



THE ISSUE OF SOCIAL JUSTICE IN REGULATING PRIVATE MOTOR VEHICLE OWNERSHIP IN INDONESIA

A QUESTÃO DA JUSTIÇA SOCIAL NA REGULAMENTAÇÃO DA PROPRIEDADE INDIVIDUAL DE VEÍCULOS MOTORIZADOS NA INDONÉSIA

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ABSTRACT:

This research analyses the concept of social justice in the regulation of private motor vehicles in Indonesia. The research gap lies in the lack of research regarding the impact of private vehicle ownership on traffic congestion and safety as well as how current regulations fail to provide social justice for the community. The research method employed is normative legal research, with a focus on regulations and legislation, alongside descriptive qualitative analysis of legal materials. The findings indicate that the private motor vehicle regulatory model needs to be revised to limit ownership rights, thereby achieving better social justice. This suggests that the freedom to own a vehicle should not compromise the community's right to safe and smooth driving. The justification for this research is based on the urgency of creating a sustainable and just transportation system as well as mitigating the negative impacts of the increasing number of private vehicles. This research brings novelty, which lies in the proposal for a stricter regulatory model regarding private motor vehicle ownership, to ensure the protection of community rights more effectively. The research makes an important contribution to the development of a more inclusive and equitable transportation policy in Indonesia.

Keywords: Private Motor Vehicle; Road Transport Law; Social Justice; Traffic Safety.

RESUMO:

Esta pesquisa analisa o conceito de justiça social na regulamentação de veículos motorizados privados na Indonésia. O estudo identifica uma lacuna na pesquisa sobre o impacto da propriedade de veículos privados no congestionamento do trânsito e na segurança, bem como nas falhas regulatórias na promoção da justiça social. Utilizando um método de pesquisa jurídica normativa, com análise qualitativa descritiva de textos jurídicos secundários. Os resultados indicam a necessidade de rever o modelo regulatório para restringir o direito de propriedade de veículos. Argumenta-se que a liberdade de possuir um veículo não deve comprometer o direito da comunidade a um trânsito seguro e fluido. A pesquisa destaca a urgência de um sistema de transporte sustentável e equitativo, propondo um modelo regulatório mais rígido para melhorar as condições do tráfego, reduzir acidentes e proteger os direitos da população. Assim, contribui para o desenvolvimento de políticas de transporte mais inclusivas e justas na Indonésia.





Palavras-Chave: Veículo Motorizado Particular; Direito do Transporte Rodoviário; Justiça Social; Segurança no Trânsito.

1 INTRODUCTION

Sustainable transportation can increase economic growth while ensuring safety and social justice (Departement Economy and Social, Nation, 2024). Certain factors are vital in ensuring that the efforts to create a sustainable transportation system yield positive results, including accessibility, safety and social justice (Tamin, 2007). The high accident rate and numerous traffic jams in Indonesia are a serious challenge militating against efforts to realise a sustainable road transportation system. Therefore, the freedom of individuals to own motorised vehicles is an important aspect that must be addressed, so as not to compromise the people's rights to safety and smooth traffic flow, which are integral parts of the efforts to create sustainable road transportation.

Access to social justice for all Indonesian people' is the fifth principle of Pancasila. Also, the Constitution of the Republic of Indonesia is called a constitution with social justice. Therefore, all laws and regulations must adhere to the principle of social justice. In this regard, Law Number 22 of 2009 on Traffic and Road Transportation (TRT), a legal product that regulates all aspects of road transportation, should prioritise social justice.

According to TRT, road transportation must be safe, secure, orderly, smooth, and integrated with other modes of transportation to grow the national economy, realise the welfare of the people, promote national unity, and uphold the dignity of the nation.

The phrase 'realise the welfare of the people' in the above explanation means that TRT aims to realise social justice by improving the welfare of the people. Conceptually, the TRT regulatory model allows individuals to own and control private motor vehicles. The logical consequence of this regulatory model is the uncontrolled increase in the number of private motor vehicles every year, which has several implications, such as disruption of traffic and high number of road accidents, leading to deaths, injuries, and material loss.

The freedom of every individual to own and use a private motor vehicle is protected by the Constitution, Article 28H paragraph (3). But that freedom must respect the freedom of others to use road infrastructure safely, securely, and smoothly, as





stipulated in Article 28J of the Constitution. Since TRT is a derivative regulation of the Constitution, the private motor vehicle regulatory model should restrict freedom of ownership to realise social justice. The meaning of justice in the transportation system is equal treatment for everyone (Hail & Quald, 2021).

In this study, social justice is characterised as, first, justice that concerns the needs and rights of the wider community (not a few people) and, second, justice that is achieved if the wider community gets its rights. Meanwhile, the characteristics of the concept of individual justice are, first, the fulfilment of justice based on the free will of each individual and, second, justice that is achieved if the individual rights of a few people are enforced.

The freedom to own a private motor vehicle is closely associated with the uncontrolled increase in the number of private motor vehicle owners. Therefore, this study discusses how to realise a balance between individual interests and social justice in the model for regulating private motor vehicles in Indonesia.

2 RESEARCH METHOD

This article is a normative legal research. It uses primary legal materials, including laws, regulations and legal doctrines, as well as secondary legal materials, including relevant research articles and official data released by the government. The study of the principles of social justice makes reference to Pancasila and the 1945 Constitution of the Republic of Indonesia as well as expert opinions. The legal materials were analysed in a descriptive qualitative manner.

3 RESULT AND DISCUSSION

3.1 MODEL OF MOTOR VEHICLE REGULATION IN TRT.

In Article 47, paragraph 3 of TRT, motor vehicles are grouped into two types based on function: private motor vehicle and public motor vehicle. The definition of a private motor vehicle is not provided in TRT. However, Article 1, paragraph 10 of the





law defines a public motor vehicle as any motorised vehicle used to transport goods and people for a fee.

By applying the 'argumentum a contrario' concept, all motor vehicles that are not included in the public motor vehicle group are classified as private motor vehicles. Private motor vehicle types consist of passenger cars and motorcycles. Based on function, vehicles consist of two types: passenger vehicles for transporting people (passengers) and goods vehicles for transporting goods.

Only public transportation companies, which are legal entities, can own public motor vehicles. The main characteristic of a company is that its assets are separate from those of its management and shareholders. As a legal entity, a company has ownership rights and can enter into agreements that are beneficial to it (Spasibo-Fateeva, 2019).

In Article 197, paragraph 2, letter a of TRT, it is stipulated that to ensure the availability of public transportation services, the government must maintain a balance between the levels of demand and supply as well as maintain healthy business competition. The implementation of this regulation entails maintaining a balance between the number of public motor vehicles available to people and the demand for public motor vehicles. This is achieved by stipulating certain requirements for licencing. The requirements for a permit to transport people are (i) having at least five units of vehicles, (ii) providing a vehicle storage area, (iii) providing vehicle maintenance facilities, and (iv) a vehicle quota is needed (Menteri Perhubungan RI, 2019).

The decision to grant permits must be based on an objective assessment of the actual situation, to achieve the balance mentioned above. To determine if there is a balance between public motor vehicle availability and the demand for them, a load factor survey is conducted every year. The above licencing requirements and mechanisms are a model for quantitative restriction of public motor vehicles.

There is a major difference between the private and public motor vehicle ownership models; the private motor vehicle ownership model does not place any restriction on an individual's right to own a private vehicle. In that regard, the TRT stipulates as follows:

1. Everyone is free to own and control individual motor vehicles, and there is no limit to the number and type.





2. Everyone is free to use individual motor vehicles without restrictions on place and time.

3. 2 PRIVATE MOTOR VEHICLE REGULATORY MODEL THAT ENSURES SOCIAL JUSTICE

3.2.1 The importance of restrictions on the ownership and utilisation of individual motor vehicles.

Everyone has the right to own and control one or several types of private motor vehicles without exception. If someone cannot afford to buy a vehicle in cash, he or she can pay in installments with a certain tenor. This is possible because the private motor vehicle ownership model does not impose quantitative restriction, which applies to public motor vehicle ownership.

However, with the regulatory model of TRT prescribing the freedom to own, control and use individual motor vehicles, the objectives of the provisions of TRT regarding the right of the public to safe and smooth driving are threatened. This is confirmed by data showing that the increase in the number of individual motor vehicles is not directly proportional to the increase in road capacity.

The number of individual motor vehicles continues to rise significantly, especially motorcycles. This increase is directly proportional to the increase in congestion and accidents resulting in death. Based on data released by the Central Statistics Agency and the Republic of Indonesia National Police in 2023 (Badan Pusat Statistik, 2024), there were 150,718,972 individual motor vehicles (passenger cars and motorcycles), accounting for 95.75% of the total number of vehicles, compared to 6,403,299 public motor vehicles (buses and trucks), which amounts to 4.25%. Then in 2024 (Indonesia, 2025), there were 161,400,000 individual motor vehicles (passenger cars and motorcycles), or an increase of 8,355,056 units compared to the data of 2023, amounting to an increase of about 7,08 %. It is noteworthy that over a period of one year (2023–2024), the percentage increase in the number of private motor vehicles was far above the percentage increase in road capacity, as per the data given in the next paragraph.

According to data from the Ministry of Public Works and Public Housing of the Republic of Indonesia (Badan Pusat Statistik, 2023), the total road length was 544,747





km in 2019, 548,336 km in 2020, and 546,116 km in 2021. Based on these data, the road length grew in 2020 by only 3,592 km (0.70%) compared to 2019, while in 2021, there was a decrease of 2,220 km (0.41%) in road length compared to 2020. In 2024, the total length of the road was 550,735 km, showing only a slight increase of 4619 km (0.85%) over the past three years (Badan Pusat Statistik, n.d.).

Attaining a balanced regulation of individual and public rights is problematic. On the one hand, there is a need to maintain public interests, in terms of maintaining order, smoothness, security and safety on roads, to protect public welfare. On the other hand, personal rights should be protected to ensure personal development. An effective public security control may violate individual rights and freedoms (Marquesini Chiavone, 2024).

The absence of proportionality between the increase in the number of motor vehicles and the increase in road capacity is the main cause of congestion (Asadussaman, Ashrafi, Fattah, Morshed, & Rahman, 2021). The road length increase is far below the rise in the number of motor vehicles, which reaches 5.50 % per year. This imbalance gives rise to various problems on the road, such as congestion, accidents, deaths, injuries, and material losses. Severe injuries sustained during traffic accidents may lead to victims' death (Abolvardi et al., 2023). According to available data, traffic accidents and fatalities continue to increase. In 2021, there were 103,645 accidents with 25,226 fatalities. In 2022, the number of accidents was 204,447, and there were 27,534 fatalities (Katadata Media Network, 2023). Further, in 2023, the number of accidents was more than 152,000 (Kumparan News, 2024), with 22,172 fatalities (Goodstaat.id, 2023). Remarkably, in 2024, the number of accidents increased sharply to 1,150,000 (around 800% increase) compared to the 2023 value, while the number of fatalities was 27,000 (Tempo.com, 2024).

Road congestion, poor ethics and lack of discipline on the part of motorists result in numerous accidents, which bring deaths, injuries, and material losses (Abolvardi et al., 2023). There is a relationship between a high accident rate and the frequency of movement of motor vehicles (Soehodho, 2017). In the shipping sector, there is IHO; in civil aviation, there is ICAO, but there is no international organisation that is responsible for motor vehicle safety standards (Shimodaira, 1988). The high rates of accident and congestion on the road have a serious negative social impact. Regulations that ensure the security, safety, and comfort of motorists should be urgently enacted and





implemented. Safety standards should be improved, and the number of private motor vehicles should be regulated.

Thus, since there is an increase in accidents and fatalities, as shown by the data, laws and regulations should be used to support the efforts to improve road transportation safety. This can be done by reducing the diverse sources of accidents, such as undisciplined drivers and the high number of private motor vehicles (Madhav & Christine, 2019). Road traffic accidents have a direct impact on life and economic safety, so serious policies are needed to prevent them (Zhang, Lu, & Qu, 2020).

Every individual has the right to obtain legal guarantees of safety, security, and smoothness while on the road, and this individual right is turned into a collective right because people have the right to drive on the road safely, securely and smoothly. This collective right is disturbed due to the right of individuals to own and control private motor vehicles. The guarantee of collective rights can offer protection to vulnerable groups of people who are more likely to become victims of accidents, such as motorcyclists and pedestrians (Temizel, Wunderlich, & Leifels, 2021). To protect the public from accident, especially motorcyclists and pedestrians, who are the most at-risk groups, it is important to enlighten motor vehicle drivers on the need to be more careful and obey traffic rules (Hail & Quald, 2021).

The concept of 'private motor vehicle' needs a new approach in law. Philosophically, the primary function of a motor vehicle is different from the functions of other objects that are not motor vehicles. A motor vehicle's primary function is moving people from one place to another. Private motor vehicles can function in public spaces, while other private goods or objects are functional in private spaces. Therefore, it is important to redefine private motor vehicles, so that they are treated differently from other goods or objects in road traffic law. This redefinition is important to make its legal nomenclature separate and different from the various objects regulated in the Civil Code, such as movable and immovable objects (*onroerend*) (Subekti, 1983, p. P.61.).

Roads are a transportation infrastructure with free access and use for everyone since the issue of transportation accessibility is related to equality and social justice, which are among the main principles of the road transportation law. Public transport policies must ensure accessibility and meet the principles of equality and justice, which are integrated into services (Bach, Marquet, & Miralles-Guasch, 2023). If regulations limit the choice of transportation modes, then the principles of equality and social





justice are oriented towards the ability of each individual to make his choice (Bantis & Haworth, 2020). If transportation accessibility improves, there tends to be an increase in the movement of people and goods. When the increase is not accompanied by good regulatory arrangements that ensure equal access and social justice, excesses arise in the form of potential conflicts between road users. Herein lies the major factor that distinguishes motor vehicles from other objects or items, such as furniture, washing machines, and other household electronic devices. Furniture and washing machines do not need guarantees of equal accessibility and social justice because they do not require public facilities or infrastructure to function. People do not normally use furniture or washing machines in public spaces; it is unusual to do so.

The private motor vehicle regulatory model that gives individuals freedom to own and control private motor vehicles is a form of fulfilment of individual justice, since the fulfilment of these rights is based entirely on the will or taste of each individual. But the fulfilment of individual justice sacrifices social justice since the fulfilment of individual rights causes great losses in the form of congested roads and accidents.

It is urgent to rationalise the production of private motor vehicles and introduce relevant restrictions on the ownership model of such vehicles through legal products, such as the TRT. Restricting the ownership of individual motor vehicles is already a common practice that is regulated by law in other countries. A study by Katarzyna Sosik-Filipiak et al. supports this practice (Sosial-Filipiak, Ostrowski, & Iwan, 2023). The study indicates that a high number of vehicles in cities has a negative impact on safety and causes congestion, air pollution, and noise. Also, saturation of transportation networks affects the number of road accidents and the level of safety on highways.

The disruption of collective interests must be overcome by limiting the right to own private motor vehicles through laws and regulations. Social justice requires a balance between individual interests and the interests of society collectively. To maintain this balance, according to Ghate-Sundar (Sundar & Ghate, 2013), arrangements that ensure a balance between the number of motor vehicles and road capacity are needed. For this reason, a model of restricting individual motor vehicle ownership is needed, combined with a model of restricting the use of motor vehicles.

3.2.2. Criteria for Restrictions on Owning Individual Motor Vehicles, with a social justice dimension





To ensure social justice, the regulatory model of TRT must be revised to restrict private vehicle ownership and use. This will enhance the fulfilment of social justice, which is in concordance with the fifth precept of Pancasila and the Indonesian Constitution. Social justice is needed to address public decision-making processes that result in injustice (Hopkins, 2021). The basic values of social justice as stipulated in Pancasila, which include encouraging morals, justice, respecting the rights of others, and prioritising the interests of the majority, should be the basis for ownership of private motor vehicles. These values have a positive impact, namely the promotion of the collective interests of society in terms of safe, secure, and smooth driving. The disruption of these collective interests must be overcome by limiting the right to own private motor vehicles through laws and regulations. Social justice requires a balance between individual interests and the interests of society collectively.

Based on John Rawl's work, this study identifies two principles of social justice: First, everyone has an equal right to the broadest system of equal basic freedoms, which is compatible with a similar system of freedom for all. Second, the rule of priority: The principles of justice are to be ranked in lexical order, and freedom should be placed at the top of the list. Therefore, freedom can be limited only for the sake of another freedom. In this regard, two things are noteworthy: (a) less freedom must strengthen the system of total freedom that belongs to all, and (b) less freedom must be acceptable to citizens who have less freedom (JOHN, Rawls: Teori Keadilan (Yogyakarta: Pustaka Pelajar, 1995). The concept of justice relates to social justice and inclusive equality of outcomes (Hail & Quald, 2021).

Everyone has equal freedom to own or control private motor vehicles, but if that freedom is detrimental to broader freedoms (society), individual freedom can be limited. The freedom to choose should not apply to all decisions, especially when such freedom violates the rights of others or when limiting such freedom benefits the whole society. In this regard, not every individual should be free to have a private motor vehicle, and this restriction should also apply to other dangerous freedoms (Randal et al., 2020).

Regarding social justice, rules that limit the rights and freedoms of a person in relation to the rights and freedoms of others uphold the equality of rights and liberties. The prohibition of crossing certain roads, which applies to everyone, guarantees the right and freedom to drive safely, securely, and smoothly. Everyone who violates the ban not only violates the rights and freedoms of others but also threatens his own rights





and freedoms(BUR, 2005). Freedom and justice can be developed if individuals cooperate with each other and create reasonable relationships within the complex structure of society(Kistler, 2023).

Freedom requires the certainty of certain rights and freedoms. The freedom in question is not the freedom to do everything without government restrictions. Sometimes, freedom without restriction contrasts with equality(Gyr, 2023). The implementation of freedom without restrictions actually limits the freedom of the individuals themselves, since it causes a lack of freedom to drive on the highway safely, securely, and smoothly. From the perspective of justice, the freedom of each individual to own and control a private motor vehicle is in accordance with the principle of individual justice, but when individual rights are allowed without control, it sacrifices social justice, since it hinders the right to freedom of the community to drive safely, securely and smoothly. This right is the right of all people without exception, including drivers and passengers of private motor vehicles. In reality, the right of the community to safe and smooth driving on the road is not enjoyed as many become victims of accidents, resulting in deaths, injuries, and material losses.

To address the increasing cases of accidents and congestions, it is crucial to introduce a regulatory model limiting the right to own a private motor vehicle. Justice or injustice is the result of human actions. Therefore, justice can be changed. If groups oriented toward legal change for the purpose of achieving social justice can unite to fight for the interests of disadvantaged communities, a positive legal change can be realised(Lansdell, Eriksson, Saunders, & Brown, 2012). Everyone must show respect for humanity in all its forms, as it is a template for the unification of ethics and morality(Mahlmann, 2023).

Changes in regulations are inevitable if the regulations can no longer respond to current realities, such as if the regulations cannot guarantee road safety. Many countries have changed the regulations governing their motor vehicle safety standards in response to increasing traffic congestion on roads, which causes increased risk of accidents and environmental pollution. It is necessary to redefine the concept of social justice in planning and regulating public transportation systems(Adli & Chowdhury, 2021).

Building a transportation system with equality and social justice is a necessity. Sustainable transport planning must adhere to the principles of equality and social





justice(Vitrano & Lindkvist, 2022). which allow every individual and group in society to develop optimally(Anna Triningsih & Oly Viana Agustinbe, 2019).

To balance collective and individual interests for the purpose of realising social justice, this study proposes a model for restricting individual motor vehicle ownership, which encompasses the following:

1. Implementation of Quotas on Individual Motor Vehicle Ownership

The maximum number of motor vehicles an individual may own and the issuance of licence plates should be restricted. This model has been implemented in Beijing, where it has successfully reduced traffic congestion sustainably(Anciaes, Cheng, & Watkins, 2025). In Colombia, the Licence Plate Restriction Policy (LPRC) has been in effect since January 2017(Macea, Márquez, & Soto, 2023). Additionally, Singapore has enforced a vehicle growth quota of 0.25% annually(Taufan & Adharsyah, 2019).

Imposing high taxes on motor vehicles, including purchase tax and annual tax, discourages individuals from owning multiple vehicles. This approach has proven effective in Denmark, where vehicle taxes range from 85% to 150% of the vehicle's price. The aim is to reduce individual motor vehicle use while promoting public transportation(Anom, 2024). Similarly, Norway has implemented vehicle purchase tax, successfully limiting ownership of fuel-based motor vehicles(Xiao, Xu, & Wang, 2025).

2. Strengthening Regulations for Issuing Driver's Licences

Implementing strict requirements for obtaining a driver's licence, including a more intensive road safety training, is an effective way to limit motor vehicle ownership. A lower growth rate of driver's licences leads to fewer individuals requiring vehicles, thereby curbing the growth of individual motor vehicle ownership. Several countries, such as Norway, Germany, and Finland, have successfully implemented stringent driver's licence regulations(Lampu Edison, 2021). Norway, for instance, has one of the lowest fatal accident rates globally, with only 116 cases reported in 2022, partly due to strict licencing requirements(Einar.H.Dyvik, 2024).

3. Implementing High Parking Fees and Congestion Charges





High parking fees and congestion charges aim to limit the use of individual motor vehicles in high-density areas, thereby encouraging the use of public transportation. Studies indicate that many cities, such as Singapore, London, Stockholm, Oslo, Bergen, and Milan, have successfully reduced congestion by implementing road pricing combined with improved public transportation services (Anciaes et al., 2025; Moulin & Urbano, 2025). This model also proved effective in Thailand (Ayaragarnchanakul, Eva, Creutzig, Javaid, & Puttanapong, 2022), Madrid (Gonzales, Perez-Doval, Gomez, & Vassallo, 2021), Manado (Tumanduk, Rompis, & Timboeleng, 2019), and New York (Katharine Viner, 2025).

4. Vehicle Age Restriction

Indonesia currently does not regulate the age of individual motor vehicles. Implementing an age restriction could reduce the number of vehicles operating on roads. This model has been effective in the United Kingdom, particularly in the Wealden district of East Sussex, where vehicles are limited to a maximum age of nine years for road use (Taufan & Adharsyah, 2019).

Furthermore, the parameters that can be used as eligibility criteria, that is to determine individuals that are eligible for restriction from owning personal motor vehicles, are as follows:

1. Economic Eligibility

Lack of sufficient financial capacity to purchase and maintain a motor vehicle may be used as a criterion to restrict ownership. According to Dargay and Eva (Dargay, 2002), individual vehicle ownership should be influenced by income level. If financial capacity is used as a standard, only individuals with a certain income level—whether from formal or informal employment—would be deemed eligible to own a motor vehicle. In August 2024, Indonesia had 144,640,000 employed individuals (DataIndonesia.id, 2024), while the number of individual motor vehicles reached 159,074,028 units in 2024.

2. History of Serious Traffic Violations





Individuals who have been involved in fatal traffic accidents or have committed repeated traffic violations are deemed eligible for restriction from owning and operating motor vehicles, as a measure to enhance road safety. Data on countries restricting individual motor vehicle ownership based on a history of serious traffic violations are not readily available. However, driving restrictions for individuals with a record of serious traffic violations have been enforced in Indonesia based on Article 39 of the Indonesian National Police Regulation Number 5 of 2021 on the Issuance and Marking of Driver's Licences. This regulation stipulates that individuals involved in fatal accidents accompanied by repeated violations may face driver's licence revocation. According to Hadassa Noorda (Noorda, 2023), licence suspension or revocation impacts various levels of freedom, including mobility. Such sanctions are considered more effective than fines, as fine-based systems in various countries have proven ineffective in altering repeated traffic violation behaviour (Auksė, Slavinskienė, Šeibokaitė, Markšaitytė, & Sullman, 2022).

3. Multiple Vehicle Ownership

Individuals should be restricted to owning only one vehicle. The data presented earlier on the number of employed individuals and the number of individual motor vehicles in Indonesia in 2024 imply that many individuals have more than one vehicle. Hence, restricting individuals to owning only one motor vehicle would help to reduce the number of private vehicles

The proposed restrictions on individual motor vehicle ownership are expected to reduce the current number of personal motor vehicles by at least 20–30%, thereby significantly decreasing traffic accidents and congestion. With the current number of individual motor vehicles at 161,400,000 units (Indonesia, 2025), a 20–30% reduction would equate to approximately 32,280,000 to 48,420,000 units. This reduction is anticipated to alleviate traffic congestion, improve road safety by reducing the number of operational vehicles, and promote the use of more efficient and sustainable public transportation. Public awareness on the importance of transitioning to public transport or vehicle-sharing systems could further decrease the number of private vehicles on the road (Adi, Purnomo, & Maulana, 2019).

However, regulatory changes aimed at restricting individual motor vehicle ownership to achieve social justice pose enforcement challenges. Consistent and





robust law enforcement is essential to ensure compliance, particularly given Indonesia's strong cultural attachment to individual motor vehicle use. According to Johannes C.T. van der Lee (van der Lee & Veeneman, 2025), efforts to reduce vehicle ownership may face socio-cultural resistance, potentially leading to public and political opposition.

It is expected that the implementation of this policy would give rise to the anticipated ideal condition, namely achieving a balance between transportation needs and the capacity of available road infrastructure, according to the concept of transport demand management (Tamin, 1999).

4 CONCLUSIONS

The results of this study indicate that the uncontrolled increase in the number of private motor vehicles, which is not proportional to the increase in road capacity, causes traffic congestion and a high rate of accidents, thus disrupting the freedom of the community to use the highway safely and smoothly. This situation is contrary to the principle of social justice contained in Pancasila and the Constitution.

To overcome these challenges and ensure social justice in the regulation of private motor vehicles, this study proposes the revision of the existing regulatory model based on TRT. Instead of providing unlimited individual freedom to own private motor vehicles, the regulatory framework should include stricter measures. This may include the imposition of restriction requirements, such as financial eligibility, restriction from owning more than one motor vehicle, high parking fees, implementation of motor vehicle quotas in each region, etc. The aims of these measures are to maintain road traffic safety and ensure smooth mobility for all road users. Such an approach will help to realise the constitutional mandate on social justice in the transportation sector and contribute to the sustainable development of Indonesia's transportation system.

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