

ABSTRAK

HERI SUDARYANTO, Program Study Magister Hukum, Universitas Jenderal Soedirman, “Pelaksanaan Penjualan Langsung Benda Sitaan Pelanggaran Lalu Lintas Sepeda Motor (Study Kejaksaan Negeri Purwokerto)”, Komisi Pembimbing, Ketua Prof. Dr. Hibnu Nugroho, S.H., M.H., Anggota Dr. Budiyo, S.H., M.Hum. Tujuan penelitian ini untuk menganalisis pelaksanaan penjualan langsung benda sitaan pelanggaran lalu lintas berdasarkan Peraturan Jaksa Agung RI No: PER – 002/A/JA/05/2017 jo. Peraturan Jaksa Agung RI No: 10 Tahun 2019 di Kejaksaan Negeri Purwokerto menganalisis faktor- faktor yang menjadi penghambat dalam pelaksanaan penjualan langsung benda sitaan pelanggaran lalu lintas di Kejaksaan Negeri Purwokerto. Pendekatan yuridis sosiologis, bersifat deskriptif, Lokasi Penelitian Satlantas Polresta Banyumas, Kejaksaan Negeri Purwokerto dan Pengadilan Negeri Purwokerto. Pengumpulan data primer dengan wawancara, data sekunder studi kepustakaan. Data disajikan dalam bentuk uraian, data di analisis secara kualitatif. Berdasarkan hasil penelitian dan pembahasan, maka dapat disimpulkan bahwa Pelaksanaan penjualan langsung benda sitaan pelanggaran lalu lintas berupa sepeda motor oleh Kejaksaan Negeri Purwokerto baik yang berkaitan dengan proses, mekanisme, dan syarat-syarat maupun tahap penjualan langsung telah dilaksanakan sesuai dengan Peraturan Jaksa Agung RI No. PER-002/A/JA/05/2017 jo. Peraturan Jaksa Agung RI No. 10 Tahun 2019 tentang Pelelangan dan Penjualan Langsung Benda Sitaan Atau Barang Rampasan Negara Atau Benda Sitaan Eksekusi. Faktor – faktor yang menjadi penghambat dalam pelaksanaan penjualan langsung benda sitaan pelanggaran lalu lintas di Kejaksaan Negeri Purwokerto : a. Struktur Hukum, adanya perbedaan pendapat dari unsur penegak hukum antara pihak Kejaksaan dan pihak Kepolisian dalam masalah proses registrasi ulang kendaraan bermotor hasil penjualan langsung, pihak Kepolisian menolak permohonan registrasi ulang yang didasarkan pada Berita Acara penjualan langsung benda sitaan berupa kendaraan bermotor. b. Substansi Hukum belum ada harmonisasi peraturan tentang pelaksanaan penjualan langsung barang sitaan kendaraan bermotor khususnya ketentuan tentang registrasi ulang yang dikeluarkan oleh pihak Kejaksaan dan pihak Kepolisian. c. Kultur Hukum meliputi baik dari kultur hukum dari aspek *internal legal culture* berupa sikap-sikap, dan pendapat penegak hukum (Kejaksaan dan Kepolisian) maupun dari aspek *external legal culture* masyarakat pada umumnya khususnya pembeli kendaraan bermotor hasil penjualan langsung oleh pihak Kejaksaan.

Kata Kunci : Penjualan Langsung, Benda Sitaan, Pelanggaran Lalu Lintas

ABSTRACT

HERI SUDARYANTO, Program Study Magister Law, University General Soedirman, "Execution Direct Selling Object Confiscated Goods Collision Traffic Motorbike (Study Public Attorney of Country Purwokerto)", Commission Counsellor, Chief Prof. Dr. Hibnu Nugroho, S.H., M.H., Member Dr. Budiyo, S.H., M.Hum. Target of this research to analyse traffic collision confiscated goods object direct selling execution pursuant to Regulation of Attorney General RI No: PER - 002/A/JA/05/2017 jo. Regulation of Attorney General RI No: 10 Year 2019 in Public attorney of Country Purwokerto analyse factor- factor becoming resistor in traffic collision confiscated goods object direct selling execution in Public Attorney of Country Purwokerto. Approach of Yuridis sosiologis, having the character of is descriptive, Location Research of Satlantas Polresta Banyumas, Public attorney of Country Purwokerto and District Court Purwokerto. Data collecting Primary with interview, bibliography study secondary data. Data presented in the form of description, data in analysis qualitative. Pursuant to result of solution and research, hence can be concluded that Execution traffic collision confiscated goods object direct selling in the form of motorbike by Public attorney of Country Purwokerto both for relating to process, mechanism, and direct selling phase and also conditions have been executed as according to Regulation of Attorney General RI No. PER-002/A/JA/05/2017 Jo. Regulation of Attorney General RI No. 10 Year 2019 challenging Auction and Sale Direct Object Confiscated Goods Or Spoil State Or Object Confiscated goods Execute. Factor - factor becoming resistor in traffic collision confiscated goods object direct selling execution in Public Attorney of Country Purwokerto : a. Structure Law, existence of different idea from enforcer element punish between Public attorney party and Police party in problem of registration process repeat direct sales revenue motor vehicle, Police party refuse application of registration repeat which is relied on the Minutes Of confiscated goods object direct selling in the form of motor vehicle. b. Substance Law there is no regulation harmonization about motor vehicle seized goods direct selling execution specially rule about registration repeat released by Public attorney party and Police party. C. Culture Law cover either from culture punish from legal internal aspect of culture in the form of attitude, and law enforcer opinion public attorney And Police and also from legal external aspect of society culture in general specially direct sales revenue motor vehicle buyer by Public Attorney party.

Keyword : Direct Selling, Object Confiscated goods, Collision Traffic