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CONCERNING ROAD TRAFFIC AND TRANSPORTATION TOWARDS PERPETRATORS OF ACCIDENTS RESULTING IN DEATH

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Abstract

This study aims to analyze the implementation of Article 310 of Law Number 22 of 2009 concerning Traffic and Road Transportation regarding individuals involved in traffic accidents that result in fatalities on the Pekanbaru–Dumai Toll Road, within the jurisdiction of the Riau Regional Police. It further examines the obstacles encountered in its application and explores measures to optimize law enforcement in cases of fatal traffic accidents. The study employs a sociological legal perspective using a juridical-empirical approach, which involves examining statutory provisions and connecting them to the actual practice of law enforcement. The analysis indicates that Article 310, paragraph (4) of Law Number 22 of 2009 is the relevant provision for determining the criminal liability of a driver whose negligence leads to the death of another person. Its application requires proving the act of operating a motor vehicle, the element of negligence, the occurrence of a traffic accident, and a causal link between the negligence and the victim's death. Challenges in its implementation include difficulties in proving negligence, establishing causality, a scarcity of witnesses and technical evidence, and issues regarding inter-institutional coordination in accident handling. Law enforcement can be optimized by enhancing the competence of investigators, strengthening accident investigations, using technical and electronic evidence, improving coordination with toll road operators, and bolstering road safety education. Consequently, the implementation of Article 310, paragraph (4) must be carried out professionally, objectively, and based on valid evidence to ensure legal certainty, justice, and protection for both the victims and the parties involved in traffic accidents.

Keywords: Implementation, Accident, Fatality

INTRODUCTION

Road infrastructure development is a key indicator in achieving equitable national development while accelerating economic growth. One such development is the construction of toll roads as part of the national road system, which aims to improve the efficiency of public mobility and the distribution of goods. Toll roads have distinct characteristics compared to public roads, as they are designed as high-speed, limited-access, and more stringent safety standards. The Pekanbaru-Dumai Toll Road, part of the Trans-Sumatra Toll Road, has had a positive impact on regional connectivity in Riau Province, particularly in reducing travel time between Pekanbaru and Dumai, as well as supporting economic, trade, and investment activities in the region. However, despite these benefits, the increasing volume of vehicles passing through toll roads is also accompanied by an increased potential for traffic accidents, resulting in material losses and even fatalities (Soekanto, 2019).

Traffic accidents are a form of crime with unique characteristics because they essentially occur due to negligence (culpa) on the part of motor vehicle drivers. This negligence can include failing to obey speed limits, driving while drowsy, being careless while driving, using a cell phone while driving, or failing to pay attention to the condition of the vehicle before traveling. On toll roads, the risk of accidents tends to be more fatal than on regular roads because vehicles travel at high speeds, so that if a collision occurs, the impact often results in death. Therefore, the state is obliged to provide a legal system that can provide protection to the public through effective law enforcement against perpetrators of traffic accidents (Prakoso, 2018).

The Constitution of the Republic of Indonesia affirms that Indonesia is a state of law as regulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. As a state of law, all actions of the community and law enforcement officers must be based on the provisions of laws and regulations. In the context of traffic, regulations regarding the implementation of traffic and road transportation are comprehensively regulated in Law Number 22 of 2009 concerning Traffic and Road Transportation. This law regulates various aspects ranging from traffic implementation, the rights and obligations of road users, vehicle requirements, to criminal provisions for traffic violations that give rise to certain legal consequences.

One of the important provisions in Law Number 22 of 2009 is Article 310 which regulates criminal liability for any person who, due to their negligence, causes a traffic accident. This article differentiates criminal penalties based on the consequences. If an accident results in damage to a vehicle or goods, a specific criminal penalty is imposed, while if it results in minor injuries, serious injuries, or even death, the criminal penalty becomes heavier. Specifically for accidents that result in death, Article 310 paragraph (4) stipulates that the perpetrator shall be punished with a maximum of six years' imprisonment and/or a maximum fine of Rp. 12,000,000.00. This provision shows that the lawmakers pay serious attention to the legal consequences arising from negligence in traffic.

Legally, Article 310 of Law Number 22 of 2009 regulates criminal acts due to negligence (culpa), which differs from crimes committed intentionally (dolus). In criminal law doctrine, culpa is a form of error that arises because someone is careless, does not pay attention to the consequences of their actions, or ignores the standards of care that should be adhered to. Even if there is no intention to take another person's life, if the negligence results in someone's death, the perpetrator must still be held criminally responsible for their actions. Thus, the application of Article 310 not only aims to provide a deterrent effect on the perpetrator, but also serves as an instrument of legal protection for the victim and their family (Moeljatno, 2018).

The implementation of Article 310 in law enforcement practice is not only related to proving the existence of negligence, but also related to the investigation process, crime scene

processing, witness examination, expert examination, CCTV footage analysis, vehicle condition examination, and accident reconstruction. In traffic accident cases that occur on toll roads, the evidentiary process becomes more complex because investigators must determine whether the accident occurred solely due to driver negligence or was influenced by other factors such as vehicle damage, road conditions, weather, the presence of animals on the toll road, or the negligence of toll road operators in meeting safety standards. Therefore, the implementation of Article 310 cannot be separated from the ability of law enforcement officers to conduct professional and scientific evidence (Harahap, 2021).

In the jurisdiction of the Riau Regional Police, the Pekanbaru–Dumai Toll Road has a relatively high level of vehicle mobility due to its role as a main route connecting industrial areas, ports, and logistics distribution centers. This condition causes the frequency of traffic accidents on the toll road to continue to occur every year. Most accidents are triggered by human factors (human error), such as driving exceeding the speed limit, microsleep due to fatigue, mobile phone use while driving, and low compliance with traffic signs. Vehicle and environmental factors also contribute to accidents, but based on various research results, the human factor remains the dominant cause of traffic accidents in Indonesia (Soekanto, 2020).

In practice, the application of Article 310 to perpetrators of accidents resulting in death often faces various challenges. It is not uncommon for the victim's family and the perpetrator's family to choose to resolve the case through amicable settlement mechanisms with compensation. Although reconciliation has good social value, the criminal acts referred to in Article 310 are, in principle, ordinary crimes, so the state can continue the criminal process to maintain legal certainty and the public interest. This demonstrates that amicable settlement does not automatically eliminate the perpetrator's criminal liability if the elements of the crime have been met (Zulfa, 2020).

On the other hand, the development of the Indonesian criminal justice system also recognizes the restorative justice approach. However, the application of restorative justice to traffic accidents resulting in death must be carried out carefully, considering normative limitations and the importance of victim protection. Restorative justice is more directed as a mechanism for restoring social relations without eliminating the state's obligation to enforce the law against perpetrators who have fulfilled the elements of a crime. Therefore, the implementation of Article 310 must continue to prioritize a balance between legal certainty, justice, and legal benefit.

Law enforcement against traffic accidents on the Pekanbaru-Dumai Toll Road also plays a strategic role in improving public traffic discipline. The threat of criminal penalties, as stipulated in Article 310, serves not only as a repressive measure after an accident occurs, but also as a preventative measure to encourage all road users to exercise increased caution when driving. With consistent law enforcement, the public will become aware that any form of negligence that results in the loss of life carries serious legal consequences.

The implementation of Article 310 of Law Number 22 of 2009 against the perpetrators of the accident that resulted in a fatality on the Pekanbaru–Dumai Toll Road is an important issue to study. This study not only examines the normative aspects regarding the elements of the crime, but also evaluates how the Riau Regional Police officers apply these provisions in investigative practice, the obstacles faced in the law enforcement process, and the efforts made to ensure that the legal objectives of legal certainty, justice, and benefit can be optimally realized. Formulation of the Problem: 1) How is Article 310 of Law Number 22 of 2009 concerning Traffic and Road Transportation Implemented Against Accident Perpetrators Resulting in Death on the Pekanbaru Dumai Toll Road in the Riau Regional Police's Jurisdiction? 2) What are the obstacles in the implementation of Article 310 of Law Number 22 of 2009 concerning Traffic and Road Transportation against perpetrators of accidents resulting in fatalities on the Pekanbaru Dumai Toll Road in the jurisdiction of the Riau

Regional Police? 3) How are the efforts to overcome obstacles in the implementation of Article 310 of Law Number 22 of 2009 concerning Traffic and Road Transportation against perpetrators of accidents resulting in fatalities on the Pekanbaru Dumai Toll Road in the jurisdiction of the Riau Regional Police?

RESEARCH METHODS

The type of research in this paper is Normative Legal Research, a research approach that studies the influence of society on law, the extent to which symptoms. Sociological legal research aims to understand how law works in society. Thus, it is hoped that researchers will be able to reveal the effectiveness of the application of law in society and can identify unwritten laws that apply in society. In sociological legal research, data can be analyzed quantitatively or qualitatively. Data that has been collected from Primary, Secondary, and Tertiary Data is then analyzed qualitatively. Qualitative analysis in the analysis does not use numbers or statistics or mathematics or the like, but rather explanations in the form of sentences presented clearly.

RESULT AND DISCUSSION

A. Implementation of Article 310 of Law Number 22 of 2009 against Perpetrators of Accidents Resulting in Death on the Pekanbaru–Dumai Toll Road in the Jurisdiction of the Riau Regional Police

Traffic accidents are a legal event that can have serious consequences, including material losses, injuries, and even loss of life. From a criminal law perspective, traffic accidents resulting in death must be analyzed by considering the relationship between the driver's actions, negligence, violation of traffic laws, and the resulting consequences. Therefore, determining criminal liability is not solely based on the fact that someone was driving the vehicle involved in the accident, but must also be based on proving the relevant elements of the crime.

The main legal basis for handling this case is Law Number 22 of 2009 concerning Traffic and Road Transportation, specifically Article 310. This provision regulates the act of driving a motorized vehicle which due to negligence results in a traffic accident, with levels of responsibility that are differentiated based on the consequences caused. Article 310 paragraph (1) regulates accidents that result in damage to vehicles and/or goods. Paragraph (2) regulates the consequences in the form of minor injuries and damage to vehicles and/or goods. Paragraph (3) regulates accidents that result in serious injuries. Article 310 paragraph (4) specifically regulates accidents that result in the death of another person, with the threat of a maximum prison sentence of six years and/or a maximum fine of IDR 12,000,000.00. Thus, in the case of an accident on the Pekanbaru-Dumai Toll Road which resulted in the victim's death, Article 310 paragraph (4) becomes a relevant provision if based on the results of the investigation and evidence it can be shown that the victim's death was the result of an accident which occurred due to the driver's negligence.

However, the application of this article should not be automatic simply because a victim has died. Law enforcement officials must still prove negligence, a causal relationship between the negligence and the accident, and a relationship between the accident and the victim's death. If the facts of the case indicate intent or other relevant legal circumstances, the qualifications of the crime must be analyzed based on the appropriate provisions.

In the context of the Pekanbaru–Dumai Toll Road, an examination of the causes of accidents needs to consider the characteristics of the toll road, including vehicle speed, safe distance, driver's physical condition, vehicle roadworthiness, road conditions, weather, lighting, and the presence of traffic signs. These factors do not in themselves prove criminal guilt, but can be part of a series of facts used to assess whether the driver has carried out the

duty of care properly. The application of Article 310 paragraph (4) of Law Number 22 of 2009 must be based on careful proof of the elements of the crime. In this study, analysis of criminal elements is important to determine whether the actions of drivers involved in fatal accidents on the Pekanbaru–Dumai Toll Road can be held criminally responsible.
Systematically, the elements that need to be analyzed are as follows.

1. The elements of every person

   The element of every person refers to the legal subject who committed an act as defined in criminal provisions. In traffic accident cases, the subject in question is the person driving the motor vehicle whose actions are suspected of causing the accident due to negligence. Identification of the legal subject is carried out by examining the driver's identity, driver's license, witness statements, vehicle documents, and other evidence related to the accident. Even if the driver's identity is known, establishing criminal responsibility still requires proof of other elements.
2. Elements of driving a motor vehicle

   This element requires that the person being investigated actually be driving the motor vehicle at the time of the accident. This can be proven through witness testimony, statements from survivors, surveillance camera footage, if available, the condition of the vehicle, crime scene investigations, and other evidence. In accidents involving multiple vehicles, investigators must determine the role of each driver. A deceased driver, for example, cannot be automatically declared a criminal simply because their vehicle was involved in the accident. Similarly, the driver of another vehicle is not automatically guilty simply because their vehicle was involved in the collision.
3. Elements due to negligence

   Negligence is an important element that distinguishes criminal acts under Article 310 from acts committed intentionally. Negligence can occur when a driver fails to exercise the reasonable care required in a given situation, even though the risks involved could have been anticipated and avoided through appropriate action. In the context of toll roads, forms of negligence that need to be examined include driving while drowsy or tired, failing to maintain a safe distance, driving at a speed inappropriate for the conditions, lack of concentration, and failure to control the vehicle properly. However, each allegation must be proven based on the facts of the case, not merely based on assumptions regarding the cause of the accident. Article 106 paragraph (1) of Law Number 22 of 2009 requires every person driving a motorized vehicle on the road to drive their vehicle reasonably and with full concentration. This provision can be used to assess the standard of care of drivers in a case, while still taking into account all relevant facts and provisions.
4. Elements causing traffic accidents

   This element relates to accidents occurring as a result of driver negligence. Investigators must reconstruct the sequence of events, including vehicle position, direction of travel, speed, point of impact, road conditions, and the actions of the drivers before and during the accident. Crime scene investigation and traffic accident analysis can help explain the accident mechanism. When necessary, expert testimony is used to explain technical aspects that cannot be assessed through simple observation alone.
5. The element causes another person to die

   This element requires proof that the accident resulted in the death of another person. Medical documents, doctor's statements, death certificates, and the results of forensic examinations, if conducted, can be used to clarify the consequences and their relationship to the accident. The victim's death alone is not sufficient to prove all the elements of Article 310 paragraph (4). There must be a causal relationship between proven negligence, the accident, and the victim's death. If the cause of the accident

involves several factors, the investigator must assess the contribution of each factor based on the available evidence.

Based on the above description, the application of Article 310 paragraph (4) requires integration between the proof of normative elements and factual proof. The existence of a victim who died is an important element of consequence, but does not replace the obligation to prove negligence and a causal relationship.

B. Obstacles in the Implementation of Article 310 of Law Number 22 of 2009 Concerning Traffic and Road Transportation Against Perpetrators of Accidents Resulting in Death on the Pekanbaru Dumai Toll Road in the Jurisdiction of the Riau Regional Police

The implementation of criminal provisions for drivers who cause fatal accidents is determined not only by the existence of laws and regulations, but also by the ability of law enforcement officials to apply these norms to concrete facts. In research on accidents on the Pekanbaru–Dumai Toll Road, the factors that need to be examined can be grouped as follows:

1. Legal substance factors

   Legal substance is the normative basis that serves as a guideline for authorities in handling cases. Article 310 paragraph (4) provides the basis for criminal penalties for driver negligence that results in the death of another person. However, this provision must be applied by taking into account the differences between negligence, intent, and other circumstances that legally influence criminal liability. Challenges in its application can arise when investigators must distinguish between accidents that are truly caused by driver negligence and accidents that are more predominantly influenced by external factors. Therefore, the interpretation of criminal provisions must be supported by an objective examination of the facts, not only based on the severity of the accident's consequences.
2. Law enforcement factors

   The quality of case handling is influenced by the investigator's competence, thoroughness in gathering evidence, ability to reconstruct the accident, and inter-agency coordination. In accidents resulting in death, investigators are required to integrate witness testimony, physical evidence, vehicle data, expert testimony, and medical documents. Weaknesses in any of these aspects can impact the accuracy of determining the cause of the accident and the application of the articles.
3. Facilities and infrastructure factors

   Facilities and infrastructure play a crucial role in supporting traffic accident evidence. Crime scene documentation equipment, measuring instruments, accident analysis tools, access to surveillance camera footage, and vehicle inspection facilities can help investigators establish a more accurate chronology. On toll roads, access to road operational data, traffic condition information, camera footage, and emergency response records can provide additional information regarding accident events. However, the availability and quality of each data source must be assessed based on the location and case being investigated.
4. Social factors and driver behavior

   Driver behavior is a crucial aspect of accident prevention and management. Fatigue, lack of concentration, driving at an inappropriate speed, and failure to maintain a safe following distance are some of the conditions that need to be examined in each case. On toll roads, drivers need to understand that freeways still pose a risk of serious accidents. High vehicle speeds can magnify the impact of a collision and reduce the time available to avoid danger. From a law enforcement perspective, such behavior must be assessed based on the evidence and applicable standards of care. Investigators should not

simply conclude that the driver was drowsy or was driving at high speed; they must also explain how these circumstances related to the accident and its consequences.

5. Institutional coordination factors

   Handling fatal accidents on toll roads requires coordination between the police, medical personnel, toll road operators, and other authorized agencies within their respective roles. Coordination is needed to expedite victim assistance, secure the crime scene, obtain evidence, and ensure a smooth investigation. In the context of research within the jurisdiction of the Riau Regional Police, coordination aspects need to be analyzed by assessing information exchange mechanisms, response speed, clarity of task allocation, and follow-up on technical inspection results.

Obstacles in the implementation of Article 310 paragraph (4) can be analyzed through the process of providing evidence and implementing the authority of law enforcement officers. In field research in the jurisdiction of the Riau Regional Police, there are several aspects that deserve examination.

1) The first difficulty relates to proving negligence.

   In an accident, investigators must be able to distinguish between accidental consequences and those that can be legally attributed to driver negligence. For example, an accident suspected to be caused by driver drowsiness requires review of witness testimony, the chronology of the trip, the condition of the vehicle, the results of the crime scene examination, and other supporting evidence. An admission that the driver was drowsy can be important information, but it must still be assessed in conjunction with the overall evidence. Evidential challenges can also arise if witnesses did not directly witness the incident, camera footage is unavailable, or the conditions at the crime scene have changed before the investigation. These situations can complicate reconstruction of events and the determination of causal relationships.

2) Difficulty Determining Causal Relationships

   Traffic accidents can occur due to the interaction of various factors. The driver may be at fault, but vehicle conditions, road characteristics, weather, or the actions of other road users can also contribute to the incident. Therefore, investigators need to distinguish between factors merely present at the time of the accident and those that have a true and relevant relationship to the accident and the victim's death. Proving a causal relationship becomes even more important in accidents involving multiple vehicles. Determining criminal responsibility must be done individually based on the legally proven actions and contributions of each party.

3) Limitations of Technical Evidence and Witnesses

   Highway accidents can occur quickly and involve impacts with significant damage. In some circumstances, witnesses may not be able to observe the entire sequence of events. Physical evidence can also be altered by victim evacuation, vehicle relocation, or efforts to reopen traffic lanes. These circumstances require swift and measured initial action. Good documentation, recording vehicle positions, compiling available footage, and inspecting vehicles can help bridge information gaps. However, whether these limitations truly constitute obstacles in the case under investigation must be verified through interviews with investigators and examination of case files.

4) Coordination in Accident Handling

   Coordination is an important aspect because accident handling is not only oriented towards determining fault, but also towards the safety of victims, securing the location, and restoring smooth traffic flow.

Research can assess whether communication mechanisms between the police, toll road operators, medical personnel, and related agencies have supported effective evidence

collection. This evaluation should use clear indicators, such as response time, completeness of documentation, availability of supporting data, and follow-up on investigation results.

C. Efforts to Overcome Obstacles in the Implementation of Article 310 of Law Number 22 of 2009 Concerning Traffic and Road Transportation Against Accident Perpetrators Resulting in Death on the Pekanbaru Dumai Toll Road in the Riau Regional Police's Jurisdiction

The implementation of Article 310 paragraph (4) is not only related to determining the articles of suspicion, but also covers the entire process of handling the case, starting from the initial action at the crime scene to the transfer of the case to the public prosecutor. In the context of the Riau Police's jurisdiction, this process needs to be analyzed based on the division of authority, investigative procedures, and concrete facts in each case.

1. Initial treatment at the crime scene

   The first step is taken after authorities receive an accident report. Officers need to secure the scene, provide assistance to victims, direct traffic, identify vehicles and drivers, and preserve evidence. On toll roads, initial response must also consider the safety of other road users. Sudden stops, vehicle debris, spilled cargo, or the presence of victims in the traffic lane can all lead to further accidents. Initial action must be followed by adequate documentation of the scene. This documentation is crucial to prevent the loss of information regarding vehicle position, braking marks, vehicle damage, and the environmental conditions at the time of the accident.
2. Crime scene processing and accident cause analysis

   Following initial handling, investigators conduct a technical investigation to determine how the accident occurred. This investigation may include site measurements, vehicle position mapping, damage assessment, impact trace analysis, and collection of relevant footage. If necessary, a technical reconstruction-based traffic accident analysis (TAA) can help verify the consistency between witness testimony and the physical conditions on the ground. In fatal accidents on the Pekanbaru–Dumai Toll Road, such an analysis is crucial because accidents can involve vehicles of varying sizes, masses, speeds, and functions. The vehicle with the most severe damage is not always the one whose driver is most at fault. Conclusions regarding cause and responsibility must be drawn based on the totality of the evidence.
3. Examination of witnesses, drivers and experts

   Investigators should interview witnesses with direct knowledge of the incident, surviving drivers, first responders, and anyone else with relevant information. The examination may focus on the driver's condition before the accident, vehicle speed, distance between vehicles, seat belt use, weather conditions, and actions taken to avoid impact. Expert testimony may be required to explain the vehicle's technical examination results, the mechanism of impact, the medical cause of death, or other aspects requiring specialized expertise. Such testimony should be evaluated in conjunction with other evidence and should not be treated as a substitute for the entire evidentiary process.
4. Determination of case construction and application of articles

   After obtaining sufficient evidence, investigators construct the legal construction of the case. At this stage, investigators assess whether the facts found fulfill the elements of Article 310 paragraph (4), or whether they indicate other circumstances that require the application of different provisions. This assessment must be carried out objectively. For example, if the accident is suspected to have occurred because the driver fell asleep for a moment, investigators still need to examine how the condition occurred, whether the driver knew or should have been aware of the risk of fatigue, how the vehicle was controlled, and whether other evidence supports the allegation of negligence. If the

accident involves more than one vehicle, investigators must also examine the possibility of negligence on the part of more than one party. Determining responsibility cannot be based solely on the assumption that one driver was the sole cause of the accident.

5. Completion of investigation and transfer of case

   If the investigation indicates a suspected crime and sufficient evidence is available, the case will be processed in accordance with applicable criminal procedure law. Investigators will compile case files, coordinate with the public prosecutor, and follow up on any instructions provided if the files do not meet the requirements. At this stage, the quality of the investigation will determine whether the legal framework being developed is accountable. Incomplete examinations, discrepancies between witness statements and technical evidence, or unclear causal relationships can hinder the resolution of a case.

Legally, Article 310 paragraph (4) provides the basis for criminal penalties for driver negligence that results in the death of another person. However, the effectiveness of this provision is determined not only by the existence of a criminal threat, but also by the ability of the authorities to translate legal norms into appropriate law enforcement actions.

Empirically, research within the Riau Regional Police jurisdiction needs to examine how investigators determine the cause of accidents, collect evidence, establish causal relationships, and decide on the application of the articles. Research findings should also identify any discrepancies between normative provisions and case-handling practices.

As an empirical context, the official report from the Riau Provincial Government on May 21, 2026, recorded a single-vehicle accident at kilometer 14B of the Pekanbaru-Dumai Toll Road, resulting in two fatalities and several injuries. The report stated that the initial suspicion of the cause of the accident was related to microsleep. This information can provide initial clues to identify safety issues on toll roads, but cannot be used as evidence of negligence or criminal liability in the case.

To increase the effectiveness of the implementation of Article 310 paragraph (4), efforts that can be examined in this research include the following steps: First, improving the quality of accident investigations. Crime scene examinations need to be conducted systematically, accompanied by adequate documentation and technical analysis appropriate to the complexity of the case. The results of the examination must be able to explain the chronology, causes, and causal relationships between the alleged negligent act and the resulting consequences. Second, strengthening the capacity of investigators. Training on accident analysis, electronic evidence collection, vehicle inspection, and criminal construction can support the accuracy of investigations. Capacity building also needs to include the ability to compile a description of the elements of the crime based on the facts obtained. Third, strengthening coordination with toll road operators. Mechanisms for securing and maintaining evidence, access to relevant recordings, and the exchange of information regarding road conditions need to be carried out in accordance with applicable authorities and procedures. Fourth, ensuring objective application of the law. Each case must be assessed based on facts and evidence, while respecting the rights of suspects, victims, and related parties. Law enforcement should not only be oriented towards punishment, but must ensure that those held accountable truly fulfill the elements of the alleged crime. Fifth, strengthening accident prevention. Road safety education, driver fatigue prevention campaigns, vehicle maintenance, and increased speed limit compliance can all be part of efforts to reduce fatal crashes. These prevention measures complement law enforcement, not replace it.

From a legal policy perspective, these measures need to be directed at two complementary objectives: providing legal accountability to perpetrators found guilty and reducing the risk of recurrence of accidents resulting in loss of life. Therefore, conclusions regarding the implementation of Article 310 paragraph (4) within the jurisdiction of the Riau

Regional Police must be developed through an analysis that combines legal norms and field data. Research needs to clearly distinguish between the initial suspicion of the cause of the accident, the results of the investigation, and the legal conclusions established by the court.

CONCLUSIONS

Article 310 paragraph (4) of Law Number 22 of 2009 is the legal basis for demanding criminal responsibility against motor vehicle drivers whose negligence results in the death of another person. Implementation of this provision requires a law enforcement process that includes handling the crime scene, gathering evidence, examining witnesses, examining the driver, technical analysis of the accident, and determining the causal relationship between negligence and the victim's death. In the context of accidents on the Pekanbaru-Dumai Toll Road, the application of the article must take into account the characteristics of the toll road, such as vehicle speed, safe distance, driver condition, vehicle roadworthiness, and road and weather conditions. Determination of criminal responsibility cannot be based solely on the existence of a victim who died, but must be supported by proof of the elements of negligence and a causal relationship in accordance with applicable legal provisions.

Obstacles that require attention in the implementation of Article 310 paragraph (4) include the difficulty of proving driver negligence, determining the causal relationship between actions and consequences, limited witnesses or technical evidence, and the need for coordination between the police, toll road operators, medical personnel, and related agencies. These factors can affect the accuracy of investigators in reconstructing events and determining the qualifications of criminal acts. However, the level of influence of each obstacle on case handling in the jurisdiction of the Riau Regional Police must be determined based on the results of field research, interviews with investigators, and relevant case documents. Thus, evaluation of the implementation of criminal provisions must be based on empirical facts and not only on assumptions regarding the state of law enforcement.

Efforts to optimize the implementation of Article 310 paragraph (4) on the Pekanbaru–Dumai Toll Road can be carried out by improving the competence of investigators, strengthening accident investigation methods, utilizing technical and electronic evidence, and improving coordination between the police and toll road operators. In addition, the application of the law must be carried out objectively, professionally, and proportionally by paying attention to the rights of the parties involved and the principles of proof in criminal law. These law enforcement efforts need to be accompanied by accident prevention measures through road safety education, increasing driver awareness of the dangers of fatigue and lack of concentration, and compliance with traffic regulations. Thus, the implementation of Article 310 paragraph (4) is not only oriented towards imposing criminal penalties on perpetrators who are proven guilty, but also supports public protection and increasing the safety of users of the Pekanbaru–Dumai Toll Road.

REFERENCES

Anwar, R. P. (2021). Penegakan hukum pidana terhadap kelalaian pengemudi kendaraan bermotor yang mengakibatkan kecelakaan lalu lintas di wilayah Kota Gorontalo. *Philosophia Law Review, 1*(2).

Elia, U., & Rusli, T. (2024). Pertanggungjawaban tindak pidana akibat kelalaian dalam berkendara yang mengakibatkan korban meninggal dunia (Studi Putusan Nomor 96/Pid.Sus/2023/PN Kot). *Case Law: Journal of Law, 5*(2).

Faida, A. N., Ucuk, Y., & Widodo, E. (2023). Pertanggungjawaban pidana terhadap tindak pidana dalam berlalu lintas yang mengakibatkan orang lain meninggal dunia. *Jurnal Hukum to-ra, 12*(1).

Gigy, D. P. D., Setyobudi, A., & Tira, D. S. (2019). Faktor-faktor yang berhubungan dengan risiko kecelakaan lalu lintas pada siswa SMA di Kota Kupang tahun 2019. *Lontar: Journal of Community Health, 1*(4).

Harahap, M. Y. (2021). *Pembahasan permasalahan dan penerapan KUHAP*. Sinar Grafika.

Helmi, R., Danialsyah, & Mukidi. (2022). Penegakan hukum dalam tindak pidana kecelakaan lalu lintas akibat kelalaian pengemudi yang menyebabkan korban meninggal dunia (Studi kasus di Kepolisian Resor Serdang Bedagai). *Jurnal Meta Hukum, 1*(3).

Leba, N. (2023). Pertanggungjawaban hukum kelalaian pengemudi perusahaan dalam kecelakaan lalu lintas yang mengakibatkan kematian. *Lex Administratum, 11*(1).

Listiyanto, I., Soegianto, S., RS, D. S., & Sihotang, A. P. (2021). Kewenangan Polri dalam mengurangi kecelakaan lalu lintas di jalan tol. *Jurnal USM Law Review, 4*(1).

Manurung, P., & Yeltriana. (2025). Analisis yuridis pertanggungjawaban pelaku kecelakaan lalu lintas dalam perspektif hukum berdasarkan Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan: Studi Putusan Nomor 2698/Pid.Sus/2018/PN Lbp. *Al-Zayn: Jurnal Ilmu Sosial & Hukum, 3*(2).

Moeljatno. (2018). *Asas-asas hukum pidana*. Bina Aksara.

Nugroho, A., Semendawai, A. H., & Intihani, S. N. (2022). Analisis yuridis penerapan restoratif justice dalam kecelakaan lalu lintas golongan berat yang menyebabkan orang lain meninggal dunia menurut UU Nomor 22 Tahun 2009 dalam perspektif keadilan. *Veritas, 8*(2).

Parlindungan, D. B., Rompas, D. D., & Bawole, H. Y. A. (2022). Tinjauan yuridis tindak pidana kelalaian kecelakaan lalu lintas yang menyebabkan orang lain meninggal dunia menurut Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan. *Lex et Societatis, 10*(4).

Prakoso, D. (2018). *Hukum lalu lintas dan angkutan jalan di Indonesia*. Rineka Cipta.

Purnomo, D. H., Hasan, Y. A., & Hamid, A. H. (2024). Pelaksanaan penyelesaian kasus kecelakaan lalu lintas di Kepolisian Resort Bulukumba. *Indonesian Journal of Legality of Law, 7*(1).

Ramadhan, R. F., Rahman, S., & Poernomo, S. L. (2022). Efektivitas fungsi kepolisian dalam penegakan hukum tindak pidana kecelakaan lalu lintas: Studi di Kepolisian Daerah Sulawesi Selatan. *Journal of Lex Generalis, 3*(?).

Republik Indonesia. (2009). *Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan*. Lembaran Negara Republik Indonesia Tahun 2009 Nomor 96, Tambahan Lembaran Negara Republik Indonesia Nomor 5025.

Rochman, F., Husen, L. O., & Djanggih, H. (2020). Efektivitas fungsi kepolisian dalam penegakan hukum tindak pidana kecelakaan lalu lintas. *Indonesian Journal of Criminal Law, 2*(1).

Saputra, M. I. A., Renggong, R., & Madiong, B. (2022). Pertanggungjawaban hukum tindak pidana kecelakaan lalu lintas yang mengakibatkan kematian. *Indonesian Journal of Legality of Law, 5*(1).

Saputro, M. S., Mohammad, & Umam, K. (2024). Penerapan sanksi pidana terhadap pengemudi yang menyebabkan korban meninggal dunia. *Yustitia, 25*(2).

Sari, N., & Saleh, K. (2022). Tinjauan yuridis penerapan sanksi pidana pada kecelakaan lalu lintas yang menyebabkan korban jiwa menurut Pasal 310 Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan. *Jurnal Politik dan Pemerintahan Daerah, 4*(2).

Setiawan, S., Abadi, S., & Aji, R. B. (2024). Penegakan hukum pidana terhadap kelalaian pengemudi kendaraan bermotor yang mengakibatkan kecelakaan lalu lintas. *Law and Humanity, 2*(3).

Soekanto, S. (2019). *Faktor-faktor yang mempengaruhi penegakan hukum*. Rajawali

Pers.Soekanto, S. (2020). *Kesadaran hukum dan kepatuhan hukum*. Rajawali Pers.

Soselisa, S. (2024). Analisis penerapan restorative justice dalam kasus kecelakaan lalu lintas yang mengakibatkan korbannya meninggal dunia (Studi kasus Putusan Nomor 836/Pid.Sus/2020/PN Jkt.Pst). *Transparansi Hukum, 7*(1).

Virgayanti, N. K. A., Yuliartini, N. P. R., & Mangku, D. G. S. (2022). Penegakan hukum terhadap pelaku tindak pidana kecelakaan lalu lintas yang mengakibatkan meninggalnya korban di wilayah hukum Kabupaten Karangasem. *Jurnal Komunitas Yustisia, 5*(1). https://doi.org/10.23887/jatayu.v5i1.45938

Wicaksono, D., Fathurochman, R. A., Riyanto, B., & Wicaksono, Y. (2014). Analisis kecelakaan lalu lintas (Studi kasus: Jalan Raya Ungaran–Bawen). *Jurnal Karya Teknik Sipil, 3*(1).

Zulfa, E. A. (2020). *Keadilan restoratif di Indonesia*. Prenadamedia Group.