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## RESEARCH ARTICLE

### ADMINISTRATIVE AND LEGAL PROVISIONS FOR DRIVING LICENSE (SIM) SERVICE IN THE REGION OF EAST JAVA POLICE DEPARTMENT

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#### ABSTRACT

The objective of article is to analyze and describe quantitatively administrative and legal provisions concerning driving license (SIM) service in the region of East Java Police Department. Research methodology uses qualitative approach, while data analysis utilizes Miles-Hubberman Model. Result indicates that: (1) legal base for SIM Service is yet to be obeyed by the people, and the consequence is that the people is not very supportive to the service orderliness and also to the importance of good driving behavior; (2) legal base for SIM Service is yet to be carried on as it should be, and the consequence is that SIM Service cannot afford the required quality standard, which therefore, SIM applicants are lacking of knowledge about good driving behavior; and (3) the mechanism of procedures and requirements of SIM Service is not yet implemented as it is expected to be, and therefore, SIM Service shall find its quality standard decreasing and fail to increase drivers' knowledge about good driving behavior.

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## INTRODUCTION

Human life is dynamic comprised with varying and complex activities. It needs a space involving many partitions to capture the variety of activities. Specialization on certain activity is emerging, and therefore, there are several zones of systemic activities with significant difference to one another. Such description has been found on the transportation sector in developed and developing countries. Indeed, transportation becomes serious problem due to the increasing trend of traffic accidents and violations, which ends with causing victims. It actually cannot be separated from human life dynamic, and therefore, the safety of public road users remains on first priority. This priority can be achieved through the advancement of technology and the development of civilization that systematically fluctuates with the development of ages. Therefore, a public service that the government has responsibility to make it functional is to create reliable traffic management. The government must redefine the existing public service system in order to produce public service at the quality that synergizes with the interest of stakeholders who always care to the implementation of public service. Transportation is needed by all layers of society, including those from upper, middle, and lower classes. Twenty-first century transportation activity is suffering from the

unfriendliness of transportation modes, which has caused many kinds of casualty including dead humans, lost riches, wasted times, noises, city's shabby countenance, and environmental degradation. Concerning with environment, the big scale problem is called *Global Warming*. Montesquieu, in his book "*L'Esprit des Lois*" (1748), inspired by John Locke, divided the power of nation (government) into three branches, respectively (1) legislative power as the maker of laws, (2) executive power as the implementer of laws, and (3) judicative power as the functionary of justice affair. This classification is then known in modern term as three functions of power, which include legislative (*the legislative function*), executive (*the executive or administrative function*), and judicative (*the judicial function*) (Asshiddiqie, 2006: 13). These power organs have separated function and freedom to fulfill their function. Despite this freedom, they are still restrained by legal boundary. In this research, the discussion about national or governmental function is stressed more on executive function concerning with public service delivery. People and few social classes are not only similar in their short-term interests but also in long-term goals. They have fundamental rights as citizen to receive public services. Civil Servant as the provider of transportation-related civil service has been regulated in Law No.2/2002 concerning Indonesia Republic Police Department (POLRI) and also Law in No.22/2009 concerning Traffic and Road Transport. These laws are legal bases for the delivery of public service in transportation sector, and some services are frequently provided, notably, reliability test, haul permit

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issuance, and driving license (SIM) issuance. The involvement of POLRI into Indonesian transportation policy is manifested by acting as a stakeholder with discretions to enforce traffic laws. Therefore, POLRI does remain active in supporting this transportation policy. One form of this support is shown by POLRI's participation into determination of traffic-related public services that must be delivered to the people. This determination then produces three services that are mostly provided, respectively reliability test, haul permit issuance, and driving license (SIM) issuance. The delivery of these services is regulated by Law No.22/2009 concerning Traffic and Road Transport, which the execution of this law is arranged through POLRI Commissioner's Decree No.9/2012 concerning Driving License (SIM) and also through Government Regulation No.50/2010 concerning Tariff on Non-Tax Revenue Type Received by POLRI. Therefore, the existence of POLRI as public organization is very vital and has significant effect on public service delivery, including public service related with driving license (SIM) issuance.

### **Administrative and Legal Provisions Concerning Application for SIM**

The requirements concerning application for New SIM (Government Regulation No. 44/1993, Article 217 Verse 1) include: (1) Submitting written application; (2) Can write and read letters; (3) Has adequate knowledge about road traffic and basic technique of driving motor vehicles; (4) Being compliance with age limit, which is 16 years old for SIM C and SIM D, 17 years old for SIM A, and 20 years old for SIM B1 and SIM B2; (5) Having ID Card or other personal identifier; (6) Having skills for driving motor vehicles; (7) Being physically and mentally healthy; (8) Passing through Theory Test and First & Second Practice Tests; and (9) Holding SIM A at least for 12 months before applying for SIM B1, and holding SIM B1 at least for 12 months before applying for SIM B2. Requirements of application for SIM in Public Type include: (1) Holding SIM A before applying for SIM A Public; holding SIM A Public/B1 before applying for B1 Public; and holding SIM B1 Public/B2 before applying for B2 Public; (2) Having experience in driving motor vehicle based on SIM held at least for 12 months; (3) Having knowledge about public transport service, road network and road class, motor vehicle test, and passenger & freight hauling methods; (4) Having ID Card or other personal identifier; and (5) Passing through Theory Test and First & Second Practice Tests; for the supplicants of SIM Public, they must attend Driver Clinic Test.

The supplicants of SIM Public must pass through the tests, which consist of: (1) Theory Test, which examines knowledge about public transport service, road network and road class, motor vehicle specification, passenger & freight hauling methods, and important place at the domicile; and (2) Practice Test, which includes taking and discharging passengers and freights at terminals or the permitted spots, showing the ability in hauling passengers and freights, filling load documents, and understanding ethics and courtesy in driving. Requirements for SIM Examiner (Government Regulation No. 44/1993, Article 221) include: (1) Holding the relevant SIM, which matches with the examined SIM, at least for 3 (three) months; (2) Having education background minimally from Senior High School; (3) Being appointed by the authority officer; (4) Result of SIM Tests (on Government Regulation No. 44/1993, Article 222) must be given at least on 3 (three) work-days since tests

are conducted; (5) The supplicants who fail the tests can redo the tests at least on 14 (fourteen) work-days since the notification of failure without submitting new application; and (6) The supplicants who still fail the re-tests can follow the next re-tests after 60 (sixty) work-days since notification of failure without submitting new application. Issuance and Extension of SIM (Government Regulation No. 44/1993, Article 223 and 224) are explained as follows. Supplicants who pass the tests must receive SIM based on the applied class at least on 1 (one) work-day since the supplicants are declared as passed. SIM can be extended without tests. Main requirements for SIM Extension include: filling application forms, showing ID Card or other personal identifier, and giving SIM that needs extension (old SIM). Health certificate given by physician is needed to indicate that supplicants are physically and mentally healthy. If SIM has exceeded the expiration period for 1 (one) year, the holder must follow theory & practice tests.

In the case when SIM is lost or broken (Government Regulation No. 44/1993, Article 225), the solution is already available. The holder fill into the application forms, show the ID Card or other personal identifier, and give the loss notification from local police or show the broken SIM. SIM Mutation (Government Regulation No. 44/1993, Article 226) involves some processes. SIM holder must report address change to Task Managing Unit for SIM (*Satpas SIM*) at least on 2 (two) months since the movement to the new domicile. If SIM is still usable in the new domicile, then it can be used as it should be. If it expires, it can be extended by showing the notification of address change, ID Card, or personal identifier, but without exams. SIM Administrative Costs (Government Regulation No. 44 /1993) are explained as follows. The costs for SIM Issuance are regulated by Government Regulation No.31/2004 concerning Tariff on Non-Tax National Revenue (PNBP) Type in POLRI's Premises. This regulation is enforced by KAPOLRI's Decree No.Pol.:Skep/1008/XII/2004 dated on 29 December 2004 concerning Administrative Guidance for PNBP Affairs in POLRI's Premises. SIM Issuance costs are differentiated into as follows: (1) New SIM: IDR 75,000.-; (2) SIM Extension: IDR 60.000.-; (3) Driver Clinic Test: IDR 50,000.-; and (4) Medical Check-up by POLRI physician or general physician. Based on KAPOLRI's Telegram No.Pol.:ST/183/II/2005 dated on 11 February 2005 concerning Government Regulation No. 31/2004 concerning Tariff on PNBP Type in POLRI's Premises, it is said that the required costs are only those allowed to be charged from supplicants based on tariff types stated in Government Regulation No. 31/2004. The costs previously charged for health check-up, fingerprint, and Bhakti Bhayangkara Insurance, have been abolished. All provisions that contravene with Government Regulation No. 31/2004 concerning Tariff on PNBP Type in POLRI's Premises are then considered as ineffectual.

Rejection and Revocation of SIM (Government Regulation No.44/1993, Article 228) are described as follows. SIM supplicants may be rejected and their SIM can be revoked under some conditions, such as: The required documents concerning SIM application are not complete; Supplicants still hold SIM at the same class to that of the new SIM they apply for. The revocation of SIM or revocation deadline must be decided by the court in permanent legality. SIM is considered as ineffectual (Government Regulation No. 44/1993, Article 230) under some conditions, such as: The usage period expires; SIM is broken and letters are not readable; It is used by others;

It is acquired through illegal way; and Data contained in SIM are changing. Procedure of Acquiring SIM involves several steps. It begins with filling the forms and enclose along with it the copy of ID Card before submitting them to the registration counter. The applicants are then called on queue serial number to serve theoretical test. If they pass the test, they serve practice test based on SIM type they apply for. When they pass first and second practice tests, they will be called for SIM photograph session. After this session, the supplicants wait in the room, and their queue number will be called to receive the finished SIM.

Procedure of Acquiring SIM Through Online Facility includes several steps: (1) Open the relevant website, <http://sim.korlantas.polri.go.id.>; (2) Select the menu "Online SIM Registration"; (3) Select application type, either extension or new issuance; (4) Follow registration paths; (5) If registration is success, the supplicants pay the bills through ATM, EDC, or Teller Desk in all BRI's offices; (6) Come to the location of Satpas/Outlet/SIM Mobile Unit where the registration is made, and submit health certification to the officer on duty; (7) The officer on duty will do identification and verification of data registered (involving taking photograph, fingerprint, and signature); and (8) Supplicants will serve theory & practice tests, and if they pass, New SIM is ready for issuance. Other provisions have been made for special condition, such as SIM for the disabled. Some exceptions are given without destructing the essence of law. Exceptions may differ with cases. In some cases, physician notification is needed to ensure that the disability shall not prevent supplicants from exploiting driving techniques, and that the disabled will not put the self and others in danger. The application for SIM for the disabled is only limited to SIM A and SIM C, but not for SIM Public. Interestingly, requirements and mechanisms for acquiring SIM for the disabled are made similar to those for SIM Public. SIM For Foreigner is also available but it is only limited for SIM A and SIM C. The issuance of SIM Public must involve permit from Department of Employment, and the supplicants for such SIM must be able to show Temporary Residence Permit (KIMS), Self-Notify Token (STMD), and most importantly, Passport/Visa/Demographic Identifier. Foreigners who have long lived in Indonesia can acquire SIM For Foreigner with 5-year expiration period. Embassy staffs and their families may hold such SIM with 5-year expiration period. Foreigners who work as expert in Indonesia are only given 1-year expiration period. Tourists are provided maximally 1-month expiration period, and it is limited only to SIM C. If the holders must return to the home country, they must report to Satpas that releases their SIM.

Moreover, there is a plan made among ASEAN members to produce SIM Domestic that can be used among ASEAN countries. The idea of SIM Domestic has been acknowledged by ASEAN countries and already followed up with agreement by which driving license released by each member shall be acceptable in other member countries. Still, there is an issue concerning how to ensure the validity of driving license brought by visitors from other member countries. Indonesia anticipates this issue by developing relevant validation procedure. Singapore is the front runner for this trend. Several classes of SIM have different allocation of usage, and it is explained as follows: (1) SIM A is for driving the vehicles that carry the load for 2,000 kg or more, among others is bus and heavy truck; (2) SIM B2 is for driving the vehicles that carry

the load for more than 1,000 kg, among others is heavy tractor, tractor with patch cart, and double-decker bus. Vehicles with patch cart, but the load is 1,000 kg or less, can be driven with SIM B1. Load weight allowed to be carried by bus, delivery truck, and patch cart, is determined by DLLAJ (the Directorate of Traffic and Road Transport). Bus and delivery truck must be tested first before it is driven on the road to determine the allowance of load weight to carry. SIM A Special is given to drive three-wheel vehicle with car body that carries passengers/goods (not referring to motorcycle with outboard carriage). Three-wheel vehicle without car body can be driven with the usual SIM A.

The arrangement for acquiring SIM at upper level is elaborated as follows:

(1) The supplicants may acquire SIM A without holding SIM C at first, and so may the reverse. SIM B1 can be acquired only if the supplicants hold SIM A at least for 12 months; (2) SIM B2 is acquired only if the supplicants hold SIM B1 at least for 12 months; (3) The supplicants of SIM A, B1, and B2 in Public Type, must hold SIM A, B1, and B2 also in Public Type, at least for 6 months; (4) SIM A Public can be promoted to B1 Public after holding SIM A Public at least for 12 months; (5) SIM B1 Public can be promoted to B2 Public after SIM B1 Public is held at least for 12 months.

Driving License (SIM) Service in the region of East Java Police Department has served many applications for New SIM since January 2013 (Source: Traffic Directorate for East Java Police Department, 2013). New SIM issuance is given only after the supplicants pass the requirements. The dominant issuance includes SIM C with 38,118 units and SIM A with 16,918 units.

Also, Driving License (SIM) Service in the region of East Java Police Department has served many applications for SIM Extension since January 2013 (Source: Traffic Directorate for East Java Police Department, 2013). The application for SIM Extension is dominated by SIM C with 72,174 units and SIM A with 18,475 units. Applications for other SIMs also exist but the level is not significant, such as SIM A with 53 units, SIM D with 2 units, SIM B1 Public with 886 units, and SIM B2 with 366 units.

Driving License (SIM) Service in the region of East Java Police Department has also served many applications for SIM A and SIM C, either in new or extension categories. A non-government organization, called Imparsial, has conducted survey on this SIM Service, especially on these categories. The survey started from 17 June to 04 July 2011, and it was carried out to 500 respondents with error rate of 4 percents. The sample is obtained through Multistage Random Sampling. Result showed that there are around 75.8 percents respondents admitting the existence of fraud in SIM Service. They do not satisfy with police performance relating with SIM Service (Detik, 2011). One accused fraud is illegal quotation practice done by police officers in SIM issuance. Due to the persistence of this fraud, it becomes the most highlighted corrupt practice in SIM issuance. Therefore, as public servant, POLRI is required to have work mechanism and work product that may help the creation of orderliness, pleasure, and security to the people. As shown by the laws, SIM issuance must be delivered through a systematic system to produce optimum service, to satisfy supplicants, and to warrant that SIM is a POLRI's

product bestowed to the supplicants to be used on demand with responsibility. Otherwise, bad things can happen. The imprecision of SIM issuance – due to some factors, including fraud – has caused casualties, as proved by traffic accident data released by the Ministry of Liaison for Indonesia Republic dated on December 2010. In that year, the vehicle accident rate reaches 47,621 cases, with victims classified as follows: (1) light injury around 18,802 individuals; (2) heavy injury around 45,882 individuals; and (3) dead around 14,334 individuals. Based on data published by POLRI Headquarter, it was shown that during 2011, the traffic accident rate has reached 106,129 cases. In those accidents, 30,629 individuals are dead, 35,787 are heavily injured, and 107,281 individuals suffer from light injury. The rates are higher than those in 2010. This increase is caused by many factors, such as *human error*, *technical error*, and natural disaster. In Indonesia, the most dominant cause to this accident is human error, which around 90% of accidents occurred, and it is often related with the unreliability of road users who are indeed holding driving license (Kompasiana, 2012).

Concerning with this reality, it must be noted that the safe key in using public road is to understand that human factor is correlated with individual behavior. Regardless who is the perpetrator or victim in traffic accident, both have been given formal legality to hold SIM issued by POLRI. Therefore, the quality of SIM issued, especially SIM A and SIM C, shall be subjected to reconsideration and evaluation. In SIM Service context, service quality is determined by service mechanism. SIM Service mechanism is made of some stages, such as identification & verification, registration, examination, publishing, and archiving. These stages are designed to help the officers at SIM Service counter to assure that supplicants are indeed reliable to receive SIM they apply for, based on administrative documents, precision of allocation, and permit that is given. Identification & Verification, and also Registration, are stages designed to ensure that SIM supplicants have met administrative requirements, including have reached age limit, have ID Card (for indigenous), allow ten digits to be printed, and others. Examination Stage (or test) involves theory and practice tests. Theory test is aimed to examine knowledge and understanding of supplicants concerning traffic regulations, while practice test is conducted to examine driving skill of the supplicants to ensure that they are reliable to apply driving license. Publishing Stage is the final verification to ascertain that SIM is reliable to be printed and bestowed to the right holder who is responsible in driving vehicle. Archiving Stage is the stage to store the documents of SIM supplicants to document the data.

Stage that is yet to be socialized or yet to be understood is Reevaluation Stage, where SIM reliability is subjected to reevaluation, especially when the holder violates traffic laws and be punished based on violation count. Given with the imbalance between road availability and number of vehicles, thus reevaluation helps decreasing violation and accident rates. Therefore, it can be said that SIM is a method used by POLRI to decrease traffic violation and accident rates by which it is expected that road users drive safe. Indeed, safety in using public road can be achieved by giving SIM in correct and precise ways. SIM issuance procedure must be correct, and the issuance is precisely given to the supplicants who are indeed permitted to drive due to their psychological stability, their knowledge and understanding about traffics, and their responsibility to other users of public road.

Pursuant to the explanations above, early deduction is made, which is that the correct procedure of SIM issuance, which emphasizes on attitude or mental assessment, and also on understandings about traffic regulations, is a factor that may suppress the number of traffic accident cases. Other important factor is the reevaluation on the driving licence hold by the violator of traffic laws based on violation count. Although there are few other factors decreasing traffic accident cases, including reliable road infrastructure and good road geographic condition, this research is emphasized more on driver's attitude. If the driver has good attitude in driving, has adequate knowledge about traffic, and has proper driving skill, then it is possible to minimize the accident rate and to deliver the safety of road users. Therefore, SIM issuance mechanism must be evaluated from which SIM can be functioned maximally to establish good and responsible drivers. Referring to the background and empirical issues described previously, the author determines the problem that becomes the pressure point of this research. It is represented by question: "How is the implementation of administrative and legal provisions for Driving License (SIM) Service in the region of East Java Police Department". The objective of this research is to describe and analyze administrative and legal provisions for Driving License (SIM) Service in the Region of East Java Police Department.

## MATERIALS AND METHODS

Research uses qualitative approach to explain the complex detail about individual and group phenomenon using *grounded theory*.

Focus of research is still related with problem and objective of research. Therefore, research is focused on public service concerning Driving License (SIM) Service at Traffic Directorate for East Java Police Department, especially related with the legal base and the implementation of legal base of SIM Service. Matters to be focused on include: (1) the issuance of New SIM; (2) the extension of Old SIM; (3) SIM issuance costs; and (4) Additional Terms of SIM Issuance. Research location is the Regional Office of East Java Police Department. This location is chosen because it is a place or work unit that provides data or information that are accurate and relevant to the problem of research. Research type is qualitative, which therefore, main source of the data includes words and actions, and the additional data are documents and other relevant recordings (Lofland and Lofland, 1984). Therefore, there are few types of data source, respectively: (1) Informant, (2) Event, and (3) Document. Data collection technique is one suggested by Lofland and Lofland (1984). This technique involves three stages. First, the author enters the location of research (*getting in*). Second, the author builds relationship with the subjects (*getting along*), and the third is collecting the data (*logging the data*).

Data collection method (*logging the data*) in qualitative research is meant to be collecting various kinds of data and using times in effective ways while collecting information from research location. According to Creswell (2010), the procedure of data collection in qualitative research involves four methods, such as: (1) Observation, (2) Interview, (3) Documentation, and (4) Audio-Visual. According to Denscombe (2007), there are four instruments to be used in data collection, such as: questionnaire, interview, observation, and documentation. Each method is an instrument for the

author to collect empirical data. It helps the author to obtain: (1) the clear description about something; (2) the accurate measurement; and (3) the understanding about facts and events of the subjects. In this research, data collection (*logging the data*) is done with few activities such as: (1) Interview; (2) Observation; and (3) Documentation. Data analysis technique involves 3 (three) step models, such as: (1) Data Reduction; (2) Data Presentation; and (3) Conclusion Remark or Verification. Data validity is designed to understand the degree of data validity by using four yardsticks, such as: “*credibility* (whether it can be trusted or not), *transferability* (whether it can be disseminated or not), *dependability* (whether it is reliable or not), and *confirmability* (whether it is certain or not)” (Lincoln and Guba, 1984 in Moleong, 2005).

## RESULT AND DISCUSSION

### RESULTS

Indonesia Republic Police Department, also known as POLRI, is the national police force with several roles to play, such as keeping the security and orderliness for the people, enforcing the laws, and protecting the people for the sake of maintaining national security. In order to fulfill these roles, to optimize the achievement of targets, and for the sake of interest on task completion, then Government Regulation is made concerning the apportionment of legal region to be administered by POLRI. Indeed, Indonesia Republic Police Department is one of governmental institutions assigned as a tip-of-spear for law enforcement in the country. It is not easy task because POLRI must stand directly before the people. Law enforcement compels people to be aware with laws and then obey the laws. Any traffic violations must be dealt by law procedures and provisions. Law No.2/2002 concerning Indonesia Republic Police Department contains with several expectations such as:

- (1) Police officers must be self-supported, high-quality, and professional.
- (2) Police officers must complete their tasks and responsibilities in correct and precise ways, at the desired quality, and emphasizing on justice, police laws, and human rights.
- (3) Orderliness, security, and peace among the people shall be produced through the improvement of law conscience, law obedience, and law enforcement.

Police legal region is apportioned (divided) through a harmonious process, meaning that it is done in consistent way with the apportionment of administrative region in local government. Therefore, certain region in a local government may have an integrated criminal justice system that is designed on the interests of local police department's functions and roles, the authority of POLRI, regional width, and population rate. Harmonization is crucial issue because police's legal region differs from local government's administrative region. Traffic Directorate for East Java Police Department is the organizational part of POLRI with assignment in East Java Region. East Java Police Department has several tasks such as: keeping the security, maintaining orderliness, enforcing the law, and giving protection to the people, as well as completing other tasks in East Java legal region based on law provisions and regulations concerning with POLRI. Same conditions, therefore, also prevail for Traffic Directorate for East Java Police Department.

**Public Service at SIM Division in Traffic Directorate for East Java Police Department.**

### Legal Base of SIM Service

There are some legal bases used to underline SIM Service given by Task Managing Unit (SATPAS). The unit is the administrative element that is directly reported to Traffic Directorate for East Java Police Department:

- (1) UUD 1945 as National Constitution; (2) Law No. 25/2009 concerning Public Service; (3) The Decree of the Minister of National Apparatus Efficiency (Kep.Men.Pan) No.7/2010 concerning the Manual of Performance Assessment for Public Service Organizing Unit; (4) Law No.22/2009 concerning Traffic and Road Transport; and (5) Regulation of POLRI Commissioner No.9/2012 concerning Driving License.

UUD 1945 is the ultimate source of all sources of law. It is a main base of all activities done by SATPAS SIM in the Regional Office of East Java Police Department. Article 1 Verse (3) of UUD 1945 says that Indonesia is a legal country, which the governance must be pursuant to the amendment of National Constitution in Chapter XA concerning Human Rights, Article 28i Verse (2) saying that “*every human has right of freedom out of discriminative treatment by whatever reasons and also has right to be protected from such treatment*”. Therefore, services delivered by SATPAS SIM have been in compliance with provisions in UUD 1945. Concerning with service delivery aspect, the performance of SATPAS SIM has been consistent with Law No.25/2009 concerning Public Service. The base of implementation of this Law is Government Regulation No.96/2012 concerning the Implementation of Law No.25/2009. Article 15 of the 2009 Law is stating that:

Public Service Organization is required to do things as follows: to determine and publish service standard and service declaration; to hire competent staffs; to provide structures-infrastructures and public service facilities to produce reliable service climate; to provide high quality services as required by service standard; to take active participation in any activities designed to obey the laws concerning public service delivery; to take responsibility for the delivered services; to help people to understand their rights and obligations; to be accountable to the laws when there is resignation or retirement from any positions or ranks; and to deliver the summon or task to represent organization, or to complete the command of legal actions given by the higher level officers in the national institution (POLRI's Headquarter) with valid rights and discretions based on the applicable laws.

Moreover, Article 16 of Law No.25/2009 concerning Public Service, which is implemented through Government Regulation No.96/2012 concerning the Implementation of Law No.25/2009, has stated that:

Public Service Provider is required to do things as follows: to deliver services based on assignment; to take responsibility for the delivered services; to complete the summon or the command of legal actions given by the higher level officers in the national institution with valid rights and discretions based on the applicable laws; to submit responsibility report in the case of resignation and retirement based on the applicable

laws; and to prepare and evaluate periodic reports of financial and performance issues.

Article 17 of Law No.25/2009 concerning Public Service, which is implemented through Government Regulation No.96/2012 concerning the Implementation of Law No.25/2009, is regulating the prohibitions that must be avoided by public service provider. It is stated that:

Public Service Provider is prohibited from doing things as follows: taking position as Commissioner or Manager in certain business organization, in state-owned enterprise, and in local-owned enterprise; abandoning the tasks and obligations, except for clear, rational and legal excuses based on the applicable laws; hiring staffs without organizational consent; making agreement with other without organizational consent; and violating the principles of public service delivery. Rights and obligations of the people are explained in Article 18 of Law No.25/2009 concerning Public Service, which is implemented through Government Regulation No.96/2012 concerning the Implementation of Law No.25/2009. It is stated that:

Assuming that people already understand the contents of service standards, therefore, they do have rights to monitor the delivery of service standards; to receive responses for the claim they submit; to obtain advocacy, protection and service fulfillment; and to acquire services they desire in the desired quality based on the principles and goals of services; and they do have obligations to notify organization leader for correcting services if it is found that services diverge from the standards; to suggest service provider for correcting services if it is found that services do not comply with the standards; and to make a reporting to organization manager or Ombudsman about service provider who deviates from service standards and/or who does not want to correct the services.

In delivering services to the people, SATPAS SIM in East Java Police Department always takes self-evaluation in pursuance of the Decree of the Minister of National Apparatus Efficiency (Kep.Men.Pan) No.7/2010 concerning the Manual of Performance Assessment for Public Service Organizing Unit, which its implementation is referring to the Decree of the Minister of National Apparatus Efficiency and Bureaucratic Reformation No.17/2017 concerning the Manual of Performance Assessment for Public Service Organizing Unit. Driving License (SIM) is the proof of registration and identification given by POLRI to someone who has fulfilled administrative requirements, been verified as physically and mentally healthy, has understandings about traffic regulations, and can show the expected driving skills. SATPAS SIM in East Java Police Department administers SIM Service in compliance with Law No.22/2009 concerning Traffic and Road Transport. Article 77 of the Law is mentioning that people who drive motor vehicle on the road must hold Driving License based on the vehicle they drive. The procedure of SIM Service is designed to produce administrative order and to maintain the proof of driving skill because the safety of road users remain on the hand of SIM holder. The provisions of Article 88 and 89 of Law No.22/2009 concerning Traffic and Road Transport are implemented through POLRI Commissioner's Decree No.9/2012 on Driving License.

**Implementation of SIM Service Legal Base:** Sub-Directorate of Registration & Identification in the Directorate of Traffic

for East Java Police Department, through its SIM Issuer Division, determines and socializes service declaration as a form of performance transparency. The contents of this declaration are that:

- Services are delivered accurately;
- Services are easy to get, affordable, punctual, and with cost certainty in the desired quality;
- Services are given through manners of professionalism, responsiveness, persuasion, responsibility, and ethical code;
- Services are provided involving senses of warranty, equal treatment, non-discrimination, and archival security, with special facilities and special service behaviors on the case of vulnerable group.

Other goal expected from declaration is to measure satisfaction rate of service users in the environment of Traffic Directorate for East Java Police Department. Basically, this Directorate is a public service organization that publishes SIM, and expected to deliver the best service to the people.

**The Issuance of New SIM:** SIM issuance service involves classifying New SIM into private and public types. The following is the explanation of SIM issuance by the type:

**New SIM Issuance for Private Type:** Private Type refers to SIM on certain classes designed for private transportation. SIM classes in Private Type are explained as follows:

- SIM A, which is used to drive passenger and freight vehicles as private transportation at load limit not more than 3,500 kilograms.
- SIM B1, which is used to drive passenger and freight vehicles as private transportation at load limit more than 3,500 kilograms.
- SIM B2, which is used to drive heavy vehicles, tow vehicles, or vehicles with patch cart or outboard carriage as private transportation at load limit more than 1,000 kilograms.
- SIM C, which is used to drive two-wheel motor vehicles as private transportation designed for a speed more than 40 km/hour.
- SIM D, which is used to drive special vehicles for the disabled or the individual with special necessity.

Some requirements must be met before acquiring New SIM on Private Type. Different class of SIM requires different conditions:

- SIM A requires: (1) minimum age of 18 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly (man must wear collared shirt, trousers, and shoes), (5) passing theory test, practice test and simulator based-skill test, and (6) paying SIM issuance costs.
- SIM B1 requires: (1) minimum age of 20 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly (man must wear collared shirt, trousers, and shoes), (5) passing theory test, practice test and simulator-based skill test, (6) holding SIM A at least for 12 months, and (7) paying SIM issuance costs.
- SIM B2 requires: (1) minimum age of 20 years old, (2) having ID Card (KTP), (3) filling into application

forms, (4) being physically and mentally healthy, and dressing neatly (man must wear collared shirt, trousers, and shoes), (5) passing theory test, practice test and simulator-based skill test, (6) holding SIM B1 at least for 12 months, and (7) paying SIM issuance costs.

- SIM C requires: (1) minimum age of 17 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly and wearing shoes, (5) passing theory test, practice test and simulator-based skill test, and (6) paying SIM issuance costs.
- SIM D requires: (1) minimum age of 17 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly and wearing shoes, (5) passing theory test, practice test and simulator-based skill test, and (6) paying SIM issuance costs.

### New SIM Issuance for Public Type

Public Type is SIM on certain classes designed for public transportation. SIM classes in Public Type are explained as follows:

- SIM A Public, which is used to drive passenger and freight vehicles as public transportation at load limit not more than 3,500 kilograms.
- SIM B1, which is used to drive passenger and freight vehicles as public transportation at load limit more than 3,500 kilograms.
- SIM B2, which is used to drive heavy vehicles, tow vehicles, or vehicles with patch cart or outboard carriage as public transportation at load limit more than 1,000 kilograms.
- Some requirements shall be met before acquiring New SIM on Public Type. Different SIM class involves different conditions:
- SIM A Public requires: (1) minimum age of 20 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly (wearing collared shirt, trousers, and shoes), (5) passing theory & practice tests, (6) attending the driving clinic to obtain Notification of Driving Clinic Test (SKUKP), (7) holding SIM A (on Private Type) at least for 12 months, and (8) paying SIM issuance costs.
- SIM B1 Public requires: (1) minimum age of 22 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly (wearing collared shirt, trousers, and shoes), (5) passing theory & practice tests, (6) attending the driving clinic to obtain Notification of Driving Clinic Test (SKUKP), (7) holding SIM B1 (on Private Type) at least for 12 months, and (8) paying SIM issuance costs.
- SIM B2 Public requires: (1) minimum age of 23 years old, (2) having ID Card (KTP), (3) filling into application forms, (4) being physically and mentally healthy, and dressing neatly (wearing collared shirt, trousers, and shoes), (5) passing theory & practice tests, (6) attending the driving clinic to obtain Notification of Driving Clinic Test (SKUKP), (7) holding SIM B2 (on Private Type) or SIM B1 Public at least for 12 months, and (8) paying SIM issuance costs.

### The Extension of Old SIM

Expiration period for SIM is 5 (five) years. Before SIM period ends, the holder must extend it. This extension is important because if the expiration period is past, SIM is considered as effectively unusable. The extension of Old SIM in the Regional Office of East Java Police Department requires SIM extension supplicants to fulfill several conditions: (1) filling extension forms, (2) having ID Card for Indonesian citizens or holding immigration documents for foreign citizens, (3) holding old SIM, (4) passing Simulator-Based Skill Test, (5) being physically and mentally healthy, and dressing neatly (wearing collared shirt, trousers, and shoes), and (6) paying SIM extension costs. One thing to be noted by extension supplicants is that SIM extension process must be done before the expiration period of old SIM ends. If extension process is taken after expiration period passes over, SIM holder must redo the procedure of New SIM issuance based on SIM class held.

### SIM Administrative Costs

Government Regulation No.50/2010 concerning Tariff on Non-Tax National Revenue (PNBP) Type in POLRI's Premises has arranged the administrative costs of New SIM issuance and Old SIM extension as follows:

1. Cost for New SIM A is IDR 120,000.-
2. Cost for Extension of SIM A is IDR 80,000.-
3. Cost for New SIM B1 is IDR 120,000.-
4. Cost for Extension of SIM B1 is IDR 80,000.-
5. Cost for New SIM B2 is IDR 120,000.-
6. Cost for Extension of SIM B2 is IDR 80,000.-
7. Cost for New SIM C is IDR 100,000.-
8. Cost for Extension of SIM C is IDR 75,000.-
9. Cost for SKUKP is IDR 50,000.-

**Allowances for SIM Holding:** There is allowance given to several SIM classes by which the usage of certain SIM is considered as comparative to the usage of other SIM. To be noted, this allowance is only provided by the condition that the load carried by the vehicle is same or less among the compared SIMs. The arrangement for this comparison is explained as follows:

- a. SIM A Public is allowed to drive motor vehicle designed to use SIM A.
- b. SIM B1 is allowed to drive motor vehicle designed to use SIM A.
- c. SIM B1 Public is allowed to drive motor vehicle designed to use SIM A, SIM A Public, and SIM B1.
- d. SIM B2 is allowed to drive motor vehicle designed to use SIM A and B1.
- e. SIM B2 Public is allowed to drive motor vehicle designed to use SIM A, SIM A Public, SIM B1, SIM B1 Public, and SIM B2.

As indicated in Standard Operating Procedures (SOP), the mechanism of procedures and requirements of SIM Service implemented by SATPAS SIM at the Regional Office of East Java Police Department is explained in the following sections.

**The Mechanism of Procedures and Requirements of SIM Service:** Driving License (hereafter called as SIM) is a token issued by POLRI to gives supplicants a right or permit to drive

**SIM Online - Ditlantas Polda Jatim**  
[www.ditlantas-poldajetim.org/23-layanan-unggulan/layanan...sim/130-sim-online.htm...](http://www.ditlantas-poldajetim.org/23-layanan-unggulan/layanan...sim/130-sim-online.htm...)  
 Pelayanan SIM secara Online di seluruh Indonesia yang terintegrasi dengan data di server Dspendukcapil dan server Korlantas Polri, sehingga pelayanan SIM ...

**Layanan - Ditlantas Polda Jatim**  
[www.ditlantas-poldajetim.org/jadwal-layanan.html](http://www.ditlantas-poldajetim.org/jadwal-layanan.html)  
 jadwal dan lokasi samsat keliling dan sim keliling wilayah jawa timur.

**Perpanjangan SIM - Registrasi SIM Online**  
[sim.korlantas.polri.go.id/show\\_location/show\\_list\\_location/-/75](http://sim.korlantas.polri.go.id/show_location/show_list_location/-/75)  
 Daftar Satpas Online; Persyaratan Pendaftaran; Perpanjangan SIM; Pengalihan Golongan SIM; Perubahan Data SIM; Penggantian SIM ... POLDA JAWA TIMUR ...

**SIM JATIM – SEKSI SIM SUBDITREGIDENT DITLANTAS POLDA JATIM**  
<https://simsubditregidentitlantas-poldajetim.wordpress.com/.../simsubditregidentitlant...>  
 Dalam rangka Hari Raya Idul Fitri 1439 H, maka pelayanan penerbitan SIM di ... informasi terkait pelayanan penerbitan SIM di Satpas jajaran Polda Jatim ...

**Lokasi SIM Keliling Polda Jatim – NTMC Polri**  
[ntmcpolri.info/home/lokasi-sim-keliling-polda-jatim-9/](http://ntmcpolri.info/home/lokasi-sim-keliling-polda-jatim-9/)  
 Polres Sidoarjo di Halaman Ruko Sentra Tropodo Waru jam 08.30 s/d 12.00 WIB 3.... Giant Suncity Jam pelayanan mengikuti jam buka mall. Khusus melayani perpanjangan SIM A dan SIM C dengan membawa KTP asli dan SIM lama. Share..

Source: Website of East Java Police Department, 2018

Figure 1. Online Services by Traffic Directorate for East Java Police Department

**DIREKTORAT LALU LINTAS  
POLDA JAWA TIMUR**

HALAMAN UTAMA • PROFIL • INFORMASI • INOVASI • LAYANAN • PENGADUAN • GALLERY

**Untuk Pencapaian Program Kapolri  
Seluruh Personel Polda Jatim Harus  
"PATUH"**

Bertekad Menjunjung Nama Baik Polri  
**P · A · T · U · H**

Irjen Pol Drs. Machfud Arifin S.H

**P** PROAKTIF  
Sikap Tanggap, Antisipatif, Peduli dan Inisiatif dalam mengidentifikasi kesempatan dan mengambil tindakan yang tepat, dengan senantiasa berfokus kepada upaya untuk memberikan hasil yang terbaik.

**A** AMANAH  
Tanggung Jawab dan Totalitas dalam mengemban tugas serta senantiasa melaksanakannya dengan jujur dan ikhlas sehingga menjadi sumber daya (Polri dan PNS) yang dapat dipercaya dan dapat diandalkan.

**T** TEGAS  
Memiliki hati yang mantap dan rasa percaya diri yang besar dalam menghadapi bahaya, kesulitan dan permasalahan dengan selalu bertindak jelas serta tidak ragu-ragu dalam membuat keputusan.

**U** UNGGUL  
Tekun, Terampil, Sigap, dan Siap Sedia dalam merencanakan, melaksanakan dan mengawasi penyelesaian tugas dengan selalu tertib di setiap hal guna meningkatkan kualitas pribadi dan institusi.

**H** HUMANIS  
Pembawaan penuh Teladan dalam memimpin dengan memberikan contoh tindakan yang benar dan bijaksana dalam menentukan keputusan dengan selalu mengedepankan moralitas dan menjunjung tinggi HAM.

**ATM Samsat Jatim**  
Mesin pelayanan untuk pembayaran Pajak Kendaraan Bermotor (PKB), Sumbangan Wajib Dana Kecelakaan Lalu Lintas (SWDKLLJ) dan Pengesahan STNK 1 tahunan...

**SIM Corner**  
Layanan perpanjangan SIM A dan C yang tempat pelaksanaannya di pusat perbelanjaan/mall.

READ MORE

Source: Website of East Java Police Department, 2018

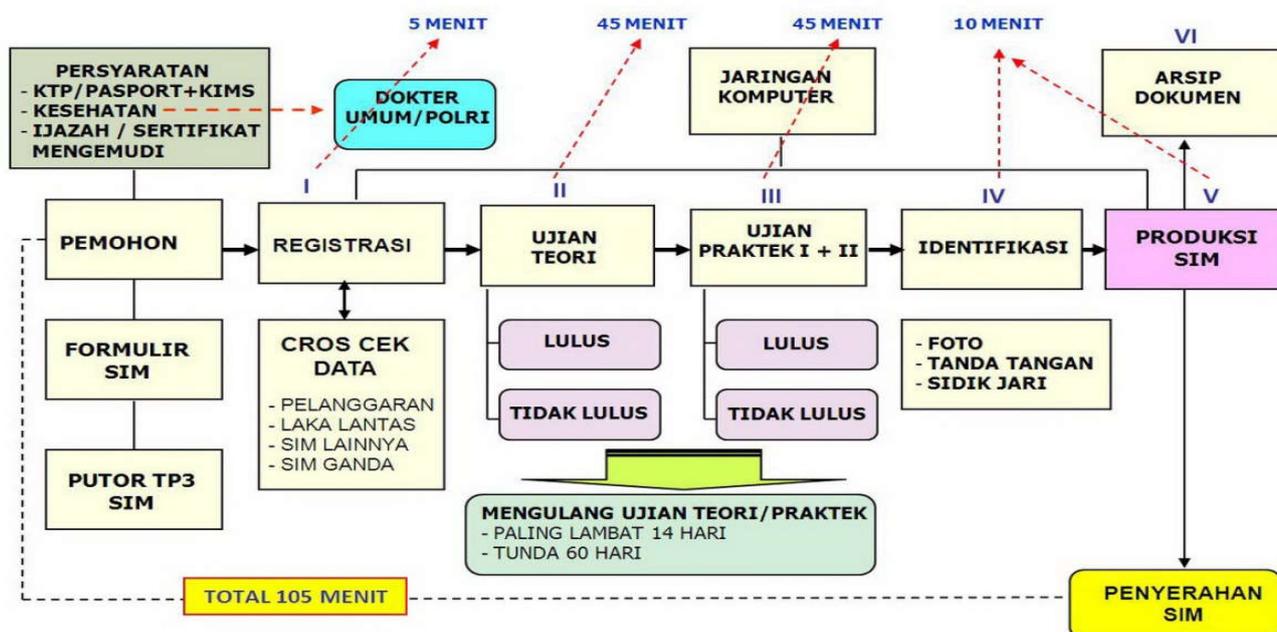
Figure 2. Website of Traffic Directorate for East Java Police Department

vehicle. Therefore, SIM is an official notification relating with traffic functions released by POLRI to be received by the supplicants. Supplicants receive SIM only after they pass provisions or requirements, although in some cases, police department still does comparative checkup with biological data and police records. Provisions about SIM Service are regulated by KAPOLRI's Decree No.18/2014 concerning Procedures of Driving License (SIM) Issuance. Traffic Directorate for East Java Police Department has provided some SIM-related websites that can be accessed by people. These websites contain with many online services that inform the people about procedures of SIM administration.

Driving License (SIM) has expiration period of 5 (five) years since the date of release. If this period is about to end, the holder must extend it. Every citizen who uses SIM Service must complete procedures and requirements stated in SIM Policy. Therefore, as indicated by KAPOLRI's Decree No.18/2014 concerning Procedures of Driving License (SIM) Issuance, SIM Service can be depicted in the following figure.

#### Procedures of New SIM Issuance

1. SIM Issuance costs can be paid through Automatic Teller Machine (ATM), mini-ATM, and bank teller centers.



Source: Website of East Java Police Department, 2018

Figure 3. The Mechanism of New SIM Issuance and Class Upgrading

- Registration is done by filling into registration forms enclosed with the required documents.
- Supplicants must attend Theory Test concerning AVIS (*audio visual integrated system*).
- If they pass, it is followed by Practice Test. If they fail, they must redo the test at least for 7 days after the failure, or at longest for 60 days. For 60-day period, there is a warranty for registration expense refund.
- Supplicants must attend driving skill practice test. If they pass, it continues to identification process. If they fail, they must redo the test at least for 7 days and at longest for 60 days. For 60-day period, there is a warranty for registration expense refund.
- Identification period is done by checking test documents and taking fingerprint of 10 digits on the allocated forms.
- The production (the printing) of SIM goes along with taking supplicants' photograph and signatures to complete printing requirement.

The following is the result of interview with police respondent concerning Procedures and Requirements of SIM Service delivered by Traffic Directorate for East Java Police Department. "Citizens take benefits from using SIM Service either manual or online. The requirements of each service are not really different. Only, in online service, service users must show the result of scanned administrative token and post it into SIM Service Web. After taking online registration, users receive registration number, and this number is used for verification process at the Regional Office of Traffic Directorate for East Java Police Department. Until today, people do not know that online services have been provided. Some may know that such service exists but they find difficulty to use it or feel hesitate from using it".

**Another police respondent also supports the finding above:**  
 "Police officers at Traffic Directorate for East Java Police Department have worked sincerely to deliver the best practice of SIM Service.

This best practice of SIM Service does not discriminate the users either between those who use manual or online services".

Based on the results of interview above with police respondents, it can be deduced that both manual or online services require supplicants to complete identity forms on the website page. Supplicants print registration code and bring this code along with registration documents to the police officer at the police counter selected by website. At the counter, supplicants are given questionnaire forms to be filled, which can be filled either manually or through online. Result of interview with user respondent shall give another understanding about Procedures and Requirements of SIM Service delivered by Traffic Directorate for East Java Police Department. "Today, I shall receive SIM that I apply for. Either procedures or requirements of SIM service are not confusing me. The current terms for SIM service do not really differ from the previous. I just know that SIM service starts to be available online. Other applicant who sat beside me yesterday told me about this online service. He said that SIM online service is very easy. He registered online and came to the office only for photograph. He also informed me that procedures and requirements in manual or online services are not quite different. Only, in online service, the supplicant must show the scanned administrative token and send it into SIM Service Web. Supplicants who take online registration then receive registration number, and this number is used in the verification process at the Regional Office of Traffic Directorate for East Java Police Department".

#### Other user respondent gives the quite same opinion

"I do not find both procedures and requirements of SIM service as giving me difficulty. Even, the curent requirements do not differ a lot from the previous. Online service has made everything so easy. People just do register by online, and go to the office for photograph. Procedures and requirements in manual or online services are not quite different. The difference is only found in the use of website in online service."

As indicated by the results of interview above with service users, it is asserted that online service gives the users the easier method to walk through SIM Service. Registration number they get from online registration shall be used for data verification at the Regional Office of Traffic Directorate for East Java Police Department. This verification is also done online, and followed by fingerprint and photograph taking sessions. When these sessions are over, it may not need a long waiting time to receive the finished SIM.

## DISCUSSION

### Public Service at SIM Division in Traffic Directorate for East Java Police Department

#### Legal Base of SIM Service

Driving License (SIM) Service in the region of East Java Police Department is a public service delivered by the police to the people. POLRI (Indonesian Police) has provided SIM Service for 50 years, and the people begin to aware that POLRI is the only institution that delivers SIM Service since the beginning of Reformation Era. SIM Service has been demanded to be professional, procedurally articulate, moral, and transparent to minimize negative perception of the society. Therefore, POLRI's members, especially Traffic Police, shall be equipped with knowledge, understanding, and skill relating with Registration & Identification of Driving License. These self-attributes can be developed through activities such as training, upgrading and education. Indeed, Traffic Police is required to have many understandings about SIM, such as SIM's definitions and its legal bases, requirements for acquiring SIM (including age, administrative, and health conditions), tests involved in SIM issuance, SIM costs, and sequential order for acquiring SIM.

Further explanations about SIM are given as follows:

- Driving License, as also called SIM, is a legitimate token of driving competency, an instrument of control, and a proof of forensic data, used by the police to ensure that the holder has passed tests on knowledge, competency and skill in driving motor vehicle on the road based on which the holder shall aware with law provisions concerning Traffic and Road Transport.
- Task Managing Unit for SIM Service, as also called SATPAS SIM, is one of POLRI's managing elements that does the jobs in Traffic Division but the jobs involve activities inside and outside office building environments.
- Driver is an individual who holds SIM and drives motor vehicle on the road based on the SIM held.
- Registration & Identification, as also called *Regident*, is a process to ensure that SIM holder has qualifications and abilities to drive motor vehicle based on the SIM held.
- SIM International is SIM used in other country that has made international agreement with home country concerning SIM usage.
- Theory Test is the assessment on knowledge and understanding rates about traffic laws, base technique of motor vehicle, motor vehicle driving method, and traffic courtesy.

- Practice Test is the assessment on ability and skill in driving motor vehicle and also on traffic courtesy on the road.
- Simulator is a device used to examine skill, ability, anticipation, reaction, concentration, and behavior relating with driving motor vehicle.

There are some legal bases underlining SIM Service in the region of East Java Police Department.

1. Law No.2/2002 concerning Police Department for Indonesia Republic.
2. Law No.22/2009 concerning Traffic and Road Transport.
3. Law No.25/2009 concerning Public Service.
4. Government Regulation No.50/2010 dated on 25 May 2010 concerning Tariff on Non-Tax Revenue Type Received by POLRI.
5. KAPOLRI's Decree No.9/2012 concerning Driving License.

SIM Service in the environment of East Java Police Department is a policy or declaration about a manual of action, a direction, and a program for implementing certain activities or plans. In the model suggested by Meter & Horn (1975), it is explained that humanity and psychological factors have affected policy implementation. There are 6 (six) factors determining both policy and policy outcome. These factors include:

- Size and goal of policy.
- Resource.
- Communication and implementation (enforcement) across organizations.
- Characteristic of the implementing agency.
- Social, economical and political conditions.
- Disposition of implementation or organization.

Size and goal of policy are constituting the direction of policy. Resource mostly consists of funds or incentives. Characteristic of the implementing agency is characteristic that affects the capacity of organization in implementing policy. Implementation capacity is about competency and number of agency staffs, supervision, political resource, freedom degree in making vertical communication inside or outside organization, and formal and informal relationship between agencies and policy makers (Amir Santoso, 1987). Abdul Wahab (1991) said that each policy factor in Meter & Horn's model is closely related one another in terms of goal and resource. The implementing agency can be formal or informal organizations. These organizations do communication concerning implementation, especially when implementation must involve relationship between political system and target groups. Grindle proposes a model consisting of 3 (three) policy components, such as: policy goal, policy implementation activity and policy outcome. Policy implementation activity begins only when policy goal has been set, when implementation programs have been designed to achieve this goal, and when there is fund allocated to these achievement programs. Policy implementation activity is affected by policy context. There are 6 (six) factors determining policy context, such as: the interests affected, the type of benefits, the extent of change envisioned, the site of decision making, the program implementors, and the resources committed. Moreover, policy

outcome is determined by 3 (three) factors such as: power, interest, and strategy used to implement policy; characteristic of regime and institution; and compliance and responsiveness. By taking these into account, first minor proposition is then suggested:

### Minor Proposition 1

If legal base for SIM Service is yet to be obeyed by the people, the consequence is that the people is not very supportive to the service orderliness and also to the importance of good driving behavior.

### Implementation of SIM Service Legal Base

The provisions concerning Driving License (SIM) Service in the region of East Java Police Department represent a bureaucratic instrument used to achieve the goals of policy. As said by Rourke in Ansori (2004), bureaucracy is an administrative system that executes structured daily jobs, in clear hierarchy, based on written procedures, and done by person with proper competencies and skills. Bureaucracy is the best form of organization because it provides consistency, sustainability, predictability, stability, caution, efficient performance, justice, rationalism, and professionalism. Shortly, the benefits of bureaucracy can be described through: (1) efficiency, (2) ideally suitable to minimize the effect of politics and certain individuals in organizational decisions, and (3) being the best form of organization because it allows governmental officers to identify and to control *who is responsible for what*.

The provisions concerning Driving License (SIM) Service in the region of East Java Police Department have represented ideal type characteristics of bureaucracy. These characteristics are elaborated as follows:

1. SIM Service provisions are the official rules with functional sustainability.
2. It emphasizes on certain skills, and this emphasis is enforced by:
  - a. Making certain skills as the consistent part of job division system.
  - b. Distributing authority through a sense of justice to everyone who deserves the position due to the skills possessed.
  - c. Using a compulsion instrument to obtain compliance stability, especially at exceptional cases.
3. Personnel organization submits to hierarchy principle, meaning that the subordinates always stand under supervision of the superiors.
4. Behavioral norms of the employees are mostly technical. Rational implementation of policy, therefore, always involves specialization.
5. In rational implementation of policy, administrative staffs must be separated from the position of production or administrative instruments.
6. In rational implementation of policy, no position of employment is given to someone who still holds a job.
7. Actions, decisions, and administrative rules are formulated into written procedures.

Having characteristics of bureaucracy, the provisions concerning Driving License (SIM) Service in the region of East Java Police Department, therefore, do separate discretions

between bureaucracy and politic. Through his famous article, "*The Study of Administration*", published on 1 November 1886, Wilson declared the urgency to separate roles played by bureaucracy and politic.

*"This is a distinction of high authority, eminent German writers insist upon it as of course. Bluntschili, for instance, bids us to separate administration alike from politics and from law. Politics, he says, is state activity 'in things great and universal', while 'administration, on the other hand', is the activity of the state in individual and small things. Politics is thus the special province of the statesman, while administration is of the technical official. 'Policy does nothing without the aid of administration'; but administration is not therefore politics"* (Wilson, [www. teachingamericanhistory.org](http://www.teachingamericanhistory.org), accessed on 2009; Wilson in Shafritz and Hyde, 1997).

To be noted, human resource management has a very important position in any organizations, either those in public or private sector. Foulkes (1975) from IK-LAN (2006) said, *"For many years, it has been said that capital is the bottleneck for developing industry. I don't think this any longer holds true. I think it's the work force and the company's inability to recruit and maintain a good work force that does constitute the bottleneck for production.... I think this will hold true even more in the future."* As said in Beentham (1975), there are 3 (three) main elements constituting bureaucracy concept. *First*, bureaucracy is perceived as *technical instrument*. *Second*, bureaucracy is viewed as independent power in the society, but only as long as bureaucracy has *inherent tendency* to cling to its use as technical instrument. Finally, *third*, bureaucrats' behavior must be redefined because they are always incapable to separate their behavior from their own interests as a particular group of society (Thoha, 2005). Bureaucrats are the frontline instrument of the nation in delivering public services to the citizens. Therefore, they are required to be neutral and also prohibited from using political and social backgrounds of the citizens as the bases of consideration in delivering public services. The proponents of welfare-state concept believe that if the nation provides more benefits to the citizens, then there will be less number of strikes, violences or anarchism, especially done by the marginal people or those who feel that national benefits are not evenly distributed. Four tasks must be served to people by welfare-state. These include:

1. To deliver security.
2. To supply social services.
3. To decrease social costs.
4. To control reproduction rate.

Welfare-state rejects social revolution concept proposed by Marxists. People welfare still can be delivered through welfare-state concept instead of revolution imperative required by Marxists. Indeed, Marxists' revolution concept has been replaced by gradual change aiming toward less radical reformation agenda. Important value brought by welfare-state concept is to reduce the divide gap between the rich and the poor by distributing benefits from the rich to the poor. Such distribution is managed by the state, and among the methods is by putting labors and entrepreneurs on the balancing position where both have same and equal rights. Within the frame of welfare-state, the labors do not dominate economical sector and decide economical policy, but they become active actors who build national economy, as what entrepreneurs do. Some entrepreneurs, indeed, without governmental interference,

attempt to develop open forum with the labors. This forum helps entrepreneurs to negotiate employment policy with labors based on *win-win solution* principle. Welfare-state concept believes that economic change in fast and radical ways may trigger great disaster and huge distortion. Slow but sure economic rate still gives economic safety to the welfare-state. People need bureaucratic realization more instead of others, and among the bureaucratic benefits is that people as the citizen has right to receive equal treatment without suffering from discrimination.

Based on the explanations above, second minor proposition is then proposed:

**Minor Proposition 2:** If legal base for SIM Service is yet to be carried on as it should be, then the consequence is that SIM Service cannot afford the required quality standard, and SIM applicants are lacking of knowledge about good driving behavior.

### The Mechanism of Procedures and Requirements of SIM Service

Public service delivery is always seen as an activity done by individual or group of individuals, or certain agency, to give assistance or easiness to the people to attain certain interests and goals. Public service is very crucial thing because it serves many people who may have diversity of interests and goals. Public service institutions can be either managed by government or non-government organizations. Under government management, bureaucratic organization is the frontline organization in delivering public services. In relating with governance implementation, bureaucracy is a tip-of-spear in public service delivery that the process involves various governmental policy programs. However, in reality, people define bureaucracy in different way from the early intention of bureaucracy, which is designed only to do the governmental jobs. In accomplishing governmental jobs (including delivering public services), people perceive that bureaucracy comprises with long and circumventing processes. As a result, when people must use governmental services, bureaucracy is the first institution condemned for its negative image. Osborne and Gaebler (2002) declared that the government must develop visions and missions suitable to the delivery of public services. After the launching of decentralization, human resource in governmental personnel is developed based on visions, missions, and innovation ideas, and also equipped with the capacity to bring along entrepreneurship spirit to their task accomplishment.

This spirit is a work spirit emphasized on producing something rather than depleting budget, and the desired output from this emphasis is the improvement of public services by which public interests are surely satisfiable. Concerning with this view, it can be underlined that within public service context, the success of public service is determined by two elements, respectively bureaucracy (the servant) and people (the served). Public service quality, therefore, is then understandable from two aspects. First is the internal aspect of bureaucratic organization (the servant), while second is the external aspect of organization, relating with the benefits received by people. Public service is identical with the representation of governmental bureaucratic existence because it is directly related with one governmental function, which is, to serve the people. Therefore, public service quality is a reflection of

governmental bureaucratic quality. In the past, public service paradigm gives many roles to the government as *sole provider*. The roles of non-government actors are understated or marginalized. Indeed, people and private only have few roles in public service delivery. Procedures and requirements do have interrelated parts by which certain goals are achieved through stages. Framework systems of the procedures are interacted one another and organized into a comprehensive scheme to implement activities or functions to achieve the goals. Procedures refer to the sequence of *clerical jobs*, which mostly involve few persons at certain jobs or in many jobs to give equal treatment to the people. Service is an output of bureaucracy, and therefore, Traffic Directorate for East Java Police Department always attempts to deliver services at primary or high quality. One form of bureaucratic reformation on this service is by providing online service at all governmental lines.

Service delivery procedures are the general description about what service provider must do to provide the desired service to the served. SIM Service already has clearly defined procedures. Requirements of SIM Service have explained documents and anythings that people must prepare before they go to SIM Service counter. Either procedures or requirements of SIM Service represent an inseparable unity as said by Djumara (2007) in Chapter 2 Theory, that "procedures and requirements of public service are constituting the provisions that must be complied in serving the people by which it minimizes error risk in service delivery". Attending this opinion, procedures and requirements of SIM Service must be understood because few deviations out of these shall give enough excuses for errors and slacks in service delivery. It is upheld by the following opinion:

Procedures and requirements of SIM Service are not quite different either for those given manually or through online. However, online service is not widely acknowledged by people, and such lack of familiarity has decreased its use potentials. The immediate solution to this problem is by socializing online-based SIM Service. Indeed, without socialization, good programs are hardly recognized by the target people (Nurcholish, 2005). In the context of online-based SIM Service, socialization can be made equal to communication. Despite the same goal they share in this context, they have different meaning, but still both cannot be separated. Socialization is carried on by using printed and electronic media, including information technology, which are accessible by the people, in order to maximize the utilization of online-based SIM Service. Customer satisfaction to the information about online service must be surely obtained, and therefore, good and precise socialization shall increase people knowledge about online service. Participation instrument shall be carefully selected from which the socialization becomes the success key of online-based SIM Service.

Pursuant to the explanations above, third minor proposition is written as follows:

### Minor Proposition 3:

If the mechanism of procedures and requirements of SIM Service is not yet implemented as it is expected to be, therefore, SIM Service shall find its quality standard decreasing and fail to increase drivers' knowledge about good driving behavior.

## Conclusion and Suggestion

### Conclusion

Public service delivered by Driving License (SIM) Division, Traffic Directorate for East Java Police Department, is described as follows:

#### Legal Base of SIM Service Delivery

Legal base of SIM Service delivered by Administrative Managing Unit for SIM Service (SATPAS SIM) in Traffic Directorate for East Java Police Department is not complied yet by the people who use the service, and the consequence is that the people is not very supportive to the service orderliness and also to the importance of good driving behavior.

#### Implementation of SIM Service Legal Base

Legal base of SIM Service is not implemented yet as it should be by Administrative Managing Unit for SIM Service (SATPAS SIM) in Traffic Directorate for East Java Police Department, and the consequence is that SIM Service cannot afford the required quality standard, which therefore, SIM supplicants are lacking of knowledge about good driving behavior.

#### Mechanism of Procedures and Requirements of SIM Service

Procedures and requirements of SIM Service, either those given manually or through online, are still *negotiable* in certain way and method. SIM Service is yet to be delivered based on Standard Operating Procedures, and therefore, SIM Service must find its quality standard decreasing and fail to increase drivers' knowledge about good driving behavior.

### Suggestion

SATPAS SIM at the Regional Office of East Java Police Department finds as necessary for maintaining and improving service quality. Some activities shall be taken to make these goals coming true.

#### Restructuring

SATPAS SIM at the Regional Office of East Java Police Department has delivered SIM Service through *Quick Wins* Program to produce the desired quality and also the desired driving behavior that create security, safety, orderliness, and smoothness to the users of traffic. The restructuring of SIM Service that facilitates the operation of *Quick Wins* Program must lead to the best quality of service delivery.

#### Improving Service Access

Service access is an important element to achieve the goals of public service restructuring, which among others is that service users can receive the best quality service.

#### Improving Structures and Infrastructures

Service restructuring always needs service structures-infrastructures and also service supporting facilities that not only help service provider to deliver service at the desired quality but also affect the process to achieve this quality.

## Improving Complaint Center Service

The presence of *Complaint Center* is a sign of care where service-related complaints will be dealt properly as evaluation on performance, from which the result of evaluation becomes the base to correct or improve the existing service quality.

## REFERENCES

- Albrow, Martin. 1989. *Birokrasi*. Terjemahan A. Rusdi Karim dan Totok Daryono, PT. Tiara Wacana, Yogya.
- Agustino. Leo. 2008. *Dasar-Dasar Kebijakan Publik*. CV Alfabeta. Bandung.
- Arikunto, Suharsimi. 2006. *Prosedur Penelitian : Suatu Pendekatan Praktek*. PT. Rineka Cipta. Jakarta.
- Assegaff, Mohammad. 2009. "Pengaruh Kualitas Pelayanan Terhadap Kepuasan Pelanggan (Studi Pada Perusahaan Penerbangan PT. Garuda Di KotaSemarang)". *Jurnal Ekonomi dan Bisnis*.Vol. 10. No. 2.Juli. Hal. 171 – 186. Unisulla Semarang. Semarang.
- Asshiddiqie, Jimly. 2006. *Pengantar Ilmu Hukum Tata Negara Jilid II*. Sekretariat Jenderal dan Kepaniteraan MK RI.Cetakan Pertama, Juli 2006.Jakarta.
- Barata. Atep Adya. 2003. *Dasar-dasar Pelayanan Prima*. PT Gramedia Pustaka. Jakarta.
- Bogdan & Biklen. 1998. *Qualitative Research for Education : An Introduction to Theory and Methods*. London: Allyn and Boston. Boston Inc.
- Budiarto, Arif dan Mahmudah, 2007, *Rekayasa Lalu Lintas*, UNS Press, Surakarta.
- Chandler, Ralph C. 1994. *Deontological Dimension of Administrative Ethics* dalam Cooper, Terry L., *Handbook of Administrative Ethics*, Marcel Dekker, Inc, New York.
- Denhardt, Janet V. and Robert B. Denhardt. 2007. *The New Public Service: Serving, not Steering*. Expanded Edition. Armon, New York: M.E. Sharpe.
- Denhardt,Robert B., Denhardt.Janet V., and Blanc, Tara A. 2014. *Public Administration: An Action Orientation*. Seventh Edition. Wadsworth, Cengage Learning. Boston. USA.
- Downs, Anthony. 1967. *Inside Bureaucracy*, Litle Brown and Company, Boston, USA.
- Dunn. William N. 2000. *Pengantar Analisis Kebijakan Publik*. Yogyakarta: Gadjah Mada University Press.
- Dwiyanto, Agus. 2006. *Reformasi Birokrasi Publik*. Gadjah Mada University Press. Yogyakarta.
- Fredericksan, George H and Smith B. Kevin. 2002. *The Public Administration Theory Primer*, Westview Press, USA.
- George III. Edward C. 1980. *Pelayanan Publik (Implementing Public Policy)*. (Edisi Terjemahan). Gramedia. Jakarta.
- Guntur, Muhammad dan Bambang Setiaji. 2003. *Analisis Service Quality terhadap Kepuasan Pelanggan pada PDAM Kota Surakarta*. Universitas Muhammadiyah. Surakarta.
- Henry, Nicholas. 1995. *Administrasi Negara dan Masalah-masalah Publik*, Terjemahan Lusiana D. Lontoh PT. Raja Grafindo Persada, Jakarta.
- Kaur, Kiran dkk. 2006. *Quality management service at the University of Malaya Library*. Library Management. 27 (4) : 249-256.
- Kepala Kepolisian Negara Republik Indonesia. 2012. Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 9 Tahun 2012 *Tentang Surat Izin Mengemudi*.
- Mas'ud, Fuad. 2004. *Survai Diagnosis Organisasional : Konsep dan Aplikasi*. Badan Penerbit UNDIP. Semarang.

- McLaverly, Peter. 2002. *Public Participation and Innovations in Community Governance*. Ashgate. England.
- Nurcholis, Hanif. 2005. *Teori dan Praktik Pemerintahan dan Otonomi Daerah*. PT. Grasindo. Jakarta.
- Parsons. Wayne. 2006. *Public Policy: Pengantar Teori dan Praktik Analisis Kebijakan*. Jakarta: Kencana.
- Presiden Republik Indonesia. 2009. Undang-Undang Republik Indonesia Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.
- Sampaio, Paolo, Saraiva, and Rodriguez 2009. *ISO 9001 Certification Research: Questions, Answers and Approaches*. International Journal of Productivity and Performance Management. Vol. 26 No. 1, pp. 38-58.
- Sarundajang. 2002. *Desentralisasi; Pemerintahan Daerah; Keuangan; Globalisasi; Otonomi Daerah; Reformasi Pemda*; Uu No 22 Th 1999 Pemda. Penerbit: Sinar Harapan. Jakarta.
- Soeprapto, Riyadi. 2005. Pengembangan model Citizens Charter dalam Meningkatkan Pelayanan Publik di Indonesia. *Delegasi* (2): 123-150.
- Soesilowati, Etty. 2008. *Kebijakan Publik. Teori dan Aplikasi*. Semarang. Universitas Negeri Semarang Press.
- Souza Pouza, Altikilinc dkk. 2009. *Implementing a Functional ISO 9001 Quality Management System in Small and Medium-Sized Enterprises*. *International Journal of Engineering (IJE)*, Volume (3) : Issue (3).
- Strauss and Corbin. 1990. *Basic of Qualitative Research : Groundes Theory Procedures and Technique*. Newbury Park. Sage Publications. London.
- Supriatna, Tjahya. 2000. *Administrasi Birokrasi dan Pelayanan Publik*. Nimas Multima. Jakarta.
- Sutopo dan Suryanto Adi. 2009. *Pelayanan Prima*. Lembaga Administrasi Negara, Jakarta.
- Tandjung, Jenu Widjaja. 2004. *Marketing Management : Pendekatan Pada Nilai-Nilai Pelanggan*. Edisi Kedua. Cetakan Kedua. Bayumedia Publishing. Malang.
- Thoah, Miftah. 2008. *Birokrasi Pemerintah Indonesia di Era Reformasi*, Kencana Prenada Media Group, Jakarta.
- Umar, Husein. 2005. *Metode Penelitian untuk Skripsi dan Tesis Bisnis*. Edisi Baru. PT. Raja Grafindo Persada. Jakarta.
- Yuliani, Sri. 2007. Mewujudkan Birokrasi Yang Pro-Citizen (*Review Paradigma New Public Service*). SPIRIT PUBLIK – Jurnal Ilmu Administrasi FISIP UNS. Vol. 3 No.1 Th. 2007.
- Zauhar, Soesilo. 1996. *Reformasi Administrasi, Konsep, Dimensi dan Strategi*, Bumi Aksara, Jakarta.
- Zhijian, Zhang dan Guzman De P, Raul. 1992. *Administrative Reform Towards Promoting Productivity in Bureaucratic Performance*, Eropa Secretariat General, Manila, Philippines.
- Republik Indonesia Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia (POLRI).
- Undang-Undang Republik Indonesia Nomor 22 Tahun 2009. Tentang Lalu Lintas dan Angkutan Jalan.
- Undang-undang Nomor 25 Tahun 2009 tentang Pelayanan Publik.
- Peraturan Pemerintah Republik Indonesia Nomor 50 Tahun 2010 Tentang Jenis dan Tarif Atas Jenis Penerimaan Negara Bukan Pajak Yang Berlaku Pada Kepolisian Negara Republik Indonesia.
- Peraturan Pemerintah Republik Indonesia Nomor 96 Tahun 2012 tentang. Pelaksanaan Undang-Undang Nomor 25 Tahun 2009.
- Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 9 Tahun 2012 Tentang Surat Izin Mengemudi (SIM).
- Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 52 Tahun 2010. Tentang Susunan Organisasi dan Tata Kerja Pada Tingkat Kepolisian Daerah.

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