

ABSTRACT

Transportation Facilities Have Currently Become the Lifeblood of Economic Life. The Mobility of Humans, Goods and Services from One Place to a Destination Cannot Be Separated from the Existence of Facilities, Human Resources for Transportation, namely Through Land Transportation, the Movement of Passenger Flow in Services with Motorized Vehicles Driven by a Public Transportation Driver in the actual operation of BPJS data sources, as well as Korlantas Polri data records, it is explained that the cause of accidents from traffic accidents in Indonesia is caused by 4 (four) factors, 61% of accidents are caused by human factors or human error such as problems with driving inability/skills and driver character such as negligence, laziness, carelessness, and recklessness, then as much as 9% are caused by vehicle factors (related to the fulfillment of roadworthy technical requirements), and 30% are caused by infrastructure and environmental factors, The formulation of the problem in this study is, 1) How is the Legal Regulation regarding diversion as an alternative to resolving criminal cases committed by public transportation drivers in the Criminal Justice System in Indonesia.2). What are the Terms & Conditions of diversion as regulated in Article 310 & Article 311 of Law Number 22 of 2009 concerning Traffic and Road Transportation, and How is it implemented in a just criminal justice system, 3). How is the implementation of the diversion policy in resolving criminal cases of Public Transportation drivers in Purwakarta Regency, West Java in the context of legal certainty and with the Restorative Justice approach? Research Method Research is an activity that uses the power of thought and observation activities using rules, namely to produce knowledge to solve a problem, Imperative Legal Research is a legal research method that functions to see the law in a real sense and examine how the law works in the community environment, Based on the results of the study, it shows that the Diversion Regulation for Public Transportation Drivers in the Criminal Justice System to Maintain Road Traffic Safety, traffic violations that cause death in the Jurisdiction of Purwakarta Regency, West Java are said to have been effectively proven by the suspect being charged with Article 310 paragraph (4) of Law No. 22 of 2009 concerning traffic and road transportation in conjunction with Article 77 of the Criminal Code, However, because the suspect as the traffic violator himself suffered serious injuries and was treated for 30 days, then in accordance with Article 77 of the Criminal Code, the case can be continued and an investigation warrant, trial and a sentence of 3 years in prison are issued.

Keywords: “Diversion Regulations for Public Transportation Drivers in the Criminal Justice System to Maintain Road Traffic Safety”