



STUDENTS' LEGAL AWARENESS OF DRIVING LICENSE OWNERSHIP AT MOYUDAN MUHAMMADIYAH 1 VOCATIONAL SCHOOL

Indah Lestari Putri

Faculty of Law Ahmad Dahlan University, Indonesia.

Indah1900009007@webmail.uad.ac.id

Tri Wahyuningsih

Faculty of Law Ahmad Dahlan University, Indonesia.

triwahyuningsih@ppkn.uad.ac.id

Abstract: The research aims to determine students' legal awareness of owning a driving license at SMK Muhammadiyah 1 Moyudan. This research uses qualitative research with an empirical juridical approach. The research subjects were grade 10 students who drove motorbikes without driving licenses and vice principals, while the objects were students' legal awareness of owning a driving license. Methods of data collection using interviews and documentation then checking the truth of the source using triangulation of sources and techniques. The results of the study show that students who know the conditions for driving a motorcycle must have a driving license. They do not understand in detail about the contents, benefits and objectives of Article 77 Paragraph (1). All students accept and positively support the existence of these regulations. The legal awareness of students in complying with this article is classified as negative legal awareness because they do not yet have a driver's license, so they are influenced by other factors, namely parents, lack of public transportation, and the school does not prohibit students from bringing motorcycles to school.

Keywords: legal awareness, students, driver's license

INTRODUCTION

Indonesia is a rule of law country. Contained in Article 1 Paragraph (3) The 1945 Constitution of the Republic of Indonesia which states "The State of Indonesia is The administration of government and community life is regulated by law. So the public must understand and obey existing laws. In line with Indonesia as a rule of law country, there are regulations that regulate it concerning transportation and traffic, namely Law Number 22 of 2009 concerning Road Traffic and Transportation which was developed to encourage national development, transportation development is based on the realization of traffic security and order, to provide comfort for traffic users.

Based on data from the National Police Traffic Corps, motorbike type transportation is in great demand by the Indonesian people because from 2021 to 2002, the number of motorbike vehicles continues to increase and remains in first position compared to other types of vehicles with a total of 120,176,883 (Gilang, 2022).

The high number of motorbikes results in an increase in traffic violations. The lack of public legal awareness of the importance of traffic regulations influences non-compliance with applicable regulations which creates habits in society. People's habits of taking traffic regulations for granted cause undisciplined driving behavior and selfish driving (Prasetyo, 2023). The phenomenon of violations related to driving licenses is a case that is often committed by minors. The lack of restrictions on motorbike users in the community means that minors can use them.

The main requirement for driving is having a driving license. Article 77 Paragraph (1)

Law Number 22 of 2009 concerning Road Traffic and Transportation explains that every driver is required to have a driving license according to the type of vehicle used (UURI, 2009). Making a driving license has several requirements that must be met. Article 81 (1) explains that the main requirements for obtaining a driving license, both SIM A, SIM C and SIM D, are to be at least 17 years old and meet registration, health requirements and pass a practical driving test (UURI, 2009).

However, the phenomenon is that many high school students who are not yet 17 years old use motorbikes to go to school. So in Indonesia it is not unusual to see underage teenagers riding motorbikes to school. This causes the risk to be higher because the child is still in an unstable emotional state, which often leads to various violations. This also happens at Muhammadiyah 1 Moyudan Vocational School where there are several grade 10 students whose average age is

15 years old has been taking a motorbike to school.

Legal awareness is a value that resides within a person regarding existing legal beliefs (Soekanto, 1982). In line with the concept of legal awareness above, Soerjono Soekanto states that there are 4 basic forms of legal awareness so that a person obeys the law, namely: Legal knowledge is the knowledge that a person has in acting according to the law based on

written law so that we can differentiate between what is prohibited and permitted by that law. Second, legal understanding is the extent to which a person understands the content, purpose and benefits of written legal rules. Third, legal attitude shows the attitude of someone who accepts or rejects legal rules with the belief that the law brings benefits. Fourth, legal behavior is important to make people aware of the law, because here it can be seen whether a legal rule applies or not in society (Pradoto, 2020).

Legal awareness influences a person's obedience to the law because they have the idea that the law plays an important role in public order. If someone has good legal awareness then he will obey the law, but on the other hand, if someone does not have legal awareness then there will be no compliance with the law. So the relationship between legal awareness and legal obedience cannot be separated.

The relationship between legal awareness and legal compliance is divided into two, namely positive legal awareness and negative legal awareness. Positive legal awareness is the knowledge a person has about a regulation that applies to comply with that regulation. Negative legal awareness, on the other hand, is a person's awareness of a law, but because someone violates it in urgent situations and conditions (Achmad Ali, 2009). Hence, awareness Positive law is known as law obedience. Meanwhile, negative legal awareness is known as legal disobedience.

MAIN PROBLEM

The high rate of motorbike use in Indonesia means that cases of violations often occur, especially among minors. Based on police data during Operation Zebra Progo in 2019 in Sleman, there were 614 minor offenders who rode motorbikes without a driving license.

4,500 violators (Ahmad, 2019). Another problem is the fact that at Muhammadiyah 1 Moyudan Vocational School there are several class 10 students who are on average 15 years old who take motorbikes to school.

The phenomenon above is an example of minors who violate or disobey traffic regulations. The large number of underage motorbike riders can endanger road safety and order because they are more emotional and tend to be selfish and ride motorbikes as they please without paying attention to good traffic rules. So students need awareness in obeying traffic rules.

With these problems and phenomena, the researcher decided to use Soerjono Soekanto's theory regarding 4 basic forms of legal awareness in order to comply with the law, namely legal knowledge, legal understanding, legal attitudes and legal behavior.

Based on the problems above, it is hoped that researchers can find out students' legal awareness regarding ownership of a driving license.

METHOD OF RESEARCH

This research uses qualitative research with an empirical juridical approach. The subjects of this research were 10th grade students who rode motorbikes without a driving license and the school's deputy principal, while the research object was students' legal awareness regarding the ownership of a driving license. The data collection method uses interviews and documentation then checks the truth of the sources using triangulation of sources and techniques

RESEARCH RESULT AND DISCUSSION

Students' legal awareness regarding ownership of a driving license as stated by Soerjono Soekanto who said that legal awareness is a value that exists in humans regarding applicable laws (Soekanto, 1982). So to find out students' legal awareness, use 4 basic forms of legal awareness, namely:

1. Students' Legal Knowledge of Law Number 22 2009 concerning Road Traffic and Transportation is a regulation that regulates everything related to traffic order and discipline. Therefore, the existence of legal knowledge is very important for all Road users must know the applicable legal regulations, what is prohibited and permitted by these legal regulations. In accordance with Soerjono Soekanto's opinion regarding knowledge of traffic law, which means someone has good knowledge of traffic in accordance with Law No. 22 of 2002 concerning Road Traffic and Transportation (Hasibuan & Eko Handoyo, 2014). According

to this statement, it is known that all road users are required to know the contents of the law and know the requirements for driving equipment according to the vehicle they are using. The research results show that students at SMK Muhammadiyah 1 Moyudan do not know Law Number 22 of 2002 concerning Road Traffic and Transportation. One of the requirements for driving is having a driving license. Article 77 paragraph (1) explains the obligation to have a driving license according to the type of vehicle used. Therefore, it is hoped that students will know this article. Based on the research results, it is known that all students know the mandatory requirements for having a driving license when driving. Therefore, students' knowledge of law cannot be separated from the role of schools in fostering knowledge in students' legal awareness. According to Puji Wulandari

Kuncorowati stated that legal awareness can be increased through education, both formal and non-formal schools as well as counseling or socialization as a form of conveying the values contained in the provisions of these legal regulations so that the role of legal officers is needed (Hasibuan & Eko Handoyo, 2014).

Legal knowledge is closely related to the assumption that the public knows the contents of the law after it is promulgated. However, the fact is that many people, such as school students, do not know the contents of the laws that have

been promulgated, so the role of law enforcement is very necessary socialize the law optimally. This is in accordance with the opinion of Howard and Mummers quoted (Achmad Ali, 2009) which states that one of the supporting factors for someone to obey the law is the existence of good and optimal socialization to all legal subjects. Therefore, in realizing the vision of forming a generation with good character, especially regarding legal awareness, the school collaborates with the Moyudan Police and the Transportation Department in providing outreach and information to become good drivers to students.

2. Students' understanding of the law Legal understanding as an indicator of legal awareness is not only knowing a law but also being able to understand the regulation. This is a form of students' legal awareness that by understanding the law they will be able to create order in traffic. According to Sudjan, understanding is a person's ability to understand something after having knowledge and remembering it (Suardi, 2022). In line with the theoretical concept of Soerjono Soekanto (1982) regarding legal understanding here it is defined as a person's understanding of the content, purpose of regulations and the benefits of these legal regulations. So the indicators of understanding the law are very important for motorbike riders to understand after having knowledge about traffic

- regulations In this indicator of legal understanding, it can be seen that not having legal knowledge can affect the level of understanding of these regulations. Based on the research results, it can be seen that students do not understand the content, purpose and benefits of Article 77 Paragraph (1). Apart from that, students also only understand basic things such as having to wear a helmet, not running red lights, not having a loud exhaust, carrying a STNK and driving license without knowing the articles that explain these things and the purpose of these regulations. This is reinforced by students not understanding the sanctions for violations that often occur in accordance with the applicable regulatory articles. To realize true understanding, optimal socialization must be carried out.
3. Students' Legal Attitudes Legal attitude is the application of legal understanding. Where someone who has knowledge and understands the content, purpose and benefits of a written or written regulation will be able to see it from their daily attitudes. According to Fatmaningsih, legal attitudes can be seen from the reactions or behavior taken by interested parties, faced with a problem or situation they face (Suardi, 2022). So to find out how students' legal awareness in their attitudes is, it can be seen from how they accept the regulations of Law Number 22 of 2009 concerning Road Traffic and Transportation. Soerjono Soekanto's (1982) concept of

legal attitude shows the attitude of a person who accepts or rejects legal rules with the belief that the law brings benefits or benefits if obeyed. Based on the research results, it shows that students do not reject the regulations of Law Number 22 of 2009 concerning Traffic and road transport. However, this is not supported by students' legal attitudes towards driving. This research shows that students have committed traffic violations even though their attitude accepts the existence of the regulations themselves.

4. Student Legal Behavior Driving behavior certainly influences how high the level of legal awareness is, thus influencing compliance with the law. According to Soerjono Soekanto (1982) legal behavior has the highest position in legal awareness because here from behavior it can be seen whether a law applies in society or not. After having knowledge and understanding of traffic regulations, this will be reflected in behavior in complying with legal regulations. Students' behavior in obeying traffic regulations still does not include obeying Article 77 Paragraph (1). This has an impact on students' habits in violating traffic rules. However, based on the research results, it is known that there are several factors that cause students to bring motorbikes without a driving license to school as follows:

a) Parents

Parents' busy work means they don't have time to take their children to school. This makes

parents buy and give permission for their children to use their own motorbikes to school even though they don't have a driving license. This action is not wise because emotions are not yet stable and there are many risks that are not good for children who are not yet old enough to ride a motorbike, even to go to school (Anggraeni et al., 2019).

b) Lack of Public Transportation

The geographical location of the school which is far from crowded places means that this school is not accessible by public transportation such as Transjogja. Apart from that, online taxis are also expensive because of the long distance from home. So, this makes students want to bring their own motorbikes. Therefore, the lack of affordable public transportation for students to school is a factor in students taking motorbikes to school

c) School Environment

The school has a policy of giving permission to all students to ride motorbikes. This is because the location of the school is far from public transportation and the high cost of online motorcycle taxis, so to make it easier for students to come to school, the school gives permission to bring motorbikes by providing parking facilities for each class group.

Therefore, students' awareness of traffic is negative legal awareness. Negative legal awareness is a person's awareness of a law, but because in urgent situations and conditions the person violates it. In this research, students have

basic knowledge and understanding of driving, supported by the conditions of their parents, lack of public transportation, and the environment causing them to disobey traffic regulations, especially Article 77 Paragraph (1).

CONCLUSION

Based on the results and discussion of this research, it can be concluded that class 10 students at SMK Muhammadiyah 1 Moyudan know the requirements for riding a motorbike and must have a driving license. They do not yet understand in detail the contents, benefits and objectives of Article 77 Paragraph

(1) Law Number 22 of 2009 concerning Road Traffic and Transportation, namely that all drivers are required to have a driving license according to the type of vehicle used. The aim of this article is to create order and calm for oneself and others so that it is useful for reducing the number of traffic accidents.

All students accept and positively support the rule of Article 77 Paragraph (1) which requires having a driving license when driving. Students' legal awareness in complying with this article is classified as negative legal awareness because students do not yet have a driving license. This is influenced by other factors, namely parents, lack of public transportation, and schools not prohibiting students from bringing motorbikes to school.

REFERENCES

Achmad Ali. (2009). Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence) Termasuk

Interpretasi Undang- Undang (Legisprudence) (pertama). Kencana.

Gilang, S. (2022). Populasi Sepeda Motor di Indonesia Mencapai 120 Juta Unit. Kompas.Com.

Hasibuan, J. P., & Eko Handoyo, S. (2014). Peran Sekolah Dalam Meningkatkan Kesadaran Hukum Berlalu Lintas Siswa Sma Negeri 3 Cirebon. *Unnes Civic Education Journal*, 3(1), 42.

Indonesia, R. (1945). Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. *Warga Dan Negara*, 1–166.

Pradoto, W. S. (2020). *Penyebarluaskan Pengetahuan Hukum Untuk Meningkatkan Kesadaran Hukum Masyarakat*.

Prasetyo, S. H. (2023). Analisa Faktor Perilaku Berkendara Pada Siswa SMA Muhammadiyah 3 Jember. 2(2).

Soekanto, S. (1982). *Kesadaran Hukum & Kepatuhan HUKUM (Pertama)*. CV Rajawali.

Suardi. (2022). *Pengetahuan Hukum, Pemahaman Hukum, Sikap Hukum Dan Perilaku Hukum Pengemudi Ojek Online Dalam Berlalu Lintas Di Kecamatan Rappocini Kota Makassar*. *Jurnal Pendidikan PKN*, 3(2), 129–142.

UURI. (2009). Undang-Undang Republik Indonesia Nomor 22 Tahun 2009 tentang Lalu Lintas Dan Angkutan Jalan.

Wawancara siswa kelas 10 SMK Muhammadiyah 1 Moyudan, 4 April 2023.

Wawancara wakil kepala sekolah SMK Muhammadiyah 1 Moyudan, 4 April 2023.