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Fulfillment of The Elements of The Article Regarding Suspension of The Manufacturer or Producer of "Over Dimensional" Vehicles in The Jurisdiction of The Lamongan Resort Police

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Abstract: *Although the Traffic and Goods Transportation Law and the Criminal Code have regulated ODOL cases, in the problems that occur in the field, there are still many parties who drive vehicles or drivers who are subject to criminal sanctions for ODOL, which should also impose responsibility and criminal sanctions on the owners or manufacturers of the vehicles and goods being transported. Although it is undeniable that the drivers or drivers of the vehicles are also guilty of their actions in carrying ODOL vehicles, on the other hand they are only carrying out the duties of their superiors, both from the owner or manufacturer of the vehicle and goods. And in this case, it only harms one party, namely the goods transport driver, because in the regulations that regulate and the reality in the field, all the burden of error is only borne by the driver of the vehicle and clarity regarding action against the owner or manufacturer of the vehicle and goods for vehicles carried by goods transport drivers on the orders or orders of the owner or manufacturer of the vehicle or goods is not yet clear. The research method used is empirical law. The results of this study are that the application of Article 55 of the Criminal Code to ensnare ODOL vehicle manufacturers still faces significant challenges in proving the element of involvement. The construction of criminal liability involving manufacturers requires complex proof of the causal relationship between company policy and vehicle modification actions. In the case of CV. Transindo's Source of Results, although there are strong indications of the involvement of company leaders in giving modification orders, formal proof is often hampered by minimal documentation and the complexity of the chain of command*

Keyword: ODOL, Drivers, Involvement

INTRODUCTION

Transportation in the form of four-wheeled vehicles, people also use other alternative transportation in the form of motorcycle taxis and public transportation. Public transportation is a very popular means of transportation in Indonesia. The development of public transportation in Indonesia differs from one region to another. Along with technological developments, public transportation began to be modified according to the needs in cubic capacity (the number of goods loaded) without considering security, safety and order factors and smooth traffic, hereinafter referred to as over dimension (hereinafter abbreviated as ODOL).

Provisions regarding the obligation to test the type of public transportation vehicles or over-dimension vehicles are regulated in Law Number 22 of 2009 concerning Traffic and Road Transportation. In addition to Law Number 22 of 2009 concerning Traffic and Road Transportation, there is also Government Regulation Number 55 of 2012. Provisions on the technical requirements for motor vehicles contained in Law Number 22 of 2009 concerning Traffic and Road Transportation are contained in Article 50, namely:

(1) The type test as referred to in Article 49 paragraph (2) letter a must be carried out for every Motor Vehicle, trailer and attached trailer, which is imported, manufactured and/or assembled domestically, as well as modifications to Motor Vehicles which cause a change in type;

(2) Test type as intended on paragraph (1) consists of on:

a. Physical testing to fulfill technical and roadworthiness requirements is carried out on the foundations of motor vehicles and motor vehicles. in complete condition; and

b. Research on the design and engineering of motor vehicles conducted on houses, tub cargo, train coupling, train patch, and Vehicles Motorized that modified type.

The provisions regarding Article 1 number 12 in Government Regulation Number 55 of 2012 concerning vehicles (PP No. 55/2012), explain that Modification of motorized vehicles is a change to the technical specifications of dimensions, engines, and/or carrying capacity of motorized vehicles. Based on these matters, it is explained that every party who wants to modify their motorized vehicles is required to have a permit for the modification as required in Law Number 22 of 2009 concerning Traffic and Road Transportation and PP Number 55 of 2012 concerning vehicles.

If the modification is carried out without a permit and without passing the type test, then based on Law Number 22 of 2009 concerning Traffic and Road Transportation: Article 277 states "Any person who imports Motor Vehicles, trailers and attached trailers into the territory of the Republic of Indonesia, makes, assembles or modifies Motor Vehicles which causes changes in type, trailers, attached trailers and special vehicles operated domestically which do not fulfill the obligation to carry out type tests for roadworthiness, quality tests and endurance tests as referred to in Article 50 paragraph (1) shall be punished with imprisonment for a maximum of 1 (one) year or a maximum fine of Rp. 24,000,000.00 (twenty four million rupiah)".

Oversized vehicles are strictly prohibited because they ignore safety, security, order, and smooth traffic flow, and only prioritize profits for public transportation operators. These public transportation operators should be the focus of enforcement. Arresting those driving oversized vehicles will not solve the problem of rampant violations unless action is taken at the root source. In this case, the primary source of oversized vehicles is the manufacturer or operator who produces these vehicles substandard and ignores roadworthiness, quality testing, or durability.

As in the case that occurred in the Lamongan jurisdiction, over-dimensional traffic crimes what happened on Saturday date February 12, 2022 at around 16.00 WIB , Turjawali members carried out a patrol on the main road heading Gresik-Babat at around 17.15 WIB, precisely on Jalan Jaksa Agung Suprpto in front of the community and village empowerment office in Tumenggungan Village , Lamongan District, they encountered a Box Truck No. Pol: B-9116-FXR driven by AGUS SANTOSO owned by H. ABDUL WACHID Bin H. ABDUL KHARIS, the leader of CV . Sumber Hasil Transindo, who was suspected of committing an Over-dimension traffic crime, was passing by . The Turjawali patrol officers followed and stopped , then an inspection was carried out on the driver, then the Turjawali officers contacted the Gakkum Sat Lantas Polres Lamongan picket to carry out an inspection and secure the vehicle suspected of being Over-dimension, then a further inspection process was carried out, the driver only drove according to his duties and responsibilities as a driver. The driver did not know anything about the standardization of the vehicle being driven, which was already ODOL. That

after a more in-depth examination, the person who changed, assembled and modified the Truck Box No.Pol: B-9116-FXR was Mr. H. ABDUL WACHID who was at that time the owner of CV . Sumber Hasil Transsindo. This is an example of a case that no matter how many actions are taken against lawbreakers for driving ODOL vehicles, it will not be complete if the source or manufacturer is not also prosecuted.

Although the Law on Traffic and Transportation of Goods and the Criminal Code have regulated the case of ODOL, in the problems that occur in the field, there are still many parties who drive vehicles or drivers who are subject to criminal sanctions for ODOL which should also be imposed on the owner or manufacturer of the goods being transported. Although it cannot be denied that the driver or driver/owner of the vehicle is also guilty in his actions in carrying ODOL vehicles, on the other hand they are only carrying out the duties of their superiors, both from the owner or manufacturer of the vehicle and goods. And in this case only harms one party, namely the driver of the goods transport, because in the regulations that regulate and the reality in the field all the burden of error is only borne by the driver of the vehicle and clarity regarding action against the owner or manufacturer of the vehicle and goods for vehicles carried by the drivers of goods transport on the orders or orders of the owner or manufacturer of the vehicle or goods has not been clear.

Although the crime occurred in a particular work environment, it cannot always be linked to Article 55 of the Criminal Code. Due to the way the description of the crime is formulated and the reluctance or perhaps lack of understanding of the problem and the environment in which the crime occurred, the term collective cooperation is seen as having fulfilled Article 55 of the Criminal Code, which technically requires clarity on the role and position of each perpetrator.

In fact, it is not uncommon for evidence to be provided under Article 55 of the Criminal Code by simply outlining the chronology of the criminal event and ignoring the perpetrator's role and capacity. Judges sometimes conclude that Article 55 has been proven. However, outlining the chronology is not sufficient to reach a conclusion and can only be limited to stating the existence of collective cooperation. In this context, a defendant is often deprived of his right to defend himself due to a shallow and simplistic conclusion under Article 55 of the Criminal Code. This conclusion does not even align with the essence of Article 55 of the Criminal Code.

By simply mentioning collective cooperation, it is unclear which capacity and responsibility for the actions of a perpetrator (defendant) must be accounted for, whether in his position as the perpetrator, or as the one who ordered the act, or as a participant in the act. This means that proving Article 55 paragraph 1 point 1 of the Criminal Code is not sufficient by simply postulating a complementary (collective) relationship. Although on the other hand there are different opinions regarding this matter, but certainly when linked to Article 55 of the Criminal Code, the existence of collective cooperation is only the first step in determining the role and responsibility of the perpetrator of the crime. Because it cannot yet be used as a basis for the judge to declare Article 55 of the Criminal Code as proven. The existence of the doctrine of participation as an expansion of the crime and the expansion of criminal responsibility as well as the responsibility of the perpetrator of participation in the crime. That the existence of the doctrine of participation as an expansion of the crime and the expansion of criminal responsibility. Criminal participation as a basis for expanding criminal responsibility (tatbestands) in addition to the perpetrator who realizes the entire contents of the crime, people participate in realizing it, which without provisions regarding participation would not can be punished, because they do not realize the crime, for example an official or civil servant who orders members of the community he serves to debit a certain amount of money to his personal account, in order to get privileges in public services. The two responsibilities of the perpetrators of involvement in criminal acts that we see in the Criminal Code are generally formulated singly, namely that the individual is responsible for the crime he committed (violating each formulation of the crime). This can be seen by the illustration of the word "whoever" which

shows that only one person can be responsible for violating the formulation of the crime. So it is clear that each person is responsible for the act of violating criminal law individually.

Therefore, it can be stated that the existence of the doctrine of participation as an expansion of the offense and expansion of criminal responsibility in the offense of criminal responsibility in addition to the perpetrator who realizes the entire contents of the offense, people who participate in realizing it, who without provisions on participation cannot be punished. While the responsibility of the perpetrator of participation in the crime that we see in the Criminal Code is generally formulated singly, namely the individual who is responsible for the offense he committed (violating every formulation of the offense). Based on the provisions of the Article there are elements that can ensnare the owner or maker of the vehicle or goods in Article 55, one of the elements of the article is "those who do, who order to do" which in the element is explained that every person who orders to do in this case the owner or maker of the vehicle and goods is included in the element because they ordered the drivers to do and ordered to do to the driver or driver to transport the goods. Meanwhile, other elements are in the form of "those who by giving or promising something or misusing power" and "by providing opportunities, means, or information" where in these two elements if explained one by one then the first element explains that every person who gives or promises something based on his power as in this case that the owner or maker of the vehicle or goods based on his power orders and promises the driver or driver to carry the goods, while the explanation of the second element explains about every person or individual who provides opportunities, as well as means and information to carry out legal actions, where the provision of these means if seen the owner or maker provides means to the driver or driver of the Goods Transport by providing the Goods Transport vehicle that is ODOL to the driver to be run.

Based on the above discussion, it can be stated that although the Traffic and Goods Transportation Law and the Criminal Code have regulated the ODOL case, in the problems that occur in the field, there are still many parties who drive vehicles or drivers who are subject to criminal sanctions for ODOL, which should be the imposition of responsibility and criminal sanctions also ensnare the owners or manufacturers of the vehicles and the goods being transported. Although it cannot be denied that the drivers or drivers of the vehicles are also guilty in their actions of carrying ODOL vehicles, on the other hand they are only carrying out the duties of their superiors, both the owner or manufacturer of the vehicle and the goods. And in this case, only one party is disadvantaged, namely the goods transport driver, because in the regulations that regulate and the reality in the field, all the burden of error is only borne by the driver of the vehicle and clarity regarding action against the owner or manufacturer of the vehicle and goods for vehicles carried by goods transport drivers on the orders or orders of the owner or manufacturer of the vehicle or goods has not been clearly defined.

METHOD

In a way general method study interpreted as method scientific For get data with objective And utility certain. Following opinion Sugiyono regarding the method research is a way scientific means activity study That based on on characteristic features scientific, namely rational, empirical, and systematic (Sugiyono, 2019). Rational means activities study That done with ways Which enter reason, so that affordable by reasoning man. Empirical means ways what is done can be observed by human senses, so that other people can observing and knowing the methods used. Systematic means, process Which used in study That use step- step certain ones logical (Moleong, 2007)

Based on opinion in on can concluded data Which obtained through research it is rational, empirical (observed) and systematic data that has certain criteria, namely valid. Valid indicates the degree of accuracy between data Which indeed happen on object with data Which can collected by researchers (Soekanto, 2007).

The approach method used in this research is empirical juridical, namely a method used to solve research problems by first examining secondary data and then continuing by conducting research on primary data in the field. Legal research in this study means that this research is reviewed from a scientific perspective law and regulations written that related to Law Enforcement Efforts Against Manufacturers of "Over-dimensional" Vehicles in the jurisdiction of the Lamongan Police Resort in the context of orderly traffic".

RESULTS AND DISCUSSION

Analysis of the application of the Article of Inclusion in ensnaring ODOL vehicle manufacturers

Implementation chapter inclusion in context enforcement law to manufacturer ODOL vehicles require analysis deep about construction accountability criminal . Based on Article 55 of the Criminal Code, the concept of inclusion open room for enforcer law For ensnare No only perpetrator direct but also the parties involved in chain production ODOL vehicles . In the context of CV. Sumber Hasil Transindo case in the legal area Police Station Lamongan , implementation chapter inclusion become instrument vital law for build accountability comprehensive criminal law .

Construction chapter inclusion in ODOL cases can built through a number of element key . First , existence connection causal between order or policy from management level with action modification vehicles in the field . In the case of CV. Sumber Hasil Transindo , the role of H. Abdul Wachid as giver order For modifying the B-9116-FXR box truck to meet the element "that commands" to do " in Article 55 of the Criminal Code. The decision to modify vehicle being ODOL is not individual driver initiative or workshop , but rather policies taken at the management level with consideration economy certain .

Second , existence intentional mens rea from manufacturer For create vehicles that are not in accordance standard . Intentional This can proven through a series action planned , start from election workshop modification , determination specifications that exceed standard , up to efforts to " legalize " vehicles results modification through administrative processes . Series action This show that violation to standard technical vehicle done with awareness full will consequence the law .

Implementation chapter participation must also be consider role various party in chain production ODOL vehicle . Workshop or bodywork that does modification physique vehicle can categorized as "the one who does " in construction of Article 55 of the Criminal Code. Although they act on order owner vehicles , involvement they in change specification vehicle without notice standard safety make they No Can off from accountability criminal .

In context proof , application chapter inclusion need systematic approach For reveal chain orders and involvement of each party . Documentary evidence like letter order Work modification , evidence payments and communications between party become important For build construction inclusion . In the case of CV. Sumber Hasil Transindo , the search channel order from H. Abdul Wachid until to the operational level become key For prove existence inclusion .

Aspect mens rea in context participation also requires careful proof. Every parties involved must proven realize that action they is part from series violations law. Awareness This Can proven from knowledge they about standard technical vehicle, risk safety risks and consequences law from modification illegal.

Case study: handling of ODOL vehicles in the jurisdiction of the Lamongan Police

Case study handling ODOL vehicles in the jurisdiction Police Station Lamongan , in particular case of CV. Sumber Hasil Transindo, providing description concrete about implementation enforcement law to manufacturer ODOL vehicles . On February 12, 2022, members Turjawali Police Station Lamongan do arrest against the B-9116-FXR box truck

operated by Agus Santoso for H. Abdul Wachid's orders as Head of CV. Sumber Hasil Transindo.

Handling process case This started with field observations by officers Turjawali who did routine patrol on Jalan Jaksa Agung Suprpto. Identification beginning to vehicles suspected of being ODOL were carried out based on visual observation of dimensions visible vehicles No in accordance standard. After done inspection early, officer contact the Gakkum unit Traffic Police Police Station Lamongan For inspection more carry on .

In the process examination, found that modification vehicle done without through type test procedure as arranged in Article 50 of the LLAJ Law. Investigation more carry on disclose that modification the done on order direct from H. Abdul Wachid as leadership company. This is become point crucial in build construction inclusion criminal, where accountability No only charged to the driver but also to the giver order .

Handling case This involving coordination between various units in the Police Lamongan . Law Enforcement Unit Traffic Police do inspection technical to vehicle, while the investigative unit develop case For reveal involvement producers . Coordination is also carried out with the Department of Transportation For verification aspect technical vehicles and inspections periodic test documents.

Investigation process disclose pattern systematic in modification vehicles by CV. Sumber Hasil Transindo. Found that company in a way aware do modification For increase capacity transport without notice standard safety. Collected evidence including document order Work modification, communication between management with workshop modifications , and notes change specification vehicle .

Implementation of Article 277 of the LLAJ Law in case This strengthened with construction inclusion based on Article 55 of the Criminal Code. Investigators build argumentation that H. Abdul Wachid as leadership company is the party who " ordered" do " action criminal modification vehicle illegal. This is proven with existence order direct and policy companies that encourage ODOL practice.

In the process of taking action, the Police Lamongan face challenge in matter proof involvement direct producers . The strategies implemented is with do search document company, collecting information witness from employees and parties workshop modifications , as well as analysis to pattern operational companies that show intentional in do violation .

This case become precedent important in enforcement law to manufacturer ODOL vehicles in the Lamongan area. The approach taken by the Police Lamongan show that enforcement effective need combination between supervision intensive fieldwork and investigation deep to chain production ODOL vehicles.

Mechanism Handling of ODOL Cases at the Police Lamongan

Handling ODOL cases in the jurisdiction Police Station Lamongan , in particular in the case of CV. Sumber Hasil Transindo , shows existence mechanism systematically implemented by the Traffic Police Police Station Lamongan . Mechanism This started from stage detection beginning until process investigation and prosecution . In the case of the B-9116-FXR box truck that was caught on February 12, 2022, the handling process done through a number of stages key .

Stage First is detection field work carried out by the team Turjawali . The officer who carried out patrol on Attorney General Suprpto Street identify existence indication violation dimensions of the vehicle based on visual observation . This process show importance ability officer field in recognize characteristic features ODOL vehicles . After termination vehicle , done inspection beginning to documents and conditions physique vehicle .

After confirmation existence suspicion violation , team Turjawali contact the Gakkum unit Traffic Police For do inspection more in-depth . Coordination This important For ensure process handling done in accordance procedures and can accountable in a way Law . Law

Enforcement Unit Then do a series inspection technical , including measurement dimensions vehicles and verification document related .

In the investigation process , investigators Traffic Police develop case No only at driver level but also leads to producers vehicle . Inspection against Agus Santoso as driver disclose that modification vehicle done on H. Abdul Wachid's orders as Head of CV. Sumber Hasil Transindo. Findings This become base For expand coverage investigation . The process of collecting proof done in a way comprehensive , covering documentation condition vehicle , pickup information witnesses , and tracing document company . The investigative team also conducted coordination with the Department of Transportation For get historical data testing vehicle and verification of modification status . This multi-stakeholder approach important For build construction strong case.

Structural constraints in police institutions

Structural constraints in institutions police be one of factor inhibitor significant in enforcement law to manufacturer ODOL vehicles (Subiyarsono, 2021). Based on experience handling CV. Sumber Hasil Transindo case at the Police Lamongan, identified a number of constraint structural influences effectiveness enforcement law .

First, limitations source Power human beings who have competence technical in field modification vehicle . Investigator Traffic Police who handle it ODOL cases often No own background behind knowledge adequate technical For analyze aspects technical modification vehicle. This is complicate the proof process element violation technical in modification vehicle.

Second, the structure organizations that have not fully support handling ODOL cases in general comprehensive . Special unit that handles case modification vehicle illegal Not yet formed optimally , so that handling case spread across various units with coordination that is not always effective. This is cause overlapping overlap authority and inefficiency in process investigation.

Third, the system internal supervision is not optimal in prevent practices that can hinder enforcement law . Potential intervention interest economy in the enforcement process law Still become challenge serious that requires strengthening system internal police supervision.

Limitations Resources in Handling of ODOL Cases

Limitations source Power in institutions police, especially at the Police Station Lamongan , to become challenge Serious in effort enforcement law to manufacturer ODOL vehicle analysis to handling CV. Sumber Hasil Transindo case disclose a number of aspect significant limitations influence effectiveness enforcement law .

Limitations First lies in the aspect source Power humans, especially in matter availability personnel with competence special . Investigator Traffic Police who handle it case ODOL is sued own understanding comprehensive No only about aspect law but also technical vehicle motorized. In practice, the number of investigator with qualification is very limited . From the analysis case of CV. Sumber Hasil Transindo, it can be seen that the process of proof involvement manufacturer in modification vehicle requires special expertise that is not always available.

Aspect equipment and technology supporters also become constraint serious. Examination ODOL vehicles require equipment accurate measurement and system adequate documentation . At the Police Station Lamongan, limitations tool digital measuring and systems scanning automatic often hamper the inspection process (Setiawan, 2024). In the case of the B-9116-FXR box truck, the measurement process dimensions Still done manually which requires time longer and potentially cause inaccuracy .

Limitations budget operations also affect intensity and quality supervision. Operation ODOL action requires mobilization personnel and equipment that are not little. Limitations

budget often force Traffic Police For reduce frequency operation or limit coverage of the supervision area. This give gap for manufacturer ODOL vehicles for avoid detection. Aspect infrastructure supporters like laboratory forensics and facilities storage goods there is no evidence yet adequate . In cases where it is necessary analysis technical deep to modification vehicles , limitations facility This hinder the process of proof . Storage vehicle results confiscation also becomes problem alone remember its large dimensions and needs security special .

Limitations in system technology information also becomes constraints. Vehicle database problematic and violation tracking system not yet integrated optimal. This is complicate the tracking process history violations and patterns operation manufacturer ODOL vehicles . In the case of CV. Sumber Hasil Transindo, the search to practice modification previously hampered by not availability of a comprehensive database.

Development program competence personnel are also constrained limitations source power. Training special about investigation ODOL cases and techniques proof involvement manufacturer need budget and time that is not little. As a result , many investigators handling the case ODOL case not yet get adequate provision about aspect technical and forensic vehicle motorized.

Complexity Bureaucracy in ODOL Handling

Complexity bureaucracy in handling ODOL cases in the jurisdiction Police Station Lamongan reflect challenge more structural wide in system enforcement Law in Indonesia. The case of CV. Sumber Hasil Transindo show How layers bureaucracy can influence effectiveness enforcement to manufacturer ODOL vehicles (Radjikan, 2024).

First, the coordination process between units within the police force often hampered by procedures complicated bureaucracy . Handling ODOL cases require cooperation between the Turjawali unit, Gakkum , and investigators , however channel long coordination often slow down response to findings violation . In the case of the B-9116-FXR box truck, the time required For mobilization team investigator after arrest beginning by Turjawali show inefficiency in system coordination.

Complexity also arises in the process of exchange information with agency External. Verify vehicle data and history modification need coordination with the Department of Transportation, however formal procedures that must be passed often extend time handling . This is give chance for perpetrator For remove proof or blur footsteps modification illegal.

System reporting tiered in structure the police also added complexity bureaucracy. Every stages handling case must through a series of approval and validation processes involving various level leadership. Although intended For ensure accountability, system This often hinder speed response to findings violation.

Strengthening regulations and law enforcement

For overcome various obstacle in enforcement law to manufacturer ODOL vehicles, required strengthening regulations and systems enforcement comprehensive law. Based on analysis to case at the police station Lamongan, several step strategic need taken.

First , revision regulations For strengthen aspect accountability corporation . Need There is more detailed settings about mechanism proof involvement corporation in ODOL practices , including standard more proof clear For apply chapter inclusion (Chrisjanto, 2021).

Second , the increase sanctions criminal For give effect more deterrent strong . Magnitude regulated fines in the LLAJ Law it is necessary customized with potential profit economic gains from ODOL practices , so that No Again profitable for manufacturer for do violation.

Revision Regulation Legislation Related to ODOL

Based on experience handling CV. Sumber Hasil Transindo case at the Police Lamongan, revision regulation legislation related to ODOL to become need urge For increase effectiveness enforcement law . Focus revision must directed at strengthening aspect accountability producers and actors business.

Revision of Law No. 22 of 2009 is necessary covers improvement sanctions more criminal proportional with potential profit economy from ODOL practices. Threats criminal prison maximum 1 year and a fine of IDR 24 million in Article 277 it is necessary improved significant For give effect real deterrent. Experience CV. Sumber Hasil Transindo case show that existing sanctions No Enough provide a deterrent effect.

Formulation about accountability corporations also need clarified in revision laws. Provisions explicit about not quite enough answer directors, commissioners and shareholders share in ODOL practice is necessary entered For avoid manipulation structure corporation For avoid not quite enough Answer : The case of H. Abdul Wachid show importance clarity construction accountability corporation .

Arrangement about sanctions administrative additional also needed entered in revision. Revocation permission business, prohibition operating , and obligations rehabilitation vehicle need arranged in a way explicit as consequence violation . Combination sanctions criminal and administrative will create mechanism further action comprehensive.

Strengthening Mechanism Law Enforcement

Strengthening mechanism enforcement law in ODOL cases require approach systematic which includes aspect procedural and operational experience Police Station Lamongan show that effectiveness enforcement depends heavily on clarity and consistency mechanism enforcement law.

Standardization procedure enforcement become step important in strengthening enforcement law. Clear SOP about inspection vehicles, collection evidence , and construction case need developed with consider complexity ODOL cases . Handling CV. Sumber Hasil Transindo case give learning valuable about importance standardized procedures.

Development system integrated documentation and violation database also becomes part from strengthening mechanism enforcement law. System This must capable record and track pattern violations, history modification vehicles , and involvement manufacturer in a way comprehensive . Data integration between agency will facilitate the investigation and inquiry process.

CONCLUSION

Based on results research and analysis to application of the Article of Inclusion in handling ODOL cases in the jurisdiction Police Station Lamongan , in particular case of CV. Sumber Hasil Transindo, can withdrawn a number of conclusion important :

1. First, application of Article 55 of the Criminal Code to ensnare manufacturer ODOL vehicles are still face challenge significant in proof element inclusion. Construction accountability crimes involving manufacturer need proof complex about connection causal between policy company with action modification vehicles. In the case of CV. Sumber Hasil Transindo, although there is indication strong involvement leadership company in give order modification, formal proof is often hampered by the lack of documentation and complexity chain order.
2. Second, identification obstacle main in enforcement law disclose existence problem structural which includes:
 - a. Limitations source power and competence investigator in handle complexity ODOL case
 - b. The vacuum of legal norms related accountability corporation
 - c. Lack of coordination effective between agency enforcer law

- d. System suboptimal supervision and control
- e. Resistance from perpetrator industry to standardization vehicle

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