

## ANALYSIS OF THE IMPLEMENTATION OF GARAGE OWNERSHIP OR CONTROL POLICY FOR MOTOR VEHICLE OWNERS: A CASE STUDY IN THE DKI JAKARTA PROVINCE

Widya Prastika Retnaningtyas<sup>1</sup>, Irfan Ridwan Maksum<sup>2</sup>

<sup>1,2</sup> Universitas Indonesia, Indonesia

Email: widya.prastika@ui.ac.id, irm60@ui.ac.id

### ABSTRACT

Traffic congestion is one of the problems faced by big cities in Indonesia, including DKI Jakarta Province. The increase in the number of motorized vehicles which is not balanced with the growth of roads and parking spaces causes traffic jams to get worse. The aim of this research is to examine the implementation of DKI Jakarta Provincial Regulation Number 5 of 2014 concerning Transportation regarding the obligation to own or control garages for motor vehicle owners. This research uses a qualitative approach with analytical descriptive research specifications. The data collection technique used is library research. The data that has been collected is then analyzed in three stages, namely data reduction, data presentation and drawing conclusions. The research results show that the implementation of DKI Jakarta Regional Regulation No. 5 of 2014 Article 140 involves a series of steps to ensure motor vehicle owners comply with the obligation to own or control a garage, including carrying out patrols and inspections in various areas of Jakarta to ensure vehicle owners comply with these rules, as well as the application of sanctions such as fines or other legal actions which can be an instrument. which is used to encourage vehicle owners to comply with regulations. However, there are several obstacles in implementing this policy, such as the limited number of garages available, expensive garage rental costs, and minimal supervision from the authorities.

### KEYWORDS

Transportation Policy, Garage Ownership Obligations, Motor Vehicle Owners



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## INTRODUCTION

Traffic congestion is a serious challenge faced by major cities in Indonesia, including the DKI Jakarta Province. The traffic congestion index in mid-2023 had already reached 53 percent. This figure is a drastic increase compared to during the COVID-19 pandemic, which only touched 35 percent (Noviansah, 2023). Traffic congestion in Jakarta has caused serious economic and health impacts. Data from the Central Statistics Agency (BPS) recorded material losses due to air pollution amounting to Rp17.8 trillion during the period of January to March 2023. According to urban planning observer Nirwono Joga, one of the most significant causes of congestion is the use of private vehicles, especially motorcycles. These private vehicles have become the main contributors to the congestion in Jakarta. Moreover, the private vehicles involved in congestion in Jakarta do not only come from Jakarta residents themselves. During weekdays, private vehicles from surrounding areas also significantly contribute to the congestion in Jakarta. This situation further complicates traffic issues and demands comprehensive solutions to address the negative impacts caused by congestion (Purba, 2023).

This phenomenon arises as a result of rapid motor vehicle growth, limited road infrastructure, and the lack of an effective public transportation system. Major cities like Jakarta face significant pressure from the increasing number of vehicles, which is not balanced with the development of road infrastructure. Additionally, many motor vehicle owners do not have garages. As a result, road sections often cannot accommodate the high volume of vehicles, causing detrimental congestion to daily activities and affecting the city's economic growth (Adikancana et al., 2020).

Addressing traffic congestion issues is a necessity for the government and stakeholders to create sustainable solutions and optimize the city's transportation system (Szmelter-Jarosz & Rześny-Cieplińska, 2019). As an effort to realize a reliable transportation system in line with the position and authority of the Special Capital Region of Jakarta Province as the capital of the Republic of Indonesia according to Law Number 29 of 2007, a reevaluation of the transportation system is needed to support development and improve community welfare. Additionally, Regional Regulation Number 12 of 2003 concerning Traffic and Road Transportation, Railways, Rivers, Lakes, and Crossings in the Special Capital Region of Jakarta Province is no longer suitable for the current conditions, hence it needs to be refined (Kuno, 2023). Based on this, the government established Regional Regulation No. 5 of 2014 of DKI Jakarta Province Regarding Transportation Related to the Obligation of Garage Ownership or Control for Motor Vehicle Owners.

Previous research by (Wahjoerini & Pamurti, 2022) showed that the policy regarding motor vehicle ownership accompanied by garage ownership is stipulated in Regional Regulation (Perda) of DKI Jakarta Number 5 of 2014 Article 140. However, due to various constraints, the regulation issued in 2014 has not shown significant results in reducing the number of motor vehicles. One of the very useful methods in policy studies is Institutional Analysis Development (IAD) developed by Elinor Ostrom in 1994. The policy regarding garage ownership for motor vehicle owners, especially cars, intersects with policies above it that are interrelated. Another study by (Kharomah, 2019) showed that individuals intending to buy motor vehicles, especially cars, are required to first own a garage to obtain a Proof of

Garage Ownership Certificate. Once these requirements are fulfilled, the local government will recommend the issuance of a Vehicle Registration Certificate.

The novelty of this research lies in delineating the obstacles in implementing Regional Regulation of DKI Jakarta Province Number 5 of 2014. The findings of this research can provide a basis for policymakers to evaluate and improve existing policies. The practical recommendations generated can include changes in regulations to enhance motor vehicle owners' compliance with garage ownership rules. The objective of this research is to examine the implementation of Regional Regulation of DKI Jakarta Province Number 5 of 2014 regarding transportation related to the obligation of garage ownership or control for motor vehicle owners.

## **RESEARCH METHOD**

This research employs a qualitative approach with a descriptive-analytical research specification. According to (McCusker & Gunaydin, 2015), qualitative methods are used to answer questions about "what," "how," or "why" phenomena occur, while quantitative methods are used to answer questions about "how many" or "how much." The data collection technique used is a literature review. At this stage, the researcher gathers information and literature relevant to the policy from various sources to support understanding of the phenomenon under study. After the data is collected, analysis is conducted in three stages. The first stage is data reduction, where the collected data is organized and filtered to identify key information related to policy implementation. The second stage is data display, where the reduced data is systematically organized and placed in a clear context. The third stage is drawing conclusions, where the analysis results are organized to provide a comprehensive understanding of policy implementation.

## **RESULT AND DISCUSSION**

The city of Jakarta serves as the governmental center of the Republic of Indonesia and is renowned for its high population density. This density significantly impacts the transportation volume in the region. In other words, the large population affects the traffic congestion and the utilization of various modes of transportation in the city (Aminah, 2018). DKI Jakarta faces complex transportation issues, with current problems primarily revolving around the challenging traffic density (Mashpufah, 2021), leading to congestion.

Traffic congestion refers to a situation where traffic flow is hindered or even halted due to the number of vehicles exceeding road capacity (Sidjabat, 2015). Congestion also stems from other impacts caused by the increase in the number of vehicles, such as parking space availability (Laela, 2022). Limited parking space leads to people using road shoulders for parking, resulting in delays (Simanjuntak et al., 2022). Vehicles parked on road shoulders not only disrupt traffic flow but also worsen congestion by blocking lanes intended for vehicle movement. Furthermore, vehicles parked improperly, such as on road shoulders, increase the risk of traffic accidents. Therefore, issues related to vehicle parking, especially for those without

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garages, can be categorized as disrupting activities for other community members (Putri et al., 2020).

The Jakarta Provincial Government has taken various steps to address these issues, one of which is through the implementation of Regional Regulation No. 5 of 2014 concerning Transportation (hereinafter referred to as Jakarta Provincial Regulation No. 5 of 2014), as stated in Article 140. The article reads as follows: (1) Every individual or motor vehicle owner must possess or control a garage. (2) Every individual or motor vehicle owner is prohibited from storing motor vehicles on street property. (3) Every individual or motor vehicle owner intending to purchase a motor vehicle must possess or control a garage to store their vehicle, as evidenced by a garage ownership certificate issued by the local sub-district. (4) The garage ownership certificate referred to in paragraph (3) is a requirement for the issuance of a Motor Vehicle Registration Certificate. (5) Further provisions regarding motor vehicle ownership are regulated by the Governor's Regulation.

This policy emphasizes the responsibility of motor vehicle owners to possess or control a garage while simultaneously prohibiting parking or storing vehicles on street property. As an implementation of these provisions, every individual or business entity intending to purchase a vehicle must provide proof of garage ownership issued by the local sub-district (Kharomah, 2019). Additional requirements regarding garage ownership or control are designed to address congestion by controlling the growth of motor vehicles, especially those without parking facilities. Therefore, the garage ownership provisions aim to limit the number of vehicles and reduce illegal parking practices, thereby mitigating disruptions to traffic flow (Adikancana et al., 2020).

The implementation of policies regarding the obligation to own or control a garage for motor vehicle owners in DKI Jakarta Province involves a series of steps to ensure compliance with the policy. The initial stage includes patrols and inspections in various areas of Jakarta to verify the extent to which vehicle owners comply with the established rules. These patrols and inspections are active surveillance efforts, where authorities routinely monitor and evaluate the community's compliance with garage ownership regulations (Al Farasyi, 2024). In practice, the Department of Transportation is authorized to conduct supervision in various areas of Jakarta, inspecting vehicles parked in public areas or in front of public places, and ensuring that vehicle owners have fulfilled their obligation to own or control a garage according to applicable regulations.

Reported in Kompas.com news, the Central Jakarta Transportation Agency (Sudinhub Jakarta Pusat) took action against 1,164 vehicles engaged in random or illegal parking in the related areas during October 2023. The Head of Sudinhub Jakarta Pusat, Bernad Octavianus Pasaribu, explained that this number comprised 382 motorcycles and five cars, subject to valve stem removal sanctions. Additionally, 384 vehicles received Violation Notices (BAP), 375 cars faced towing actions, 37 motorcycles were towed using nets, and 17 cars had their operations stopped (Kurniawan, 2023).

These legal actions are in line with the regulations stipulated in Jakarta Provincial Regulation No. 5 of 2014, as contained in Article 62 paragraph (3). This article explains that motor vehicles parked improperly may face legal actions, including: a. tire locking; b. vehicle relocation by towing to designated parking facilities or government-provided motor vehicle storage areas; or c. valve stem removal.

In efforts to encourage compliance with the policy, the Transportation Agency, responsible for transportation and traffic affairs, can enforce sanctions as part of implementation (Nur Amalia Reska, 2019). The imposition of sanctions is supported by law enforcement involving cooperation with relevant legal authorities, such as the police. Sanctions imposed may include fines or penalties for motor vehicles failing to meet the obligation to own or control a garage. Offenders subject to towing are required to pay fines according to the provisions stipulated in Jakarta Provincial Governor Regulation No. 31 of 2017, particularly Article 29. The cost of towing/moving motor vehicles includes storage or shelter fees, as follows: a. Rp500,000.00 (five hundred thousand rupiahs) per day up to a maximum of Rp3,000,000.00 (three million rupiahs) for four-wheeled private motor vehicles; and b. Rp250,000.00 (two hundred fifty thousand rupiahs) per day up to a maximum of Rp1,000,000.00 (one million rupiahs) for two-wheeled private motor vehicles.

Implementing patrols and inspections, as well as enforcing sanctions such as fines and other legal actions, are strategies aimed at educating the public, enforcing rules through surveillance activities, and imposing penalties as part of law enforcement. Thus, the Jakarta Provincial Transportation Agency hopes that this policy can be effectively implemented and motivate the public to comply with garage ownership obligations. The function of a garage, which can serve as a place for storing vehicles and other equipment, aims to protect cars from theft and extreme weather conditions (Wibowo, 2014). However, garage ownership implementation still faces several challenges. One challenge is the existence of people who do not own or control garages due to various factors such as the limited availability of garages, expensive garage rental costs, and inadequate supervision by authorities, resulting in inconsistent rule enforcement.

Efforts to address these implementation challenges require efforts from authorities to tackle existing obstacles. The following are some recommendations to overcome challenges in implementing this policy, such as increasing garage availability through further construction by building more garages, providing incentives and subsidies, and enhancing supervision. In this regard, efforts can be made by the government, private sector, or independently by the community because achieving effective governance requires synergy among the government, private sector, and civil society, which is the key to addressing parking issues (Tasya & Rahmasari, n.d.).

Quoted in research (Nurzaman et al., 2021), the existence of shared garages has evolved not only as an initiative of local communities but also as one of the solutions sought by the Transportation Agency as a preventive approach to

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minimize illegal parking in Jakarta. In areas identified after inspection to have narrow roads and communities experiencing difficulty providing private parking spaces for their vehicles, the Jakarta Provincial Transportation Agency, together with the local sub-district, will seek out vacant land that may be used as shared garages. The Transportation Agency, along with local sub-district officials, will endeavor to gather information regarding the ownership of such land and negotiate with landowners to convert the vacant land into vehicle storage areas for the surrounding community. Additionally, the government can collaborate with the private sector to increase garage construction for the public.

Collaboration between local governments and the private sector is considered an innovative step to support regional development. The Public-Private Partnership approach is deemed crucial in ensuring the availability of basic urban infrastructure and improving services for the basic needs of the community (Rukmana & Susanti, 2015). Through this collaboration, the government and private sector can synergize in building garages that can be subsequently leased to residents facing narrow land constraints or sold to the general public.

The Government and Private Sector collaboration in the garage construction sector can provide an effective solution, utilizing private resources and capabilities to support government policies in providing adequate parking facilities. This collaboration can create opportunities to increase parking space availability and provide solutions for people struggling to find parking spaces for their vehicles. However, besides the issue of limited available land, building garages also requires substantial costs. Therefore, the next government effort in overcoming the challenges of implementing this Regional Regulation, through providing incentives or subsidies to minimize garage rental costs.

According to Erwan 2010 in (Munawar, 2013), subsidies are financial contributions provided by the government or a public body, economically aimed at reducing prices or increasing output. Thus, by providing incentives or subsidies, the government can help reduce the financial burden borne by individuals or groups of people trying to meet the obligation of owning a garage. These incentives can be in the form of direct financial assistance, tax deductions, or other facilities that can reduce garage rental costs. This approach is expected to serve as a positive stimulus for the community, motivating them to comply with rules and overcome financial barriers that may hinder garage ownership or control. The next step is to increase supervision to ensure more consistent rule enforcement. This approach involves increasing monitoring and surveillance activities by relevant authorities, such as the Department of Transportation and security forces (Winangun, 2022). Enhanced supervision aims to monitor community compliance with policies requiring garage ownership or control.

Intensified government supervision can ensure that the rules are applied consistently and fairly. Supervisory teams can conduct routine patrols, inspections, and law enforcement actions against violations related to garage ownership consistently and sustainably. This not only fosters community compliance but also serves as a



deterrent to those who tend to violate such rules. Increased supervision is an essential strategy in effectively enforcing policies and can help reduce congestion and parking issues in public places.

Through the implementation of these three strategies, the government aims to create a more organized and efficient transportation environment. Increased garage availability provides better parking alternatives, incentives or subsidies can encourage policy compliance, and enhanced supervision ensures consistent rule enforcement. It is hoped that the implementation of this policy can achieve its goals optimally. The primary objectives are to reduce the number of vehicles parked in inappropriate places, improve traffic flow, and alleviate congestion, which remains a major issue in densely populated cities like Jakarta.

## CONCLUSION

The implementation of Jakarta Provincial Regulation No. 5 of 2014 Article 140 involves a series of steps to ensure compliance by motor vehicle owners with the obligation to own or control a garage. These steps include conducting patrols and inspections in various areas of Jakarta to verify compliance by vehicle owners with the regulation. Additionally, the imposition of sanctions such as fines or other legal actions serves as instruments to encourage vehicle owners to adhere to the regulation. However, there are several challenges faced in the implementation of this policy. One of them is the limited availability of garages, making it difficult for vehicle owners to fulfill the obligation to own a garage. Moreover, the high cost of garage rental also poses a barrier for some vehicle owners. Another challenge is the lack of supervision by authorities, which can result in inconsistent enforcement of the rules. These challenges can hinder the effectiveness of the policy in achieving the goal of garage ownership by vehicle owners. Therefore, efforts are needed from authorities to address these challenges, such as increasing garage availability through further construction, providing incentives or subsidies to minimize garage rental costs, and enhancing supervision to ensure more consistent rule enforcement.

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