

Odol Law Enforcement in Suppressing Traffic Accidents in Gorontalo Regency: An Empirical Study

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Abstract

Vehicle over Dimension over Loading (ODOL) is one of the main factors causing traffic accidents in Gorontalo Regency. Although it has been regulated in legislation, law enforcement has not been running optimally, so there is a research gap because the previous study focused more on normative aspects and has not assessed its effectiveness empirically at the regional level. This study aims to analyze the effectiveness of ODOL law enforcement in suppressing traffic accidents and identify inhibiting factors. The method used is empirical legal research with a qualitative approach, using Soerjono Soekanto's theory of legal effectiveness and Hans Kelsen's theory of legal norms. Data were obtained through interviews and literature studies. The results showed that ODOL law enforcement has not been effective, which is influenced by low legal awareness of the community, weak supervision, limited facilities and infrastructure, economic interests of business actors, and not optimal coordination between agencies. The implications of this study emphasize the need for firm and consistent law enforcement, increasing public awareness, and strengthening coordination and support facilities to reduce ODOL violations and the risk of traffic accidents.

Keywords: Legal Effectiveness; Law Enforcement; ODOL Vehicles; Traffic Accidents.

Abstrak

Kendaraan *Over Dimension Over Loading* (ODOL) menjadi salah satu faktor utama penyebab kecelakaan lalu lintas di Kabupaten Gorontalo. Meskipun telah diatur dalam peraturan perundang-undangan, penegakan hukumnya belum berjalan optimal, sehingga terdapat *research gap* karena kajian sebelumnya lebih menitikberatkan pada aspek normatif dan belum mengkaji efektivitasnya secara empiris di tingkat daerah. Penelitian ini bertujuan untuk menganalisis efektivitas penegakan hukum ODOL dalam menekan kecelakaan lalu lintas serta mengidentifikasi faktor penghambatnya. Metode yang digunakan adalah penelitian hukum empiris dengan pendekatan kualitatif, menggunakan teori efektivitas hukum Soerjono Soekanto dan teori norma hukum Hans Kelsen. Data diperoleh melalui wawancara dan studi kepustakaan. Hasil penelitian menunjukkan bahwa penegakan hukum ODOL belum efektif, yang dipengaruhi oleh rendahnya kesadaran hukum masyarakat, lemahnya pengawasan, keterbatasan sarana dan prasarana, kepentingan ekonomi pelaku usaha, serta belum optimalnya koordinasi antarinstansi. Implikasi penelitian ini menekankan perlunya penegakan hukum yang tegas dan konsisten, peningkatan kesadaran masyarakat, serta penguatan koordinasi dan sarana pendukung guna mengurangi pelanggaran ODOL dan risiko kecelakaan lalu lintas.

Kata Kunci: Efektivitas Penegakan Hukum; Kendaraan ODOL; Kecelakaan Lalu Lintas.



INTRODUCTION

Traffic and road transportation have a very strategic role in supporting national development and integration as part of efforts to improve people's welfare. However, along with the development and progress in the field of traffic, it can also have both positive and negative impacts on people's lives. One of the negative impacts that arise is the occurrence of traffic accidents that can endanger safety and even threaten lives.¹ A traffic accident is an unexpected event that can happen anytime and anywhere. The impact is not only in the form of trauma, injuries, or disabilities, but also loss of life. Efforts to reduce the number of accidents often encounter difficulties and tend to increase as the length of the road and the volume of vehicles increase. As a result, traffic accidents have become a significant public health problem around the world, both at the global, regional, and national levels.²

The phenomenon of *Over Dimension Over Loading* (ODOL) vehicles is a global issue, especially in developing countries that have high goods distribution activities. Globally, the practice of overloading and modification of vehicle dimensions often occurs due to the pressure of logistics cost efficiency, but has an impact on the increased risk of traffic accidents and damage to road infrastructure.³ More than 1.2 million people worldwide die each year as a result of traffic accidents, and between 20 and 50 million more are injured.⁴ The modification of goods transportation vehicles to be over dimensional is a phenomenon that causes unrest in the transportation sector. This practice is carried out by changing the size of the vehicle beyond the limit that has been set in the laws and regulations, especially related to the length, width, and height of the vehicle. These modifications are generally carried out by transportation companies with the aim of increasing cargo capacity and operational efficiency. Although at first glance it is considered a solution to increase productivity, the practice of over dimension often has a serious impact, both on the security and safety aspects of traffic, as well as on the condition of road infrastructure.⁵

ODOL vehicles in Indonesia are still frequent and become a serious problem in traffic. Many freight vehicles carry loads over limits or change the size of the vehicle to be able to transport more goods at once to save costs. Although there are already regulations prohibiting it, this practice still continues due to weak supervision, limited facilities such as weighbridges, and low legal awareness of the community and business actors. As a result, ODOL vehicles not only increase the risk of traffic accidents, but also accelerate road damage that is detrimental to the country. Therefore, handling the ODOL problem requires stricter law enforcement, better supervision, and shared awareness to comply with the rules for safety on the road.⁶

¹ Hizan, *supervision and control of vehicles with over dimension and load in Siak Regency, Riau Province*.

² Febriani and Mintarsih, "Law Enforcement in the Policy of Zero Overdimension and Overloading of Goods Transportation."

³ Umbara, A. R., & Swarnawati, A. (2023). Planning Model of the Public Relations Communication Program of the Jabodetabek Transportation Management Agency of the Ministry of Transportation. *Journal of Communication Research*, 6(2), 69–90. <https://doi.org/10.38194/jurkom.v6i2.676>

⁴ *World Health Statistics 2021*.

⁵ Aulia Putri et al., "Criminal Sanctions for Traffic Violations Resulting in the Loss of a Person's Life."

⁶ Febriani, S. P., & Mintarsih, M. (2023). Law Enforcement in the Policy of Zero Overdimension and Overloading of Goods Transportation. *Legal Reform*, 27(1), 42–50. <https://doi.org/10.46257/jrh.v27i1.603>

Over Dimension Over Loading is very detrimental to the government and people of Indonesia. Based on data from the National Police Korlantas, in 2024 there will be 27,337 cases of traffic accidents involving goods transport vehicles. Meanwhile, data from Jasa Raharja shows that Over Dimension Over Loading (ODOL) vehicles occupy the second position as the cause of traffic accidents, with the number of deaths in 2024 reaching 6,390 people who receive compensation. In addition to the impact on safety, the existence of ODOL vehicles also causes damage to road infrastructure, which is estimated to require a budget of around IDR 43.47 trillion annually to repair damaged roads due to vehicle activities.⁷

Normatively, the regulation regarding ODOL vehicles has been regulated in Law Number 22 of 2009 concerning Road Traffic and Transportation, regulations regarding the transportation of goods that exceed the carrying capacity in traffic and road transportation are listed in article 169 Paragraph (1) of Law Number 22 of 2009 concerning Road Traffic and Transportation, which regulates the supervision of cargo goods that reads "Drivers and/or Public Transport Companies of goods are obliged to comply with the provisions regarding loading procedures, carrying capacity, vehicle dimensions, and road class". Furthermore, in Paragraph (2) "To supervise the fulfillment of the provisions as referred to in paragraph (1) the cargo of goods transportation shall be supervised". Meanwhile, the criminal provisions are contained in Article 307 of the Law on Road Traffic and Transportation: "Every person who drives a motor vehicle for public transportation of goods that does not comply with the provisions regarding the procedures for loading, carrying capacity, dimensions of the vehicle as referred to in Article 169 paragraph (1) shall be sentenced to imprisonment for a maximum of 2 months or a maximum fine of Rp. 500,000", so that in Article 316: "The provisions as referred to in article 307 are violations".⁸

Cargo-related violations include various forms, including excess tonnage, cargo that is not suitable or not listed in the shipping document, and cargo that exceeds the predetermined limit so that it has the potential to endanger other road users. Perpetrators of ODOL vehicle violations are no longer only subject to tickets, but can also be subject to criminal sanctions in the form of imprisonment for a maximum of 1 year or a maximum fine of Rp 24,000,000.00, in accordance with Article 277 of the Road Transportation Traffic Law. This article states that any person who enters or operates in the country motor vehicles, coupled trains, outboard trains, and special vehicles that have been changed in type and do not meet the type test obligations as referred to in article 50 paragraph (1) can be subject to the sanction.⁹

Previous research on vehicles (ODOL) has been carried out extensively, especially those that focus on normative aspects, such as legal regulations, types of violations, and sanctions regulated in laws and regulations. In addition, several studies have also examined the factors that cause ODOL violations and their impact on road infrastructure damage and traffic safety. However, these studies generally have not comprehensively examined how effective law enforcement is against ODOL vehicles in practice in the field. On the other hand, empirical research related to ODOL law enforcement is still limited, especially those that specifically examine the relationship between law

⁷ Ministry of Transportation of the Republic of Indonesia, "ODOL Vehicles."

⁸ Sari and Rusli, "Supervision of Over Dimension Over Loading (Odol) Vehicles on the Indragiri Hulu Cross Road."

⁹ Rozi, *Sanctions for Land Transportation Violations (Overdimension Overloading) are reviewed from Law Number 2 of 2009 concerning Road Transportation Traffic*.

enforcement and efforts to reduce the number of traffic accidents at the regional level. This condition shows a research gap, because there have not been many studies that integrate the analysis of law enforcement effectiveness with its inhibiting factors contextually in a specific region.

Gorontalo Regency is one of the districts in Gorontalo Province that has an important role in supporting the mobility of people and goods, both in the regional and inter-regional scopes. This district is passed by land transportation routes that connect the centers of economic activity, so that the traffic activity of goods vehicles is quite high. This condition has implications for the potential for traffic violations, especially *over dimension and over loading (ODOL)* vehicles, which can have an impact on traffic safety and damage to road infrastructure.¹⁰ In Gorontalo Regency, research examining the effectiveness of law enforcement against ODOL vehicles in reducing the risk of traffic accidents is still very limited. In fact, the characteristics of the region, the level of community compliance, and the condition of facilities and infrastructure can affect the success of the implementation of the law. Therefore, this study is here to fill this gap by empirically examining the effectiveness of ODOL law enforcement and identifying various inhibiting factors, so that it is expected to contribute both theoretically and practically in efforts to improve traffic safety.

Based on data from the Gorontalo Police Traffic Police, it is illustrated that in 2020-2024 in Gorontalo Regency there will be traffic accidents. In 2020, 132 people were recorded to have accidents, in 2021 it rose to 149, in 2022 it rose to 168, in 2023 it rose significantly to 207 and in 2024 it dropped to 119. with a total of 775, the victims who died were around 162 people, 105 people were seriously injured and the most minor injuries were 986 people, with material losses reaching Rp 3,178,040.¹¹ Vehicle modifications or modifications, ranging from light-scale to those that change almost the entire shape of the vehicle, have become a common practice and are no longer seen as taboo.

Not only that, but there are also many such as *ODOL* vehicles that operate not according to the predetermined hours and pass through roads that are specifically prohibited for the vehicle, the consequences caused are congestion and can result in traffic accidents, due to loads that exceed capacity and vehicle engines that have been changed and not according to factory standards, There may be unexpected events such as brake failures and so on, and can endanger other road users. Law enforcement against *ODOL* vehicles in Gorontalo Regency is still very lacking, vehicles can operate without detection so that regulations cannot be implemented effectively. This indicates the urgent need to strengthen law enforcement, especially the police and increase the awareness of the Gorontalo community about the dangers posed by *ODOL vehicles*.

RESEARCH METHODS

This study uses a type of *empirical legal research with a socio-legal approach*.¹² It aims to understand how the law is applied and functions in society, especially in assessing

¹⁰ Ntobuo, N. E., Arbie, A., & Amali, L. N. (2018). The development of gravity comic learning media based on Gorontalo culture. *Jurnal Pendidikan IPA Indonesia*, 7(2), 246–251. <https://doi.org/10.15294/jpii.v7i2.14344>

¹¹ Gustiani Hasan et al., "Handling of Illegal Racing Cases by the Gorontalo City Resort Police in Gorontalo City." Data was obtained from the Gorontalo Police

¹² Wibowo, N. A., Sumarmi, S., Utaya, S., Bachri, S., & Kodama, Y. (2023). Students' environmental care attitude: A study at Adiwiyata Public High School based on the New Ecological Paradigm (NEP). *Sustainability*, 15(11), 8651. <https://doi.org/10.3390/su15118651>

the effectiveness of law enforcement against *Over Dimension Over Loading* (ODOL) vehicles in Gorontalo Regency. The location of the research covers the Gorontalo Regency area with a focus on related agencies, namely the Gorontalo Resort Police, the Gorontalo Regency Transportation Office, and the Gorontalo Class II BPTD. The determination of informants is carried out through *purposive sampling* techniques, which are to select parties who are considered to have direct knowledge and involvement, and can be developed by *snowball sampling* to obtain relevant additional informants.

The data sources in this study consist of primary data and secondary data. Primary data was obtained through in-depth interviews with law enforcement officials, transportation officers, and other related parties, and supported by direct observation of conditions in the field. Meanwhile, secondary data was obtained through literature studies which included laws and regulations, books, scientific journals, and official documents related to law enforcement against ODOL vehicles. Data collection techniques are carried out through observation, interviews, and documentation to obtain comprehensive data.

The data obtained was then analyzed qualitatively using *thematic analysis* with reference to the Miles and Huberman interactive model, which includes the process of data reduction, data presentation, and conclusion drawn. The analysis stage is carried out through a *coding* and categorization process to identify patterns, themes, and relationships between relevant variables. To ensure the validity of the data, a validation technique is used through source triangulation, which is comparing data obtained from various informants and different data sources, so that the results of the research can be scientifically accounted for.

RESULTS AND DISCUSSION

Normative and Empirical Effectiveness of ODOL Law Enforcement

Normatively, regulations regarding ODOL vehicles have been regulated in Law Number 22 of 2009 concerning Road Traffic and Transportation and its implementing regulations. This provision requires every freight vehicle to meet technical and roadworthiness requirements, including dimensional and vehicle load limits. With this regulation, law enforcement is expected to run effectively to suppress violations of ODOL vehicles. However, if reviewed empirically, the effectiveness of law enforcement against ODOL vehicles in Gorontalo Regency is still not optimal.

This can be seen from the increasing number of violations in 2024 and 2025, as well as the continued occurrence of traffic accidents involving ODOL vehicles. This condition shows that there is a gap between the applicable legal norms and practices in the field, where legal provisions have not been fully complied with by the community. Based on data obtained from the Gorontalo Police, it shows that cargo violations have increased. Based on data on traffic accidents involving over dimension over loading (ODOL) vehicles over the past five years, namely the period 2021 to 2025, it shows fluctuations but tends to increase. In 2021, there were 2 ODOL vehicles involved in traffic accidents, then increased significantly in 2022 to 10 vehicles. In 2023 this number increased again to 13 vehicles, although in 2024 it decreased to 9 vehicles. However, in 2025 the number of accidents involving ODOL vehicles will again increase quite sharply to 14 vehicles.¹³

This condition indicates that the existence of ODOL vehicles is still the main risk factor in traffic safety in Gorontalo Regency. The increase in the number of accidents involving ODOL vehicles is caused by several factors. First, the characteristics of the

¹³ Data from the Gorontalo Police

ODOL vehicle itself which have an excess load and dimensions that are not in accordance with standards make the vehicle difficult to control, extend the braking distance, and reduce vehicle stability. This condition increases the potential for accidents, especially on roads that have limited geometric conditions or heavy traffic. Second, the increasing number of accidents is also related to the ineffective law enforcement against *ODOL violations*. Although the legal norms related to the ban on ODOL have been clearly regulated in laws and regulations, in practice these norms have not been fully complied with by drivers and freight transportation business actors. This shows that there is a gap between the applicable legal norms and the behavior of the community in the field.

In the perspective of the theory of legal effectiveness according to Hans Kelsen, the effectiveness of law cannot be separated from the validity of the law. Legal validity shows that legal norms are binding and must be complied with by every individual who is the subject of the law. However, if these valid norms are not implemented consistently and are not supported by strict law enforcement, then these norms lose their effectiveness in regulating public behavior.¹⁴ The increase in accidents due to *ODOL* vehicles reflects that the legal norms regarding *the prohibition of ODOL* are juridically valid, but not sociologically effective. Non-compliance with these norms occurs due to the low perception of legal risks felt by violators. When legal sanctions are not applied consistently, then legal norms that should be binding do not have strong coercion.

In addition, the decrease in the number of accidents in 2024 can be understood as a temporary impact of certain supervision or action, but increasing again in 2025 shows that the law enforcement has not been carried out in a sustainable manner. In Hans Kelsen's frame of mind, legal norms will only be effective if they continue to be applied consistently so as to cause legal compliance in the long term. The increasing number of traffic accidents involving *ODOL* vehicles shows that the effectiveness of the law in dealing *with ODOL* in Gorontalo Regency is still not optimal, due to the fact in the field that these ODOL perpetrators still often violate, and socialization carried out by agencies is only once every 1 or 2 years for education related to *ODOL* vehicles and many violators were simply released without being sanctioned. Therefore, firm, consistent, and sustainable law enforcement is needed so that valid legal norms are truly complied with and able to reduce the number of traffic accidents caused by ODOL vehicles.

Structural Factors of Law Enforcement

In Soerjono Soekanto's perspective, law enforcement factors are key elements that determine the success of law implementation, especially related to professionalism, consistency, and coordination between agencies. Law enforcement factors and facilities are important elements that determine whether or not a rule of law is successfully applied in society. Law enforcement factors are elements related to the capacity, coordination, and consistency of the apparatus in supervising and taking action against vehicles (ODOL), which have not run optimally, thus hindering efforts to overcome these violations.¹⁵

Based on the results of interviews with the police, law enforcement officials in Gorontalo Regency still tend to prioritize a persuasive approach rather than a repressive one. This condition occurs due to economic and social considerations, where strict enforcement of ODOL vehicles is feared to have an impact on people's livelihoods,

¹⁴ Hans Kelsen, *General Theory of Law and the State*.

¹⁵ Sudiarawan, K. A., Tanaya, P. E., & Hermanto, B. (2020). Discover the legal concept in the sociological study. *Substantive Justice International Journal of Law*, 3(1), 94. <https://doi.org/10.33096/sjjil.v3i1.69>

especially freight transportation business actors. As a result, the authorities prefer to provide tolerance through socialization and warnings. However, this approach actually leads to a low deterrent effect, because the offender does not face real legal consequences, so the violation continues to recur.¹⁶

In addition, weak coordination between agencies is also the cause of suboptimal law enforcement. This happens because there is no integrated and sustainable work mechanism between the police, transportation agencies, and BPTD. Each agency tends to work partially, so supervision in the field does not run optimally. This condition has an impact on the number of ODOL vehicles that have escaped supervision. The intervention of certain parties as conveyed by the Transportation Agency officer also hindered the handling of *ODOL vehicles*. This intervention causes law enforcement to be unable to be implemented in a firm and objective manner. This condition has the potential to weaken the authority of the law and reduce the level of public trust in law enforcement officials.¹⁷ Limited facilities and infrastructure have also aggravated this condition. The limited number of weighbridges and the lack of surveillance equipment mean that not all vehicles can be inspected. In addition, the limited supervisory personnel also reduce the intensity of supervision in the field. As a result, the chance of violations becomes greater because of the low risk of being detected by the authorities.

Cultural and Economic Factors in ODOL Violations

In addition to structural factors, the effectiveness of law enforcement against *Over Dimension Over Loading* (ODOL) vehicles is also greatly influenced by cultural and economic factors. In Soerjono Soekanto's perspective, social factors and legal culture are important elements that determine the level of compliance with the law.¹⁸ In Gorontalo Regency, low public legal awareness is one of the main causes of the high number of ODOL violations. Cultural factors also affect the low compliance with *ODOL* rules. In practice, violations of *ODOL* vehicles are often considered a natural and commonplace thing by some people. This permissive culture of violating the law causes people to tend to ignore the rules, even though socialization has been carried out by the relevant agencies.

Community factors are also quite dominant obstacles in handling *ODOL vehicles*. The level of compliance of the public and freight transportation business actors with *ODOL provisions* is still relatively low. Based on the results of interviews with the Transportation Department and BPTD, the low level of public compliance is caused by a lack of legal awareness and the orientation of business actors to economic benefits alone.¹⁹ This low compliance occurs because the public, especially freight transportation business actors, prioritize economic considerations over compliance with the law. ODOL practices are seen as a way to increase operational cost efficiency and earn greater profits in a single trip. This condition shows that the violation is not solely caused by ignorance of the rules, but is a rational choice based on the calculation of profit-loss. As long as the economic benefits obtained are greater than the risk of sanctions faced, violations are likely to continue to be committed.

¹⁶ Interview with the Police

¹⁷ Interview with Dishub officers

¹⁸ Saleh, I. N. S., & Spaltani, B. G. (2021). Environmental judge certification in an effort to realize the green legislation concept in Indonesia. *Law And Justice*, 6(1), 1–18. <https://doi.org/10.23917/laj.v6i1.13695>

¹⁹ Interview with DIshub and BPTD officers

The economic condition of the community is also a significant inhibiting factor. Many business actors and drivers of goods transportation vehicles violate *the provisions of ODOL* for the reason of increasing income. The practice of modifying vehicles and adding loads is done to reduce operational costs and obtain greater profits, even though this is contrary to the provisions of the law and endangers traffic safety.²⁰ But the economy cannot be an excuse to violate existing rules.

Overall, the effectiveness of law enforcement against *Over Dimension Over Loading* (ODOL) vehicles in Gorontalo Regency is still not optimal because it is influenced by the relationship between normative, structural, and cultural and economic aspects. Normatively, the rules regarding ODOL have strong legal validity, but in practice they have not been effectively applied in society. In Hans Kelsen's perspective, this condition shows that there is a gap between the validity and effectiveness of the law, where the prevailing norms have not been able to regulate people's behavior in real terms. From a structural perspective, based on Soerjono Soekanto's theory, law enforcement is influenced by the factors of the apparatus and infrastructure. In practice, a persuasive approach that is more dominant than strict action, weak coordination between agencies, and limited supervision facilities cause low law enforcement power. This condition provides an opportunity for offenders to continue committing violations without fear of significant legal consequences.

Meanwhile, from cultural and economic aspects, low public legal awareness and strong economic encouragement are the main factors that encourage ODOL violations. Business actors tend to prioritize profit over legal compliance, while a permissive culture towards violations further weakens the effectiveness of the law. As a result, even if legal norms are in place, without consistent enforcement and high public awareness, ODOL violations will continue to take place and contribute to an increased risk of traffic accidents. Thus, the effectiveness of ODOL law enforcement can only be achieved if there is a synergy between the strength of legal norms, optimizing the performance of law enforcement officials, and increasing public awareness and compliance in a sustainable manner.

CONCLUSION

Based on the results of research and analysis using the theory of legal effectiveness from Soerjono Soekanto and the theory of legal validity and effectiveness from Hans Kelsen, it can be concluded that law enforcement against *Over Dimension Over Loading* (ODOL) vehicles in Gorontalo Regency has not been effective in reducing the risk of traffic accidents. Normatively, the rules regarding ODOL have strong legal validity, but empirically they are not effective because they are not applied consistently and are not supported by adequate legal coercion. Thus, there is a gap between the prevailing legal norms and the reality on the ground.

The ineffectiveness is influenced by various interrelated factors, namely law enforcement factors that are not optimal in implementing sanctions firmly, limited supervision facilities and infrastructure, weak coordination between agencies, and low public legal awareness which is strengthened by economic pressure and permissive culture against violations. This condition causes ODOL violations to continue because the perpetrators do not feel significant legal risks, so that the goal of law enforcement to create traffic safety has not been optimally achieved.

²⁰ Purnomo, V. D., & Suryono, K. E. (2022). Implementation of supervision of over dimension over load violations in Kulon Progo Regency. *Jurnal Multidisiplin Madani*, 2(12), 4284–4293. <https://doi.org/10.55927/mudima.v2i12.2034>

Therefore, it is necessary to strengthen law enforcement through the application of strict and consistent sanctions in accordance with the provisions of laws and regulations, capacity building and coordination between law enforcement agencies, and the provision of adequate supervision facilities and infrastructure. In addition, it is practically necessary to increase public legal awareness through continuous socialization balanced with repressive law enforcement, as well as the gradual and integrated implementation of *the Zero ODOL* policy in order to be able to create a deterrent effect and reduce the risk of traffic accidents in a sustainable manner.

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