



Criminal Liability for Fatal Traffic Negligence under Article 310(4) of Indonesian Road Traffic Law: A Juridical Analysis of Decision No. 75/Pid.Sus/2023/PN Mnd

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Abstract

*Fatal traffic accidents caused by negligent driving remain a significant legal and social problem in Indonesia, particularly in cases involving intoxication and driver fatigue. This study aims to analyze the application of Indonesian positive law to fatal traffic negligence and evaluate the judicial reasoning in Decision No. 75/Pid.Sus/2023/PN Mnd of the Manado District Court. The research employed a normative juridical method using statute and case approaches. Primary legal materials consisted of the Indonesian Criminal Code, Law No. 22 of 2009 concerning Road Traffic and Transportation, and the relevant court decision, while secondary materials included legal doctrines, scholarly books, and journal articles related to criminal liability, negligence, and punishment. The findings show that Article 310 paragraph (4) of Law No. 22 of 2009 functions as *lex specialis* in relation to Article 359 of the Criminal Code because it specifically regulates negligent driving resulting in death within the context of road transportation. The court correctly established the legal elements of negligent driving causing death through evidence demonstrating that the defendant drove a motorcycle while intoxicated and severely fatigued, resulting in a fatal collision. However, the study also finds that the two-year imprisonment imposed by the court raises concerns regarding proportionality and victim-oriented justice because the punishment may not adequately reflect the seriousness of the defendant's preventable risk-taking conduct and the irreversible loss suffered by the victim's family. The study concludes that stronger sentencing consistency, clearer judicial reasoning, and broader integration between criminal sanctions and road-safety policies are necessary to improve traffic-law enforcement in Indonesia.*

Introduction

Traffic regulation and criminal liability are closely connected within the framework of a constitutional state because road transportation involves not only mobility and economic activity but also public safety and the protection of human life. In Indonesia, the principle of the rule of law requires that all social conduct, including road use, be governed by legal norms and accountability mechanisms rather than arbitrary behavior or informal tolerance of dangerous acts (Malik et al., 2024; Isra et al., 2025; Meitasari et al., 2025). Law No. 22 of 2009 concerning Road Traffic and Transportation defines traffic and road transportation as an integrated system involving vehicles, road users, infrastructure, traffic management, and institutional coordination (Jurczenia & Rak, 2022). This statutory framework demonstrates that traffic regulation is not merely administrative in nature but also forms part of the broader legal responsibility of the state to maintain order, safety, and justice on public roads.

The rapid growth of motorized transportation in Indonesia has increased the frequency of traffic violations and road accidents, many of which result in severe injury or death. Transportation plays an important role in supporting economic exchange, social interaction, education, and access to public services (Okunubi & Jolaoso, 2025; Alhassan & Anciaes, 2025; Zhang et al., 2025). However, the expansion of road mobility has also intensified risks associated with reckless driving, speeding, intoxication, distraction, and driver fatigue. Bazzan & Klügl (2022) explain that traffic engineering and transportation systems are intended to create orderly and safe road conditions, yet these objectives are frequently undermined by weak compliance among drivers. Pomoni (2025) further argue that traffic violations are strongly influenced by social behavior and compliance culture, particularly among younger drivers who often normalize dangerous driving practices. As a result, traffic accidents increasingly represent not only technical failures but also failures of legal obedience and social responsibility (Macrae, 2022; Melnykova, 2024; Lie & Tingvall, 2024).

Among the factors contributing to road accidents, human behavior is consistently recognized as the most significant element. Vehicle conditions and road infrastructure may contribute to accidents, but drivers remain the primary actors responsible for controlling vehicles and anticipating risks (Stanton et al., 2023; Dumitrascu, 2024). Drivers are legally and morally expected to maintain concentration, comply with road signs, avoid dangerous conditions, and ensure that they are physically and mentally capable of operating a motor vehicle safely. Conduct such as driving while intoxicated, excessively sleepy, or distracted substantially increases the likelihood of fatal accidents because it reduces reaction time, judgment, and awareness. In this context, traffic negligence becomes a criminal-law issue when the driver's failure to exercise reasonable care results in injury or death to another person.

Indonesian criminal law provides a legal basis for negligence causing death through both general and specific statutory provisions. Article 359 of the Indonesian Criminal Code states that any person whose negligence causes another person's death may be punished with imprisonment of up to five years or detention of up to one year (Republic of Indonesia, 1946). This provision establishes the general principle that negligence, even without intent to kill, may still produce criminal responsibility when it results in fatal consequences. However, the more specific regulation is found in Law No. 22 of 2009 concerning Road Traffic and Transportation. Article 310 of the Law differentiates criminal sanctions according to the severity of harm caused by negligent driving, ranging from property damage to death (Republic of Indonesia, 2009). Article 310 paragraph (4) specifically provides a maximum imprisonment of six years and/or a maximum fine of Rp12,000,000 where negligent driving causes another person's death (Hasbi et al., 2023; Sidabutar et al., 2023; Keristian & Triana, 2025). The existence of these differentiated sanctions reflects the legislative view that traffic negligence should be assessed proportionally according to the seriousness of the consequences produced.

The application of Article 310 paragraph (4) is closely related to the principle of *lex specialis derogat legi generali*, meaning that a special legal rule prevails over a general rule when both regulate the same subject matter. In fatal traffic-negligence cases, Law No. 22 of 2009 functions as the more specific statute because it directly regulates drivers, motor vehicles, traffic accidents, and road-user obligations. Therefore, although Article 359 of the Criminal Code remains applicable in general negligence cases, traffic accidents involving motor vehicles are more appropriately addressed through the specialized traffic-law framework. This legal structure confirms that fatal traffic accidents are not merely ordinary traffic violations but criminal acts with significant legal and social consequences. The concept of *culpa*, or negligence, occupies a central position in determining criminal liability for fatal traffic accidents. Criminal-law doctrine distinguishes negligence from intentional wrongdoing because the harmful consequence is not consciously desired by the offender (Funk, 2023;

Antill, 2024; Tiffany, 2024). Nevertheless, negligence remains punishable when the actor fails to exercise the standard of care required by law and society. Kan (2024) explains that criminal responsibility arises where a person's conduct creates a prohibited consequence that should reasonably have been anticipated and prevented. Similarly, Hailtik & Afifah (2023) emphasizes that negligence involves avoidable carelessness that produces legally harmful outcomes. Within the doctrine of culpa, legal scholars generally distinguish between conscious negligence and unconscious negligence. Conscious negligence occurs where the actor is aware of the danger but proceeds despite recognizing the risk, whereas unconscious negligence occurs where the actor fails to perceive a foreseeable danger (Greenberg, 2024; Adar & Perry, 2022). This distinction is highly relevant in fatal traffic cases involving intoxication or severe drowsiness because the driver may not intend to cause death, yet the danger associated with unsafe driving conditions is objectively foreseeable.

The seriousness of negligence becomes even more significant when aggravating circumstances demonstrate preventable risk-taking (Cornford, 2024). Driving after consuming alcohol or while experiencing extreme fatigue cannot easily be characterized as ordinary carelessness because the driver knowingly places passengers and other road users in danger. Mezghiche (2025) explain that criminal behavior must be understood not only from the perspective of legal prohibition but also from the broader social impact of harmful conduct. In the context of road traffic, motor vehicles are capable of causing severe injury and death, meaning that drivers carry heightened responsibilities toward public safety. Consequently, intoxicated or drowsy driving raises important questions regarding the distinction between ordinary negligence and gross negligence in Indonesian criminal-law practice. Although Indonesian courts frequently apply Article 310 paragraph (4), sentencing practices often vary considerably despite similar factual circumstances, creating concerns regarding proportionality and consistency in the administration of justice.

The issue of proportionality is particularly important because criminal punishment serves multiple objectives, including deterrence, correction, prevention, and the protection of social order (Manikis, 2022; Chiao, 2022). Punishment in fatal traffic-negligence cases is expected not only to sanction the offender but also to express social condemnation toward conduct that endangers human life. Explains that criminal sanctions are intended to reinforce respect for legal norms and prevent repeated unlawful conduct. Al-jbour et al. (2024) similarly argues that punishment must reflect the seriousness of both the act and its consequences. However, concerns frequently arise where courts impose sentences significantly below the statutory maximum despite the existence of aggravating factors such as alcohol consumption, excessive speed, or conscious disregard of obvious danger. In such cases, the tension between formal legality and substantive justice becomes more visible because lawful sentencing does not always satisfy public expectations regarding fairness and victim protection.

Decision No. 75/Pid.Sus/2023/PN Mnd of the Manado District Court illustrates these concerns within the context of fatal traffic negligence. The case involved a defendant who drove a Yamaha Lexi motorcycle after consuming captikus alcoholic liquor and while experiencing extreme drowsiness, resulting in a collision with a tree that caused the death of a passenger. The factual circumstances of the case demonstrate that the accident was not merely a spontaneous or unavoidable event but involved conduct associated with foreseeable and preventable risk. The legal significance of this case therefore extends beyond the fulfillment of statutory offence elements because it also raises questions concerning proportional punishment, deterrence, and justice for the victim's family. This study focuses on the application of Article 310 paragraph (4) of Law No. 22 of 2009 in relation to fatal traffic negligence involving intoxicated and drowsy driving. Unlike previous studies that primarily examine the formal legality of traffic offences, this study critically evaluates whether judicial

reasoning and sentencing adequately reflect aggravating circumstances, deterrence objectives, and substantive justice for victims. The study also contributes to Indonesian criminal-law scholarship by examining the extent to which courts distinguish ordinary negligence from serious negligence in fatal traffic cases where the risk of harm was clearly foreseeable and preventable.

Method

Research Design

This study employed a normative juridical research design to examine the application of Indonesian positive law in cases of fatal traffic accidents caused by driver negligence. Normative legal research conceptualizes law as a structured system of norms consisting of statutory regulations, legal principles, judicial decisions, legal doctrines, and authoritative scholarly opinions. The selection of this research design was based on the nature of the research problem, which focuses on the interpretation and evaluation of legal norms governing criminal liability for negligent driving that results in death. Rather than measuring driver behavior empirically through surveys or field observations, this study emphasizes the coherence between statutory provisions, judicial reasoning, and criminal-law principles within the Indonesian legal system.

Normative legal research is particularly appropriate when the primary object of analysis involves legislation, court judgments, and doctrinal interpretation. Through this approach, the study analyzes whether the application of Article 310 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic and Transportation is consistent with the principles of criminal liability, negligence, proportionality, and justice in Indonesian criminal law. The research also examines how courts construct legal reasoning in fatal traffic-negligence cases, especially where aggravating circumstances such as intoxication and severe drowsiness are present. Consequently, the study not only identifies the formal legality of the court's decision but also critically evaluates whether the imposed sanction adequately reflects the seriousness of the defendant's conduct and the resulting harm.

Research Approaches

This study applied two principal approaches, namely the statute approach and the case approach. The statute approach was used to identify, interpret, and compare the legal norms governing negligence causing death in Indonesian law. The primary statutory provisions examined in this research include Article 359 of the Indonesian Criminal Code and Article 310 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic and Transportation. The statute approach is essential in normative legal research because legislation constitutes the principal source of binding legal authority in determining criminal responsibility and applicable sanctions.

Through the statute approach, the study analyzes the relationship between the general criminal-law provision contained in Article 359 of the Criminal Code and the more specific traffic-law provision contained in Article 310 paragraph (4) of Law No. 22 of 2009. Particular attention is given to the application of the principle of *lex specialis derogat legi generali*, which establishes that a specific legal provision prevails over a general provision when both regulate the same legal issue. This approach enables the research to clarify the normative position of traffic-law offences within the broader Indonesian criminal-law system and to evaluate the legal basis for prosecuting fatal traffic negligence under specialized traffic legislation.

The case approach was used to analyze the judicial reasoning and sentencing considerations contained in Manado District Court Decision No. 75/Pid.Sus/2023/PN Mnd. This approach

allows the research to assess how statutory provisions are interpreted and applied in concrete judicial practice. Although the study examines an actual criminal case, the analysis remains normative because the primary focus lies on the legal construction of the judgment rather than on empirical social conditions surrounding the accident. The case approach therefore evaluates the fulfillment of offence elements, the interpretation of negligence, the assessment of aggravating and mitigating circumstances, and the proportionality of the sentence imposed by the court.

The use of the case approach is important because judicial decisions represent the practical implementation of statutory norms and legal principles. Through this approach, the study critically examines whether the court's reasoning sufficiently addressed the foreseeability of risk, the defendant's intoxicated and fatigued condition, the causal relationship between the defendant's conduct and the victim's death, and the broader objectives of criminal punishment, including deterrence and victim-oriented justice.

Sources of Legal Materials

The study relied on primary, secondary, and tertiary legal materials to support the doctrinal and juridical analysis. Primary legal materials consisted of binding legal authorities directly related to the subject matter of the research. These materials included the Indonesian Criminal Code, particularly Article 359 concerning negligence causing death; Law No. 22 of 2009 concerning Road Traffic and Transportation, especially Article 229 and Article 310 paragraph (4); and Manado District Court Decision No. 75/Pid.Sus/2023/PN Mnd. These primary legal materials served as the principal basis for identifying the statutory elements of the offence, the classification of traffic accidents, the applicable criminal sanctions, and the judicial considerations underlying the conviction and sentencing of the defendant.

Secondary legal materials were used to strengthen doctrinal interpretation and analytical discussion. These materials included criminal-law textbooks, scholarly journal articles, legal commentaries, legal research methodology literature, and expert opinions relevant to negligence, criminal responsibility, punishment, justice, and traffic-law enforcement. Scholarly works by authors such as Prodjodikoro, Moeljatno, Lamintang, Chazawi, Hamzah, and Marpaung were used to explain the concepts of culpa, criminal fault, sentencing objectives, and the relationship between general and special criminal-law provisions. Journal articles and related legal studies were also used to support the discussion regarding traffic violations, social compliance, deterrence, and victim-oriented justice in traffic-negligence cases.

Tertiary legal materials were utilized where necessary to clarify legal terminology, conceptual definitions, and supporting legal references. These materials included legal dictionaries, encyclopedias, and other reference works that assisted in ensuring conceptual accuracy and consistency throughout the research. The combination of primary, secondary, and tertiary legal materials enabled the study to develop a comprehensive normative analysis supported by statutory interpretation, doctrinal reasoning, and scholarly authority.

Technique of Collecting Legal Materials

The legal materials used in this study were collected through library research and document analysis. Library research was conducted by examining legislation, judicial decisions, books, scholarly journals, legal commentaries, and other academic publications related to criminal liability and traffic-law enforcement in Indonesia. The collection process focused on identifying authoritative legal sources relevant to negligence causing death, traffic offences, sentencing principles, and judicial interpretation of criminal responsibility.

Document analysis was carried out by systematically reviewing the text of Manado District Court Decision No. 75/Pid.Sus/2023/PN Mnd. The court decision was examined in detail to identify the chronology of events, the statutory provisions applied, the evidence considered by the judges, the interpretation of negligence, the aggravating and mitigating factors, and the legal reasoning underlying the sentence imposed on the defendant. This process enabled the study to evaluate both the formal legal basis of the judgment and its substantive implications for justice and deterrence.

Technique of Analyzing Legal Materials

The collected legal materials were analyzed qualitatively through juridical interpretation and doctrinal reasoning. Qualitative legal analysis was employed because the study seeks to understand the meaning, coherence, and application of legal norms rather than to generate statistical findings. The analysis began by identifying and interpreting the relevant statutory provisions governing negligence causing death in Indonesian criminal law. Particular attention was given to the relationship between Article 359 of the Criminal Code and Article 310 paragraph (4) of Law No. 22 of 2009 in order to determine the appropriate legal framework applicable to fatal traffic-negligence cases.

The study then analyzed the judicial reasoning contained in Decision No. 75/Pid.Sus/2023/PN Mnd by comparing the proven facts of the case with the statutory elements of the charged offence. This analysis included examining whether the defendant's conduct fulfilled the legal elements of "every person," "driving a motor vehicle," "negligence," "traffic accident," and "causing the death of another person." In addition, the study evaluated the aggravating and mitigating circumstances considered by the judges, particularly the defendant's intoxication, severe drowsiness, remorse, and failure to provide assistance or apology to the victim's family.

The final stage of analysis focused on assessing the proportionality and adequacy of the sentence imposed by the court in light of criminal-law principles and the objectives of punishment. The analysis considered whether the two-year prison sentence sufficiently reflected the seriousness of the defendant's preventable risk-taking, the fatal consequence of the conduct, and the broader need for deterrence and victim-oriented justice in Indonesian traffic-law enforcement. Through this qualitative juridical analysis, the study aims to provide a comprehensive evaluation of the application of Indonesian positive law to fatal traffic negligence cases.

Result and Discussion

Application of Article 310 Paragraph (4) as *Lex Specialis* in Fatal Traffic Negligence Cases

The findings of this study demonstrate that Article 310 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic and Transportation constitutes the principal legal basis for prosecuting fatal traffic accidents caused by negligent driving in Indonesia. Although Article 359 of the Indonesian Criminal Code also regulates negligence causing death, the Manado District Court applied Article 310 paragraph (4) because the factual circumstances specifically involved road traffic activity, the operation of a motor vehicle, and the death of another person resulting from negligent driving conduct. This application reflects the principle of *lex specialis derogat legi generali*, whereby a special statutory provision prevails over a general provision when both regulate the same legal issue. In doctrinal terms, the court's reliance on the Traffic and Road Transportation Law was legally coherent because the law specifically governs drivers, vehicles, road users, traffic accidents, and criminal liability arising from road transportation activities.

This finding is significant because it clarifies the normative structure of criminal responsibility in Indonesian traffic-law enforcement. Traffic offences are often socially perceived as ordinary administrative violations, particularly where accidents involve minor damage or non-fatal consequences. However, Law No. 22 of 2009 adopts a graduated sanctioning system in which criminal liability increases according to the seriousness of the resulting harm. Article 229 classifies traffic accidents into minor, moderate, and severe categories, while Article 310 links those categories to corresponding criminal sanctions. Consequently, when negligent conduct results in death, the legal character of the act shifts from a mere traffic violation into a serious criminal offence involving the unlawful destruction of legally protected interests, particularly human life and public safety. The statutory framework therefore reflects a legislative policy that traffic negligence should not be evaluated solely through technical traffic considerations but also through broader principles of criminal accountability and social protection.

The application of Article 310 paragraph (4) also demonstrates the Indonesian legal system's attempt to balance transportation needs with public safety obligations. Indonesia continues to experience high levels of traffic accidents, many of which are caused by human error such as speeding, distraction, intoxication, and fatigue. Empirical studies and transportation reports consistently identify driver behavior as the dominant factor in fatal accidents, indicating that weak compliance culture remains a serious problem in Indonesian traffic governance (Moslem et al., 2024; Dewa, 2023). Within this context, the criminalization of negligent driving that causes death serves not only a punitive function but also a preventive and symbolic one. Criminal sanctions communicate that driving is not merely a personal activity but a regulated social responsibility requiring caution, competence, and respect for the safety of others.

Judicial Interpretation of Negligence and Foreseeability

The analysis of Decision No. 75/Pid.Sus/2023/PN Mnd further reveals that negligence, or *culpa*, constituted the central basis for establishing criminal liability in the case. The court did not attempt to prove intentional conduct because the defendant did not deliberately seek to cause the victim's death. Instead, the judicial reasoning focused on whether the defendant failed to exercise reasonable care while operating a motor vehicle. The proven facts established that the defendant consumed captikus alcoholic liquor, experienced severe drowsiness, and nevertheless decided to continue driving a motorcycle while carrying the victim as a passenger. The defendant subsequently lost control of the vehicle, struck a tree, and caused fatal injuries to the victim. These circumstances were interpreted by the court as evidence of negligent conduct because the defendant consciously operated a vehicle under conditions that objectively impaired his driving ability and created foreseeable danger.

From a doctrinal perspective, the findings align with the traditional concept of *culpa* in Indonesian criminal law. Sarin & Cushman (2024) explains that negligence involves insufficient caution, lack of attention, or failure to anticipate consequences that should reasonably have been foreseen. The present case demonstrates that criminal negligence in traffic law is not limited to accidental error but extends to situations where the driver knowingly exposes others to obvious and preventable risks (Guerra et al., 2022). The defendant's decision to continue driving despite intoxication and fatigue indicates a failure to fulfill the standard of care expected from a responsible road user. Witness testimony indicating that the defendant and victim had reportedly been discouraged from forcing themselves to return also strengthened the conclusion that the risk was foreseeable and avoidable.

Nevertheless, the judicial reasoning also exposes an important doctrinal issue within Indonesian traffic-law enforcement. Although the court identified intoxication and severe drowsiness as aggravating circumstances, it did not explicitly distinguish between ordinary negligence and gross negligence. This distinction is significant because not all forms of

negligence reflect the same level of blameworthiness. Driving while intoxicated or severely fatigued arguably involves a more serious level of carelessness because the actor consciously disregards a socially recognized danger. However, Indonesian positive law does not yet clearly differentiate ordinary negligence from aggravated negligence in traffic offences, leaving courts with broad interpretative discretion. As a result, sentencing practices may vary substantially even where factual circumstances are similar.

The evidentiary basis concerning intoxication also deserves critical attention. The judgment relied primarily on witness testimony and factual chronology indicating that the defendant consumed captikus alcoholic liquor before the accident. The decision did not mention medical examination or toxicological testing establishing the defendant's blood alcohol level. This demonstrates that Indonesian courts may accept testimonial and circumstantial evidence as sufficient to establish unsafe driving conditions. Although such an approach may be practical where factual evidence strongly indicates impairment, the absence of standardized evidentiary requirements could create inconsistency in future traffic-negligence cases involving disputed intoxication claims. Therefore, the case reveals not only how negligence is interpreted judicially but also the continuing need for clearer evidentiary standards in fatal traffic prosecutions.

Fulfillment of Criminal-Law Elements and Judicial Reasoning

The findings also show that the Manado District Court systematically examined the statutory elements contained in Article 310 paragraph (4). The first element, namely "every person," was fulfilled because the defendant was recognized as a competent legal subject capable of bearing criminal responsibility. The court considered that the defendant was physically and mentally capable of participating in trial proceedings and understanding the legal consequences of his conduct. This reasoning reflects the general principle of criminal responsibility in Indonesian criminal law, which requires that an offender possess accountability capacity and awareness of the unlawfulness of his actions.

The second element concerning negligent driving resulting in a fatal traffic accident was also considered legally and convincingly proven. The court relied on witness testimony, the chronology of events, and the *Visum et Repertum* documenting the victim's injuries to establish causation between the defendant's conduct and the victim's death. The evidence demonstrated that the defendant lost control of the motorcycle because he operated the vehicle while intoxicated and extremely sleepy. The collision with the tree and the resulting fatal injuries therefore formed a direct causal chain linking the negligent conduct to the prohibited consequence. In this respect, the judicial reasoning remained doctrinally consistent with the structure of Article 310 paragraph (4), which requires proof of negligent driving, traffic accident occurrence, and death of another person.

The findings indicate that the court's reasoning focused primarily on formal fulfillment of statutory elements rather than broader jurisprudential interpretation concerning the degree of negligence involved. The judgment sufficiently established legal responsibility but provided limited discussion regarding why intoxicated and fatigued driving should be considered a particularly serious form of negligence. As a result, the decision reflects a broader tendency within Indonesian criminal adjudication to prioritize practical factual assessment over deeper doctrinal engagement with differing levels of culpability. Although this approach may ensure procedural efficiency, it can also reduce the clarity and consistency of sentencing principles in fatal traffic cases (Harris, 2022).

Sentencing, Proportionality, and Victim-Oriented Justice

One of the most important findings of this study concerns the proportionality of the sentence imposed by the Manado District Court. The court sentenced the defendant to two years' imprisonment, reduced by the period already spent in detention, while also ordering the defendant to remain detained and pay court costs. The judges identified aggravating factors, namely the death of the victim and the defendant's failure to apologize to or assist the victim's family. Mitigating factors included the defendant's confession, remorse, polite conduct during trial, and lack of prior criminal convictions. Formally, the sentence complied with Article 310 paragraph (4) because it remained within the statutory maximum penalty of six years' imprisonment.

The perspective of proportionality and substantive justice, the sentence raises significant normative concerns. The fatal accident did not arise from unavoidable circumstances or momentary inattention alone. Instead, it resulted from a combination of alcohol consumption, severe fatigue, and a conscious decision to continue driving despite obvious risk. In proportionality theory, punishment should reflect not only the legal classification of the offence but also the seriousness of the conduct and the magnitude of the resulting harm. Because the defendant knowingly drove under unsafe conditions, the level of blameworthiness arguably exceeded ordinary negligence. Consequently, the relatively lenient sentence may be perceived as insufficient to reflect the gravity of the conduct and the irreversible loss suffered by the victim's family.

The issue of victim-oriented justice further strengthens this criticism. Modern criminal-law theory increasingly recognizes that punishment should not focus solely on the offender but must also consider victims' rights, social harm, and community expectations regarding fairness. The court acknowledged that the defendant failed to visit, apologize to, or provide assistance for the victim's family, yet this aggravating circumstance did not substantially increase the severity of the sentence. As a result, the judgment appears to prioritize rehabilitative considerations over restorative or victim-centered justice. The loss of life experienced by the victim's family cannot be adequately addressed merely through the defendant's remorse, particularly where the remorse emerged only after the fatal consequence occurred.

At the same time, a balanced assessment requires recognition that Indonesian courts frequently emphasize rehabilitation and reintegration when sentencing negligence-based offences. Because the offence was categorized as negligence rather than intentional homicide, the judges may have considered excessive punishment inconsistent with the defendant's moral culpability. Broader structural considerations, including prison overcrowding and judicial tendencies favoring moderate sentencing for non-intentional crimes, may also have influenced the court's approach (Palmieri, 2024; Rudolphy, 2025). Therefore, while the sentence may appear insufficient from the perspective of deterrence and victim-oriented justice, it also reflects broader sentencing patterns within Indonesian criminal justice emphasizing proportionality between intentional and negligent crimes.

Implications for Traffic-Law Enforcement and Sentencing Reform

The findings of this study have broader implications for traffic-law enforcement in Indonesia. The legal framework contained in Law No. 22 of 2009 already provides a sufficient normative basis for prosecuting fatal traffic negligence. However, the effectiveness of the framework depends heavily on consistent judicial interpretation, stronger deterrence mechanisms, and more coherent sentencing standards. The present case illustrates that courts possess broad discretion in balancing aggravating and mitigating circumstances, yet the absence of clearer

sentencing guidelines may produce inconsistent outcomes in similar cases involving intoxication, fatigue, and preventable death.

The study also suggests the need for stronger integration between criminal sanctions and administrative traffic-law enforcement. One important reform would involve greater use of driving-license suspension or revocation in fatal negligence cases. Indonesian traffic law already recognizes driving licenses as administrative instruments tied to competence and lawful driving behavior. Therefore, additional sanctions affecting driving privileges would remain legally connected to the nature of the offence because the crime directly arose from unsafe driving conduct. Returning the defendant's driving license without restriction potentially weakens the preventive function of punishment and may reduce the symbolic message that driving is a regulated privilege carrying serious responsibilities.

The findings demonstrate that criminal punishment alone cannot fully resolve the broader problem of traffic fatalities in Indonesia. Preventive measures such as stricter monitoring of intoxicated driving, public education, driver-awareness campaigns, and mandatory traffic-safety programs remain essential because fatal accidents are closely linked to human behavior and weak compliance culture. Prior studies have shown that dangerous driving practices are often socially normalized, particularly among younger road users and in environments where traffic-law enforcement is inconsistent (Walker et al., 2023; Sedlar, 2023). Consequently, more effective traffic governance requires not only formal criminal sanctions but also broader institutional efforts aimed at strengthening legal awareness, social responsibility, and road-safety culture in Indonesian society.

Conclusion

The study concludes that Article 310 paragraph (4) of Law No. 22 of 2009 concerning Road Traffic and Transportation serves as the appropriate *lex specialis* legal basis for resolving fatal traffic accidents caused by negligent driving in Indonesia because it specifically regulates criminal liability arising from road transportation activities. The analysis of Decision No. 75/Pid.Sus/2023/PN Mnd demonstrates that the Manado District Court correctly established the elements of negligent driving causing death through evidence showing that the defendant operated a motorcycle while intoxicated and severely fatigued, resulting in a foreseeable and preventable fatal accident. Nevertheless, the study also finds that the two-year sentence imposed by the court raises concerns regarding proportionality and victim-oriented justice because the punishment may not adequately reflect the seriousness of the defendant's risk-taking conduct or the irreversible loss suffered by the victim's family. The case further reveals broader challenges within Indonesian traffic-law enforcement, including the absence of clearer distinctions between ordinary and aggravated negligence, limited sentencing consistency, and the need for stronger integration between criminal punishment, administrative sanctions, and preventive road-safety measures. Therefore, more consistent judicial reasoning, stronger deterrence policies, and clearer sentencing standards are necessary to ensure that fatal traffic-negligence cases are resolved in a manner that reflects legal certainty, public safety, proportional punishment, and substantive justice.

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