁴ Supervision is divided into direct and indirect supervision, where direct supervision is carried out personally by the leader or authorized supervisor, while indirect supervision is carried out by studying reports provided by the implementer, both written and unwritten.³⁵ There is also preventive and repressive supervision, where preventive supervision is carried out before the work begins, while repressive supervision is carried out after the work begins.³⁶ Finally, there is internal and external supervision, where internal supervision is carried out by officials within the organization itself, while external supervision is carried out by officials from outside the organization.³⁷ In the context of periodic testing, supervision plays a crucial role in ensuring that testing is carried out correctly, objectively, and according to standards. Even after the periodic test, supervision is still necessary to ensure the vehicle operates safely on the road. Supervision in the context of periodic testing is also useful to prevent abuse of authority or violation of procedures by examiners, where such abuse or violations have the potential to threaten the safety of road users. The establishment of an effective oversight system involves various parties, including central and regional governments, as well as independent institutions to conduct transparent audits and inspections.

According to HD Stout, authority refers to the right and power to act and make decisions, playing a crucial role in government organizational law.³⁸ As a legal subject, the government, in holding authority, can perform various actions, both in real terms (*feitelijkhandelingen*) and legally (*rechtshandelingen*). In the context of legal action, the nature of government actions has the potential to give rise to certain legal consequences, where government legal actions aim to create rights and obligations.³⁹ In the context of periodic testing, authority plays a crucial role in clearly determining who can carry out legitimate testing. The purpose of establishing authority in periodic testing is to ensure that the evaluation process is carried out by competent and professional personnel, and is carried out in accordance with applicable safety procedures and standards. The implementation of periodic testing often involves various parties with different responsibilities, such as technicians who conduct inspections, administrative officers who manage relevant documents, and supervisors who ensure that testing procedures are carried out properly. These parties need to be clearly regulated through clear delegation of authority, in order to prevent overlapping tasks and to ensure that the process runs efficiently and effectively.

Sanctions are undesirable consequences intended to reduce undesirable behavior.⁴⁰ In Indonesia, there are three legal subsystems that regulate the imposition of sanctions for undesirable actions or behavior:

1. Criminal Sanctions
2. Civil Sanctions
3. Administrative Sanctions

Criminal sanctions are the state's reaction to a crime, namely the suffering imposed on the perpetrator.⁴¹ Article 64 of Law Number 1 of 2023 concerning the Criminal Code (KUHP) stipulates that there are three forms of punishment,

³³ Hendra Riofita, *Organizational Behavior* (CV Mutiara Pesisir, 2015), 36-37

³⁴ Didi Djadjuli, "Implementation of Supervision by Leaders in Improving Performance", *Dinamika: Scientific Journal of State Administration* 4, No. 4 (2017): 10

³⁵ Victor M. Situmorang, Yusuf Juhir, *Legal Aspects of Inherent Supervision within the Government Apparatus Environment* (Rineka Cipta, 1993), 21

³⁶ *Ibid*

³⁷ *Ibid*

³⁸ Ridwan HR, *State Administrative Law* (PT Raja Grafindo Persada, 2013), 71

³⁹ Didi Djadjuli, *Supra Note 34*, p. 111

⁴⁰ Sahwitri Triandani, *The Influence of Work Teams, Work Stress and Rewards* (LPPM, 2014), 39

⁴¹ Adami Chazawi, *Criminal Law Lesson I* (Raja Grafindo Persada, 2011), 8

namely principal punishment, additional punishment, and special punishment for certain crimes as determined by law .⁴² Furthermore, Article 65 paragraph (1) of the Criminal Code stipulates that principal punishment includes:⁴³

1. Imprisonment;
2. Cover-up crime;
3. Criminal supervision;
4. Criminal fines; and
5. Community service punishment.

Meanwhile, Article 66 paragraph (1) of the Criminal Code stipulates additional penalties as follows:⁴⁴

1. Revocation of certain rights;
2. Confiscation of certain goods and/or bills;
3. Announcement of the judge's decision;
4. Compensation payment;
5. Revocation of certain permits; and
6. Fulfillment of local customary obligations.

Next are civil sanctions, which are the consequences imposed on an individual or party who violates the provisions of civil law, in the sense of violating the legal relationship between individuals or entities. Civil sanctions aim to restore the rights of the injured party or restore the condition before the violation. Types of civil sanctions include:

1. Compensation;
2. Cancellation or Termination of Agreement;
3. Return of Goods or Money;
4. Implementation of Achievements; and/or
5. Fine.

Then there are administrative sanctions, which include legal action by government authorities or institutions against individuals, organizations, or entities that violate administrative regulations or provisions. These sanctions serve as a public response to non-compliance with obligations stipulated in state administrative law.⁴⁵ Types of administrative sanctions include:

1. Warning;
2. Fine;
3. Revocation or Suspension of Permit;
4. Activity Restrictions;
5. Recovery or Repair;
6. Confiscation of Goods;
7. Temporary Suspension; and
8. Special Obligations.

The sanction aspect of periodic testing plays a significant role in maintaining safety and compliance with established standards. With firm and proportionate sanctions, vehicle owners are expected to pay greater attention to maintenance and ensure their vehicles meet established technical requirements. This not only impacts the safety of road users and the environment but also supports overall transportation efficiency. Furthermore, consistent sanctions also encourage a culture of awareness of the importance of routine vehicle maintenance, thereby reducing accidents and minimizing negative impacts on the environment. Therefore, the sanctions stipulated in periodic testing regulations serve not only as a law enforcement tool but also as a preventative measure to create a safer and more sustainable transportation environment.

3.3.2 Good Quality of Legislation

Proper statutory review refers to legislation as any written decision made, enacted, and issued by a state institution or official with legislative functions in accordance with applicable procedures.⁴⁶ More specifically, the legislation in question possesses certain essential characteristics, namely:⁴⁷

1. Written rules;

⁴² Law Number 1 of 2023 concerning the Criminal Code

⁴³ *Ibid*

⁴⁴ *Ibid*

⁴⁵ Ridwan HR, *Supra Note 38*, p. 315

⁴⁶ Bagir Manan, *The Role of Legislation in National Legal Development* (Armico, 1987), 13

⁴⁷ Rachmat Trijono, *Basics of Legal Science* (Papas Sinar Sinarti, 2014), 15

2. Made by state institutions or state officials;
3. Following the procedures set out in statutory regulations; and
4. Binding in general.

In determining the quality of legislation, it is necessary to consider other factors that make it effective and beneficial. Legislation in general must be guided by the principles of good legislative formation, as referred to in Article 5 of Law Number 12 of 2011 concerning the Formation of Legislation (Law 12/2011). By fulfilling the principles in Article 5 of Law 12/2011, legislation becomes more effective and beneficial in its implementation.

According to Hans Kelsen, law has two important dimensions: validity and effectiveness. In the context of this paper, the focus is on effectiveness, meaning the success of the law in achieving its stated goals.⁴⁸ Soerjono Soekanto explained that law is considered effective if it produces a positive impact, meaning that the law succeeds in achieving its goal of changing human behavior. In determining the effectiveness of law, Soerjono Soekanto determined five main factors:⁴⁹

1. Legal Factors, in the sense that law has three main objectives, namely justice, legal certainty, and usefulness. Law through justice seeks to equalize every individual under the law, so that human rights are upheld equally and without discrimination. Legal certainty is defined as the concretization of clear behavioral guidelines through rules, so that there is predictability. Law must also be useful, where it can provide real benefits, guarantee social order, and promote general welfare. In achieving its objectives, law must also be flexible, where it always adjusts its norms and rules to the needs of society at that time. The adaptive nature of law will provide effectiveness, because flexible law will better accommodate the needs of society that are always changing;
2. Law Enforcement Factors, namely the personality and way of thinking of those authorized to enforce the law, play an important role, because a norm stands parallel to its enforcer. If a regulation is good but the enforcer is bad, the enforcement process will cause problems for the community. Public perception of the law often depends on the behavior of its enforcers, so that the public's view of a rule will be parallel to its view of those who enforce the rule. The implementation of enforcement authority often faces the community, where the excessive nature and quality of law enforcers harm law enforcement itself;
3. Supporting Facilities and Infrastructure Factors: Law enforcement relies not only on law enforcement personnel but also on the necessary infrastructure. These facilities can include information technology, vehicles, communication devices, hardware, software, and/or other essential infrastructure. The existence of these facilities and infrastructure is crucial for law enforcement agencies to carry out their duties and authorities, so the government needs to ensure that the needs of law enforcement agencies for these facilities are met.
4. Community Factors: Law enforcement originates from and is the result of the community process itself, where it works to create peace within the community. Every citizen (member of society) has their own level of legal awareness, with varying degrees. This legal awareness can be increased through education and outreach, as well as involvement in the formation of the law itself, in order to foster a sense of responsibility towards applicable law. This awareness will foster public compliance with the law and prevent the emergence of crime or deviation, thereby creating a safe and orderly environment.
5. Cultural factors, namely the values that serve as the material legal source of applicable law. A legal norm must reflect societal values for it to be effectively implemented, as culture has a significant influence on how society views and enforces the law. Particularly in Indonesia, a multicultural society, the law must accommodate all of its diverse values.

Furthermore, Soerjono Soekanto provides five benchmarks for assessing the effectiveness of the law:⁵⁰

1. The systematicity of regulations in various sectors of life;
2. Alignment of the regulatory hierarchy vertically and horizontally ;
3. Adequate regulations in dealing with various problems in life;
4. Alignment of regulations with existing legal requirements.

the effectiveness of a law, a legal norm or system must be firm and clear. Fuller explained that legal rules must be as clear as possible to avoid confusion about how people should behave. If clarity is not achieved, legal ambiguity can lead to public doubt about the legitimacy and validity of the legal norms in question. When courts interpret laws and

⁴⁸ Dody Syahrul Irawan, Miftahus Sholehuddin, "Implementation of the Guardian Lineage in a Distant Place: The Perspective of Soerjono Soekanto's Legal Effectiveness", *Sakina: Journal of Family Studies* 7, No. 1 (2023): 1

⁴⁹ Soerjono Soekanto, *Supra Note* 14, p. 5

⁵⁰ *Ibid*

decide disputes, they must base their decisions on established legal principles to ensure clarity and consistency in the application of regulations.⁵¹

In evaluating the effectiveness of regulations, adequacy is an important factor. Adequacy in this case refers to the extent to which the level of effectiveness meets the needs, values, or opportunities that may arise in society.⁵² When using the adequacy criterion, the evaluation is conducted retrospectively (ex . Post), which means the evaluation is conducted after the policy has been implemented and the results can be observed. This allows for assessment of the extent to which the implemented policy has met its objectives and whether the results are adequate to address the problem at hand.⁵³ According to Budi Winarno, adequacy in public policy means that the objectives achieved are adequate in various aspects. This includes measuring or predicting the extent to which existing alternatives can meet needs, values, or opportunities in resolving the problem at hand.⁵⁴

3.3.3 Good Quality Periodic Test Regulations

To determine the quality of a good periodic testing regulation, there are several important aspects that must be met. These aspects play a role in ensuring that the periodic testing process is implemented properly and reliably, ensuring that the regulation is "effective" in achieving its objectives.

First, periodic testing regulations must have clear standards. Periodic testing regulations must precisely detail all aspects related to periodic testing, making the testing process more structured and easier to understand for all parties involved.

Second, periodic testing regulations must not overlap. Periodic testing arrangements with varying regulations must be thoroughly audited to identify overlapping regulations for revision. Periodic testing regulations, in this case, must be complementary and consistent, creating a more organized and efficient framework.

Third, periodic testing regulations must be comprehensive, meaning the norms contained within them are comprehensive. This will ensure that the periodic testing verifies and considers all relevant aspects, ensuring that the testing can be carried out according to its objectives.

Fourth, the implementation of periodic testing regulations must be carried out by competent individuals. Periodic testing regulations need to establish competency standards for vehicle testers, which should take the form of a rigorous certification system. This is to ensure that every tester under the periodic testing regulations has the same competency and adequate qualifications, and to encourage testers to continually update their skills in line with technological developments and the times.

Fifth, regular monitoring of the implementation of periodic testing regulations is necessary. Routine monitoring of the testing process will help ensure compliance with established regulations and standards. This monitoring can be conducted during or after the periodic testing. This will help prevent undetected violations and ensure that testing is conducted in accordance with applicable regulations.

Finally, periodic testing regulations need to contain firm and targeted sanctions. It is crucial to establish strict and proportionate sanctions for violations. Sanctions must be effective in preventing future violations and must be applied consistently. Furthermore, sanctions must be targeted at the actual violators, whether individuals or institutions, to ensure fairness and better compliance with regulations.

3.4 Analysis of the Responsibility of Vehicle Owners Transporting Goods in Ensuring Periodic Testing Obligations

3.4.1 Mapping of Periodic Vehicle Testing Regulations in the Semarang Area

Arrangement base regarding periodic testing vehicle transport goods there is in Constitution Number 22 of 2009 concerning Traffic and Road Transportation and Regulation Government Number 55 of 2012 concerning Vehicle . Article 53 paragraph (1) and paragraph (2) of Law 22/2009 requires it vehicle motorized fulfil condition technical and roadworthy through testing vehicles , while Article 76 regulates obligation vehicle certain For undergo periodic testing . The provisions the explained more carry on in Articles 143 to with Article 170 of PP 55/2012 which regulates procedures implementation of periodic tests , requirements administration and technical , proof of passing the test, test validity period , and supervision to its implementation . Provision technical implementation of periodic tests arranged more carry on through Minister of Transportation Regulation PM Number 19 of 2021, Minister of Transportation Regulation PM Number 156 of 2016, and Minister of Transportation Regulation PM Number 29 of

⁵¹ Shon Hopwood, "Clarity in Criminal Law," *American Criminal Law Review* 54 (2019): 695

⁵² William N. Dunn, *Introduction to Public Policy Analysis* (Gajah Mada University, 2003), 45

⁵³ Nanang Fattah, *Education Policy Analysis* (PT Remaja Rosdakarya, 2013), 234-235

⁵⁴ Budi Winarno, *Public Policy: Theory and Process* (Media Presindo, 2002), 14-15

2022. PM 19/2021 regulates procedure testing, competency examiners, as well as coaching and supervision, which among other things are regulated in Article 85 to with Article 88. PM 156/2016 regulates competency and certification tester vehicle motorized, while PM 29/2022 regulates audit, inspection, monitoring, evaluation mechanisms, as well as imposition sanctions administrative to organization testing vehicle motorized. Sanctions administrative the covering giving warning written, obligation do action improvements, restrictions or termination temporary service testing, freezing until revocation certificate competence tester and accreditation of implementing units testing if proven do violation to provision organization testing vehicle motorized. In addition to the settings sanctions administratively, Law 22/2009 also regulates sanctions criminal to violation periodic testing obligations. Article 285 paragraph (2) regulates sanctions for driver vehicle motorized wheeled four or more than not fulfil condition technical vehicles, Article 286 regulates sanctions to driver operating vehicles that are not fulfil roadworthiness requirements, while Article 288 paragraph (3) regulates sanctions criminal in the form of criminal maximum imprisonment of 2 (two) months or a maximum fine of IDR 500,000.00 for driver car passenger public, bus, car goods, train trailers and carriages patch that doesn't equipped letter periodic test certificate and periodic test pass certificate as required in Article 106 paragraph (5) letter c. With Thus, the system periodic test settings No only arrange aspect technical organization testing, but also shaping mechanism enforcement law through sanctions administrative and sanctions criminal law to guarantee compliance all over parties involved.

In level area, settings the implemented through Regional Regulation Central Java Province Regulation Number 1 of 2020 and Regional Regulation Semarang Regency Regulation Number 1 of 2023. Article 53 of the Regional Regulation Central Java 1/2020 regulates inspection, audit and accreditation of testing units vehicle motorized, while Article 88 paragraph (5) regulates supervision to fulfillment condition technical and roadworthy vehicle. Terms and conditions the Then supported by Semarang Regent Regulation Number 99 of 2022, which through Articles 6 to with Article 11 regulating periodic testing services based electronics, vehicle data management, non- cash payments, issuance document electronics, as well as implementation of the mobile test. In addition to the settings substantive, government the region also regulates aspect administrative in the form of rates service testing vehicle motorized through Semarang Mayor Regulation Number 53 of 2020 and Semarang Regent Regulation Number 88 of 2020. Both regulations the arrange magnitude rates periodic testing fees based on types and classifications vehicle so that give certainty law about cost mandatory services fulfilled by the owner vehicle.

3.4.2 Analysis of the Regulations on Periodic Testing of Transport Vehicles Based on the Quality of Good Periodic Testing Regulations

After mapping the various regulations related to periodic testing, the next step is to evaluate these regulations based on the criteria for Good Periodic Testing Regulation Quality. The testing will focus on aspects of the Provisions on Procedures and Criteria, Supervision, Authority, and Sanctions of each relevant regulation. Based on the analysis of laws and regulations governing periodic motor vehicle testing, regulations regarding testing procedures and criteria have been established in a hierarchical and complementary manner. Law 22/2009 concerning Traffic and Road Transportation establishes the basic principles regarding the obligation of periodic testing and requirements for roadworthiness of motor vehicles. These provisions are then explained in more detail in Government Regulation 55/2012 concerning Vehicles, which regulates vehicle technical requirements, roadworthiness requirements, testing procedures, validity period of test results, proof of passing the test, standards for testing implementation units, and the competency of motor vehicle testers.

Furthermore, PMP 19/2021 clarifies the procedures for implementing periodic testing through regulations regarding inspection mechanisms, testing procedures, test result data management, testing equipment specifications, motor vehicle testing information systems, and equipment calibration mechanisms. Meanwhile, PMP 156/2016 provides more detailed regulations regarding tester competency, including education, training, certification, and qualification levels that must be met by testers. Thus, testing procedures are not only based on vehicle technical standards but also supported by the competency standards of the human resources conducting the tests. At the regional level, regulations regarding motor vehicle testing have also been integrated into Semarang Regency Regulation 1/2023. Both regulations support the implementation of periodic testing through electronic-based services, digital vehicle data management, cashless payments, and the development of mobile testing services to increase public accessibility to motor vehicle testing services.

Judging from the substance of the regulations, the periodic testing procedure has covered all important stages starting from registration, administrative inspection, technical inspection, roadworthiness testing, issuance of proof of passing the test, and the retest mechanism if the vehicle is declared to have failed. In addition, the objects tested have also been specified in detail, including the braking system, steering system, lighting system, exhaust emissions, noise levels, tire condition, and various other components directly related to vehicle safety on the road. This shows

that the applicable regulations have provided relatively comprehensive standards in assessing the roadworthiness of goods transport vehicles. Lon's theory of internal legality Fuller, a regulation can be said to be good if it has clear norms, consistency, and can be understood by the parties who are the subject of the regulation. In the context of periodic motor vehicle testing, provisions regarding procedures and criteria have basically fulfilled these elements. The regulations contained in various levels of regulations show a systematic relationship and there is no significant conflict of norms between higher regulations and their implementing regulations. Clarity regarding procedures, testing standards, tester competencies, and requirements for testing implementation units provides legal certainty for vehicle owners and test organizers.

However, this study found weaknesses in the technical standards for vehicle roadworthiness, which still refer to the Minister of Transportation Decree No. 63 of 1993 concerning the Threshold Requirements for Motor Vehicle Roadworthiness. This regulation was drafted more than three decades ago, so some of the technical parameters used are potentially no longer fully compliant with developments in motor vehicle technology, modern vehicle safety systems, and the constantly changing developments in vehicle emission standards. This condition indicates a gap between the development of transportation technology and the development of the regulations that govern it.

Furthermore, regulations regarding technical standards and testing procedures are scattered across various regulations. As a result, vehicle owners and freight transport operators must consult numerous regulations to obtain a comprehensive understanding of periodic testing requirements. This fragmented regulation has the potential to create difficulties in understanding applicable standards and reduce the effectiveness of legal outreach to the public. Based on an analysis of applicable laws and regulations, the oversight aspect of periodic motor vehicle testing has been regulated in a hierarchical manner, from the national to the regional levels. Government Regulation 55/2012 provides the normative basis for the implementation of supervision and monitoring of periodic motor vehicle testing results. These provisions are further elaborated in Regulation 19/2021, which regulates the guidance, monitoring, and evaluation mechanisms for the implementation of periodic testing.

More detailed regulations indicate that supervision is conducted not only on the vehicles being tested, but also on the test implementation units and test officers. The forms of supervision used include administrative guidance, spot checks on vehicles that have passed the test, audits of the test implementation, inspections of the implementation units, and periodic monitoring by a technical team. This supervision involves various elements, from the Ministry of Transportation and local governments to technical personnel competent in motor vehicle testing. Furthermore, PMP 29/2022 expands oversight mechanisms through routine and incidental audits, inspections, observations, and monitoring. This regulation demonstrates that oversight is not merely reactive after a violation is discovered, but also preventive in nature to prevent deviations from the implementation of periodic testing.

At the regional level, supervision of motor vehicle testing is also accommodated through West Java Regional Regulation 1/2020 and Semarang Regent Regulation 99/2022. Supervision is carried out on compliance with technical requirements and roadworthiness of vehicles, the validity of proof of passing the test, the quality of service provided by testing units, and the implementation of on-road vehicle inspections. Field supervision can be carried out through collaboration between the Transportation Agency and the Police at locations with potential violations, such as terminals, vehicle departure points, and vehicle weighing units. From a legal effectiveness perspective, the existence of a multi-layered oversight mechanism demonstrates that regulators have endeavored to establish a control system capable of overseeing all stages of periodic testing. Periodic oversight through audits, inspections, and spot tests serves to maintain the accountability of testing providers while minimizing the potential for deviations in the execution of their duties. Continuous evaluations further ensure the quality of testing services and the reliability of test results.

This view aligns with the theory of legal effectiveness, which places the implementing apparatus as a key factor in the success of a regulation. Effective law enforcement depends not only on the quality of the norms established, but also on the quality of the implementers and the oversight mechanisms that control their implementation. Therefore, the existence of a clear and ongoing oversight system is a crucial instrument in ensuring that the periodic inspection obligation is truly implemented according to its stated purpose, namely to ensure traffic safety and the roadworthiness of freight vehicles. Based on the analysis of existing laws and regulations, regulations regarding the authority to conduct periodic motor vehicle inspections have been established in a hierarchical manner, from the central to the regional levels. Law 22/2009 stipulates that the parties authorized to conduct periodic motor vehicle inspections are regional government-owned inspection units, sole agents holding brands, licensed private businesses, and general repair shops that have met accreditation and licensing requirements. Furthermore, the law also stipulates that the validation of inspection results can only be carried out by officers who have the competence and certification in accordance with government-determined provisions.

These regulations are further elaborated in various implementing regulations governing the division of authority between agencies. At the central government level, the Ministry of Transportation, through the Directorate General of Land Transportation, has the authority to formulate policies and develop norms, standards, procedures, and criteria for periodic motor vehicle testing. This authority also includes guidance, supervision, evaluation, and reporting on the implementation of periodic testing throughout Indonesia. At the regional level, provincial and district governments are authorized to implement, supervise, and ensure the quality of periodic testing services in accordance with standards set by the central government. Regional governments, through regional agencies responsible for transportation affairs, are responsible for organizing periodic testing, maintaining service quality, using standardized testing equipment, and submitting reports to the central government. Thus, the relationship between the central and regional governments in organizing periodic testing demonstrates a pattern of administrative decentralization that remains within the framework of national standards.

In addition to the authority to administer testing, regulations also address oversight and law enforcement. Supervision of periodic testing is carried out by the central and regional governments, within their respective jurisdictions. Meanwhile, on-road vehicle inspections are conducted by Civil Servant Investigators (PPNS) in the Traffic and Road Transportation sector, in conjunction with the Indonesian National Police. This division of authority demonstrates a clear separation of functions between policymakers, test implementers, and test supervisors. From the perspective of state administrative law, clarity of authority is an important prerequisite for achieving legal certainty and government accountability. As stated by Soerjono Soekanto, the effectiveness of law enforcement is greatly influenced by the quality of the implementing officers and the clarity of their assigned duties. In the context of periodic motor vehicle inspections, a clear division of authority provides certainty regarding who is responsible for each stage of the inspection, thereby minimizing the potential for conflicts of authority and abuse of authority.

Furthermore, a clear division of authority contributes to efficient governance. Each institution involved has a distinct but complementary scope of duties, from policy development and testing to oversight and enforcement in the field. This arrangement demonstrates relatively good vertical and horizontal coordination within the periodic motor vehicle inspection system. Based on the analysis of the applicable laws and regulations, the provisions regarding sanctions for periodic motor vehicle inspections have been regulated quite comprehensively. Law 22/2009 regulates administrative sanctions for vehicle owners who do not fulfill the obligation to undergo periodic inspections, as well as criminal sanctions in the form of imprisonment or fines for drivers who operate vehicles that do not have proof of passing the periodic inspection or that have expired. These regulations were then clarified in Government Regulation Number 55 of 2012 which regulates the mechanism for issuing written warnings, administrative fines, freezing certificates, revoking competency certificates, and closing down testing units for parties who violate the provisions.

Furthermore, various implementing regulations also stipulate sanctions for examiners and motor vehicle testing units. These regulations demonstrate that the sanction system for periodic testing is not only aimed at vehicle owners, but also at all parties involved in the testing process. Thus, normatively, existing regulations attempt to establish an accountability system that encompasses vehicle owners, drivers, examiners, and test organizers. From the perspective of normative clarity, the sanction provisions within the periodic review system essentially meet the characteristics of good regulations. The types of violations, types of sanctions, sanction-imposing mechanisms, and administrative objections are clearly and systematically regulated. These provisions also demonstrate a link to the procedures, authority, and oversight discussed previously. In other words, the established sanctions system has a relatively comprehensive normative foundation.

However, this study found issues with the accuracy of the targeted sanctions, particularly regarding the division of responsibility between vehicle owners and drivers of freight vehicles. Under current regulations, vehicle owners are generally first given a gradual administrative warning mechanism before being subjected to more severe sanctions. Conversely, drivers who operate vehicles without proof of passing periodic inspections can be immediately subject to criminal sanctions or fines during roadside inspections. This situation creates an imbalance because the primary obligation to ensure vehicles undergo periodic inspections essentially rests with the vehicle owner or transportation operator, not the driver. While drivers do have an obligation to ensure the completeness of the vehicle documentation they drive, their ability to fulfill this obligation depends heavily on the vehicle owner's actions in managing the administration and carrying out periodic inspections. Therefore, when a vehicle lacks proof of passing a periodic inspection, the party directly responsible for the violation should be the vehicle owner, as the party legally obligated to perform the inspections. This problem becomes even more complex when linked to employment relationships in the freight transportation sector. In practice, freight vehicle drivers are generally employees who only carry out operational duties driving vehicles owned by the company or business owner. As a result, even when formal sanctions are imposed on drivers, the economic burden of those sanctions is often shifted back to the company or

vehicle owner through the employment mechanism. This situation indicates that existing sanctions regulations have not fully placed responsibility on the parties most responsible for the violations. Furthermore, this imbalance has the potential to create moral hazard for vehicle owners. The relatively long grace period before administrative sanctions are imposed, coupled with the possibility of shifting the consequences of violations to drivers, may discourage vehicle owners from immediately complying with mandatory periodic inspections. From an economic perspective, the costs of vehicle maintenance and periodic inspections may be considered greater than the risks of delaying these obligations. As a result, regulations that should encourage compliance may actually create room for evasion. These findings indicate that the primary problem with sanctions lies not in the absence of regulations, but rather in the appropriateness of the regulation's design. Referring to the concept of policy adequacy as proposed by Budi Winarno, a policy must not only have good objectives but also be able to address the problems targeted by the regulation. In this context, the regulation of sanctions that still leaves open the possibility of shifting responsibility to drivers indicates that existing regulations are not fully capable of encouraging compliance with vehicle owners, as the parties ultimately responsible for implementing periodic inspections.

4. CONCLUSION

The regulations for periodic testing of goods transport vehicles in Semarang, Central Java, encompass a hierarchical hierarchy from the central to the regional levels. Central regulations establish general standards and a basic framework, while regional regulations establish technical implementation procedures and technical qualifications for implementing officers. In particular, Regional Regulations and Regent Regulations have adapted their norms to local conditions, ensuring effective implementation of periodic testing. The authority aspect related to the implementation of periodic testing of transport vehicles in the Semarang Region has been well-regulated, meeting the criteria for Good Periodic Testing Regulations, and the vertical regulatory system from Law 22/2009 to Semarang Regent Regulation 99/2022 is complete and equitable. The supervision aspect of periodic testing has been well-regulated and meets the criteria for Good Periodic Testing Regulations, where Law 22/2009 to Semarang Regent Regulation 99/2022 has detailed provisions for guidance, monitoring, and periodic inspections, for example, regulating spot checks and vehicle inspections in collaboration with the Police in various regions.

However, several issues were identified in the regulations for periodic inspections of goods transport vehicles in the Semarang area. First, the procedures and criteria are flawed, as PMP 63/1993 is no longer relevant. Several aspects need to be adjusted to current developments. Furthermore, integration of all provisions and procedures for periodic inspections is necessary to facilitate public understanding of the need for such inspections. Second, the sanctions related to periodic inspections are still flawed, as Law 22/2009 and Government Regulation 55/2012 contradict each other, with conflicting sanctions for vehicle owners and drivers. This can lead to problems where sanctions against owners are not directly imposed, thus lacking the desired deterrent effect. Based on these matters, the author suggests updating the technical guidelines set by PMP 63/1993, as well as carrying out an integration process for all existing provisions and periodic testing procedures. In addition, the author suggests that the provisions on imposing sanctions on owners in Law 22/2009 and PP 55/2012 need to be re-evaluated, namely the possibility of implementing stricter sanctions based on the owner's responsibility to carry out maintenance and operational feasibility of the transport vehicle.

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Peraturan Walikota Semarang Nomor 53 Tahun 2020 tentang Perubahan Atas Peraturan Walikota Semarang Nomor 46 Tahun 2018 Tentang Perubahan Tarif Retribusi Pengujian Kendaraan Bermotor

Peraturan Bupati Semarang Nomor 88 Tahun 2020 tentang Perubahan Atas Peraturan Bupati Semarang Nomor 85 Tahun 2019 Tentang Tarif Retribusi Pengujian Kendaraan Bermotor Di Kabupaten Semarang

Peraturan Bupati Semarang Nomor 99 Tahun 2022 tentang Peningkatan Keselamatan Lalu Lintas Dan Angkutan Jalan Melalui Pengujian Kendaraan Bermoto

Keputusan Menteri Perhubungan Nomor 63 Tahun 1993 tentang Persyaratan Ambang Batas Laik Jalan Kendaraan Bermotor