

Government Policy in Illegal Parking Charges at Public Spaces

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Abstract: The growth of motorized vehicle ownership has outpaced the limited availability of public land and parking spaces. Illegal parking lots and attendants in Yogyakarta worsen this problem. As an illegal parking area, illegal parking attendants do not have the legality to collect fees from the community, so collecting money from parking users is an act of illegal levies. As a result, the rights of parking users as consumers tend to be neglected without any protection from authorized institutions or officials. This phenomenon is increasingly widespread and has been going on for quite a long time, so the impression appears there is an element of omission by state officials. The research method utilized was a qualitative descriptive, interactive approach that involved collecting data through observation, documentation, and interview. The primary data were recruited through an interview, and some informants were determined with the purposive technique, which was informants or source determination based on a certain consideration. Based on the results, parking management has been managed in such a way on Regional Regulation of Yogyakarta Number 2 of 2019. Regarding parking, the Regional Regulation (Perda) is followed up with the Mayor's Regulation of Yogyakarta number 2 of 2019. The objectives of the parking regulations are to embody safe and orderly parking service, implement law protection and certainty, and ensure transparency of Locally-Generated Revenue Receipt in the parking area.

Keywords: Ignorance; Illegal Charges; Parking

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INTRODUCTION

Urban development in Indonesia faces many problems, including population density and mobility, increasing vehicles and limited public transportation availability. The increasing volume of vehicles is incomparable with the road area, so traffic density and congestion have become daily sights in almost all cities in Indonesia, including the Special Region of Yogyakarta (DIY). As a city of students and culture that is a national and international tourism destination, DIY cannot be separated from the problems of increasing population growth and mobility.

Human activities and business are inextricably linked to mobility and vehicle uses that enable and simplify mobility. When the residents own and ride a vehicle, especially a motorized vehicle, they certainly need a temporary stop for a certain matter, usually called "parking." According to Tobing in Lutfia (2015), parking is a state where vehicles do not move and remain stationary for an extended period. (Van Der Goot, 1982) It differs from "stop," which refers to a temporary stop for vehicles, such as to allow passengers to board or exit or to stop at a traffic light (<https://ejournal.uksw.edu>, accessed on 1 February 2022).

The general regulation of Act Number 22 of 1999 on Road Traffic and Transportation states that "parking is a situation in which vehicles stop or do not move for a moment and are left to their

drivers.” Therefore, parking stops motorized vehicles at a certain time, not only for a moment. Besides, at the stop state, it is generally left temporarily by its driver and passengers to run errands (Sandra, 2020).

Parking activity certainly needs space or supporting facilities such as parking signs, buildings, and a vehicle safety device. Parking will not be an issue if the vehicles are limited, roads are not dense, and public spaces are available. On the other hand, if the numbers of vehicles are many, traffic density is high, and public spaces for parking are limited. Thus the discussion on the needs and management of parking spaces becomes very urgent. Parking space situations in urban, industrial, commercial, tourism or even rural areas have become the fact of the bigger parking issue. Sandra (2020) stated that “recently, parking has become a major issue in traffic management because the increasing number of vehicles owned and many activity centers cause an increasing demand for parking space. Currently, parking has become a big issue in big cities because its demand is increasing. However, the capacity of parking spaces has not kept up with the demand (Parmar et al., 2020).

Urban areas in Indonesia experience rapid growth that affects the growth of vehicle ownership, especially private vehicles. The expansion has an impact on parking space requirements and has the potential to create a major issue with parking management. The accumulation of vehicles occurs not only at parking buildings or spaces but also on the sides of roads and narrow alleys. As a result, there are blocked lanes and accesses, including for public transportation, ambulances, taxis and pedestrians. This condition reduces traffic safety, increases air pollution, reduces public space, and decreases economic potential (Prihantoro, 2015).

Those problems occur not only in metropolitan cities but also in Yogyakarta. As stated in the general explanation of Perda Kota Yogyakarta Number 2 of 2019, “As the condition develops, especially with the increasing rate of motor and non-motorized vehicles, it is no longer comparable to traffic facilities. The development implies the need for good parking areas. Besides, a tourism destination has to be supported by the availability and management of parking areas and spaces. Also, service systems, monitoring and control of parking management are required to support traffic order, smoothness and comfort.

The Perda (Regional Regulation) determines that vehicle stop is located at On-Street Parking (PDRMJ) or Public Roadside Parking (TJU), which is used routinely or non-routinely. Off-Street Parking (PLMJ) is a parking facility in a special parking lot (TPK) that charges a fee. The parking facility is a location used as a non-temporary vehicle stop at a certain time. The parking management at the PDRMJ facility is determined by: First, roads or location are managed by Mayor (Perwal) with several requirements; Second, each transportation user that parks their vehicle must use the facility determined by the Regional Government (Pemda); and Third, each personal or institutional manager has to obtain the Mayor’s permit by fulfilling certain requirements. It is also valid for Off-Street Parking (PLMJ) facilities, including those owned by private individuals required to obtain permission.

Therefore, the parking facility is an official parking space managed by an authorized and legal party, the regional government and the parking management institution. Their revenue partly goes to the government cash. Unauthorized parking is illegal parking that takes up a portion of a parking space and is not monitored by the regional government; additionally, parking revenue does not go to the government as locally-generated revenue (Luthfia, 2015; Spiliopoulou & Antoniou, 2012).

Parking attendants or parking officers provide service to parking users according to the general requirement of Perda Number 2 of 2018. A parking attendant is an individual hired by a parking lot manager as a parking officer at PLMJ or TPK facility. A parking officer is an individual who is allowed to perform parking tasks at a PDRMJ or TJU facility. He is an official officer assigned by a legal TPK manager or an individual who obtains permission from the regional government (Pemda) to be a TJU parking officer. Therefore, a parking lot or an officer without permission is categorized as illegal, so the fee collected from the transportation users is categorized as illegal levies.

To date, an illegal levy is connoted as a deviation by public officers, which is “an action performed by an individual, civil servant, or state official by asking for an amount of money which is not appropriate or not based on the regulation related to the payment.” (Solahuddin, 2016.

<http://www.bpkp.go.id>, retrieved on 10 February 2022). Illegal levies are being implemented in the public sector and

The next problem is limited public space used for parking facilities. Therefore, many roadsides, sidewalks, and even roads are occupied by vehicle parking. The development of tourist locations and the growth of businesses, such as shopping centers, stores, and culinary spots that lack sufficient parking facilities, cause more issues. Pemda (regional government), on the other hand, faces capacity constraints in resolving those issues. As stated by Sri Retnowati, a member of Commission B of the Regional People's Representative Council (DPRD) of Yogyakarta, many tourist places in Yogyakarta have not been supported with sufficient parking facilities. Thus, many vehicles park on the roadsides, which distracts road users and causes traffic jams (Wartajogja, 2021).

The increase in illegal parking exacerbates parking management issues, which is consistent with society's complaints, as expressed by Baharudding as a member of the Independent Monitoring Forum (Forpi), that parking violence is caused by the misuse of sidewalk to be parking lots, even at the prohibited spaces. Thus, the local government, through the Department of Transportation, should be more responsive and quickly handle an illegal parking issue. Besides, more firm sanctions by implementing misdemeanor sanctions will deter offenders (Antara, 2021).

A policy on parking management has been managed through Perda and Perwal that determines: (1) parking facilities consist of TJU and TPK, both owned by the government or private sector. The location has been determined in great detail in the three parking areas, which are: Area I (premium), Area II, and Area III; (2) each parking attendant is required to have permission from an authorized officer that has a specific requirement; (3) rules violence organized by a parking attendant may be subject to administrative or even criminal sanctions; and (4) the routine or special monitoring is performed by regional apparatus if there is society's complaint about the potential of violence.

However, various parking problems are not solved but increasing. The increasing number of illegal parking lots and parking attendants cause more parking problems, particularly the illegal levy problem. (Simićević et al., 2013) In recent years, the government has tried to handle the illegal levies performed by the Saber Exortion Task Force (Saber Pungli). The task force is assigned to eradicate illegal levies by optimizing personnel, work units, and facilities and infrastructure of the ministry, institution or regional government. One is the Civil Service Police Unit which has regulatory enforcement authority.

Ironically, on the one hand, the government aggressively eradicates all forms of illegal levies, including a ban on gratuities, a ban on providing voluntary donation boxes in all public service units, or even fines for road users that give money to buskers or beggars. On the other hand, they are permissive towards illegal levies by parking lot owners and illegal parking attendants. The business owners pretend to be helpless or even enjoy the illegal levies. Furthermore, societies as the victims are often treated as helpless and without protection. It indicates the inconsistency or weakness of central or regional government in guiding and monitoring the prevention and eradication of illegal levies.

RESEARCH METHOD

The research was performed in Yogyakarta since the smallest area of the four regencies is in the Special Region of Yogyakarta, which consists of 14 subdistricts (kemantren) and 45 wards. Public service is supposed to be covered by Regional Government, including parking. The research method utilized is a qualitative descriptive, interactive approach that involves collecting data through observation, documentation, and interview. The primary data were recruited through an interview. Some informants were determined with the purposive technique, informants or source determination based on a certain consideration (Sugiyono, 2016).

The informants included (1) Officials of the Transportation Department; (2) The Head of the Civil Service Police Unit; (3) Officials of Yogyakarta Poltabes; (4) Several illegal parking owners; and (5) Several illegal parking attendants supported by polling techniques to collect public opinion only used to depict attitudes and behaviors. (Eriyanto, 1999; Ma et al., 2013) The polling for 101 vehicle owners was not intended to generalize perception but to strengthen primary data obtained purposively.

The data analysis was done qualitatively using an interactive analysis model with some steps, such as data reduction, data display, conclusion, and verification (Miles & Saldana, 2014). Triangulation data and sources from various sources were utilized for data validity checks (Sutopo, 2006:93) to recognize the tendency and validity of the data or information obtained by the authors.

RESULTS AND DISCUSSION

Based on the results, parking management has been managed in such a way on Regional Regulation of Yogyakarta Number 2 of 2019 on the Parking area. The Regional Regulation (Perda) is followed up with the Mayor's Regulation of Yogyakarta Number 2 of 2019 on Parking. The objectives of the parking regulations are to embody safe and orderly parking service, implement law protection and certainty, and ensure transparency of Locally-Generated Revenue Receipt in the parking area.

Facilities of Parking and Illegal Parking

As an applicable provision, parking management in the Yogyakarta area is performed by Yogyakarta local government, which certainly involves private and social sectors. The parking maintenance can be Parking facilities in DRMJ or Public Roads (TJU) that are organized consistently or incidentally. Besides, LRMJ or Special Parking Area (TPK) parking facilities are organized consistently or incidentally.

The TJU parking area is located at a certain road area, managed under Mayor's Regulations as a parking facility location signed with parking signs and marks. TJU locations are grouped into 3 areas: First, Area I (Premium) has 11 roads, such as Jl. Urip Sumaharjo, Jl. Prof. Dr. Yohanes, Jl. Malioboro dan its road fins; Second, Area II such as Jl. Laksda Adisucipto, Jl. C. Simanjuntak, Jl. Jend Sudirman, and Third, Area III, which includes all roads in all Yogyakarta areas categorized in Area I and II.

Parking in those three areas is fixed TJU with location points or parking sections marked with parking signs or markings. It means that unless a permit is obtained from the head of the subdistrict/ *panewu*, the location is not a parking area; thus, it becomes an incidental TJU. The arrangement of those areas is related to parking fees, in which Area I has the highest tariff and Area II has the lowest tariff.

TPK parking is a facility managed by the local government or an individual or institutional body and has supporting infrastructure such as a building, hall, and security. Local Government-owned TPKs located in local government-owned lots are managed in the Yogyakarta Mayor Regulation Number 22 of 2020. The list of local government-owned TPKs is as follows.

Table 1. Local Government-owned TPK

No.	TPK	Locations	Management
1	TPK Malioboro I	Abu Bakar Ali Street	Tourism Department
2	TPK Malioboro II	Pabringan/Jalan Margo Mulyo Street	Tourism Department
3	TPK Senopati	Panembahan Senopati Street	Transportation Department
4	TPK Sriwedani	Sriwedani Street	Transportation Department
5	TPK Limaran	Mayor Suryotomo Street	Transportation Department
6	TPK Ngabean	K.H. Wachid Hasyim Street	Transportation Department
7	TPK Pemda	Local government-owned area	Civil Service Police Unit
8	TPK Pasar Rakyat	Each market and market area, including TJU and TPK in the market area.	Industry and Commerce Department

Source: analyzed in the Mayor Regulation (Perwal) Number 22 of 2020

Besides TPK, as written in Table 1, local government-owned TPKs are located in each Regional Public Service Agency (BLUD) (Taman Pintar, RSUD, and Puskesmas, managed by relevant BLUD). Some TPKs are also located in each Regional-Owned Enterprise (BUMD), such as Jogja Bank, Jogjatama Vishesha (XT Square), and PDAM Tirtamarta, managed by relevant BUMD. Many TPKs are organized at private-owned firms that provide paid parking areas, such as supermarkets, department stores, and malls.

Those TPKs are fixed parking facilities, while outside TPKs have been categorized as incidental TPKs organized by the Head of the Subdistrict, except at Malioboro and Margo Mulyo Street. Both locations are the exception because the TPK has been managed and is prohibited from being used as a parking facility. Based on the results of FGD with the Department of Transportation of Yogyakarta (7 February 2022), the TJU parking facility is categorized as parking on the street, while the TPK facility is categorized as parking on the street. Referring to the Traffic and Transportation Act, it is directed that parking not be done on the road but off the street so it does not disturb the smooth traffic flow.

Two factors cause overcrowding at official parking facilities. First, increased vehicles are in line with their users' increased mobility. Based on the data of the DIY Transportation Department, the numbers of two-wheelers and four-wheelers in Yogyakarta in 2019 reached 1.8 million units, and it experienced a 4% average increase for four-wheelers and a 6% for two-wheelers or around 120 million units annually (<https://dishub.jogjapro.go.id>, accessed on 20th Juni 2022). With an increase in vehicle numbers and population mobility, as well as parking facilities, the capacity of official parking facilities is insufficient to meet parking service needs.

Policymakers have recognized the problem of limited parking facilities, as stated in the general descriptions of Regional Regulation (Perda) of Yogyakarta Number 2 of 2019 that "as the situation develops, especially the rate of motor and non-motorized vehicles increases, it is not comparable to the traffic facilities and infrastructure. The increase in vehicle numbers implies the need for more parking areas. Furthermore, as a tourist destination, it must be supported by the availability and configuration of parking areas and lots. Also, systems of service, monitoring and control of parking management are required to support order, smoothness, and comfort in traffic."

Second, the growth of society's businesses, such as stores and culinary, especially along the sides of the road and the mushrooming parking area, is caused by the removal of the HO permission (interference permission), so the building of UMKM places does not have to propose the permit (The Head of Department of Transportation Department Parking of Yogyakarta, 7 February 2022). Consequently, the business centers attract many people (customers), and new illegal/unlicensed parking areas are found. Furthermore, while Yogyakarta has characteristics of a student and culture student city, its space is stagnant. Whereas there are many parking areas and facility needs, the Local Government (Pemda) has difficulty finding a solution because the parking area is limited. On holidays, Yogyakarta, a city with some tourism and cultural attractions, is overcrowded, with approximately 1000 buses plus private four- and two-wheelers (Lukman Hidayat, officer of Yogyakarta Transportation Department, 7 February 2022). The limited parking facility becomes a complex problem when combined with illegal parking areas. However, if the City Government prohibits and strictly enforces illegal parking, it is a barrier to developing a tourism destination.

According to the Traffic and Transportation Act (UULA), parking is prohibited on the road. However, due to limited parking facilities in Yogyakarta, roads near a bridge or traffic lights that are not supposed to be parking areas become ones. It is prohibited because it hampers traffic smoothness. Therefore, it can be called an illegal parking area. However, considering parking space and facility limitations, Transportation Department finds it difficult to prohibit or take firm action against their existence.

Third, insufficient monitoring and inconsistency in rule enforcement by authorized regional apparatus in the parking field contribute to many illegal parking areas. Referring to the parking policy of Yogyakarta, it is organized so that parking operators are local government, so that all parking areas and facilities, both TJU or TPK, exist, although they are incidental. The Mayor Regulation (Perwal) Number 22-year 2020 asserts that institutions or people who manage local government TPK must have a management permit from authorized officials. Private TPK on private land ownership must have a permit from the Head of the Transportation Department.

Incidental TPK must also get permission from the local head subdistrict and pay fixed or incidental TPK.

Fourth, many paid illegal lots appear to be ignored and vulnerable to monitoring and legal action. Institutional cooperation among local apparatus in dealing with illegal parking issues remains limited and tends to be closed (Head of Civil Service Police Unit of Yogyakarta, 4 April 2022). Transportation Department is the most responsible party in parking areas and coordination with local apparatus, including cooperation with police and judiciary.

The Civil Service Police Unit has difficulty monitoring and enforcing the law because obtaining data on officially and unofficially registered parking areas in TJU and TPK is difficult. Even so, the data collection of illegal parking areas or facilities has not been implemented because several illegal parking areas are only seasonal, for example, during Christmas, Idul Fitri, and New Year's. Because it is seasonal, it makes the data collection difficult. Even if data collection is done, it is usually done by Intelligence Unit if there are complaints and further actions are taken in coordination with the Team of Saber Exortion Task Force (Saber Pungli) (Kasiwas Poltabes Yogyakarta, 4 January 2023).

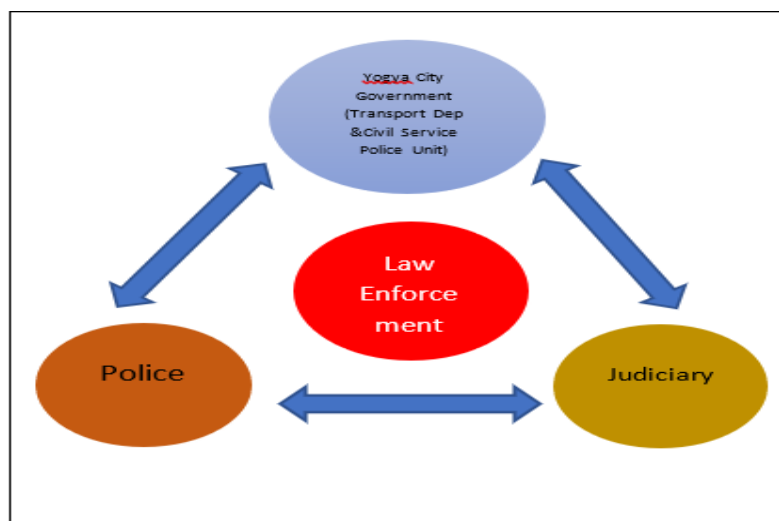


Figure 1. Cooperation of Illegal Parking Handling in Yogyakarta City

Parking at illegal TJU and TPK sites happens more in various locations, whether consistent or incidental. Illegal parking areas exist in many places as part of developing societies' businesses. Since all parking users are road users who stop for a moment, the authority of parking operators should ideally be centralized in one regional apparatus, such as the Transportation Department. Other regional apparatus must be involved in local government-owned parking facilities, not as parking operators, but as local providers and assistants in parking management operations.

Hence, the City government failed to handle illegal parking in TJU or TPK. The increased illegal parking areas have grown so large that societies' businesses, such as food stalls, street vendors, photocopy, and cellphone stores, can be found on small streets or villages. There is a potential illegal parking area where many people or customers come and park their vehicles. Some minimarkets like Alfamart, Indomart, and Alfamidi, which previously provided free parking, have become illegally charged parking areas, against the minimarket manager's wish. Many illegal parking areas and attendants are supported by limited poll results towards 101 motor transportation users.

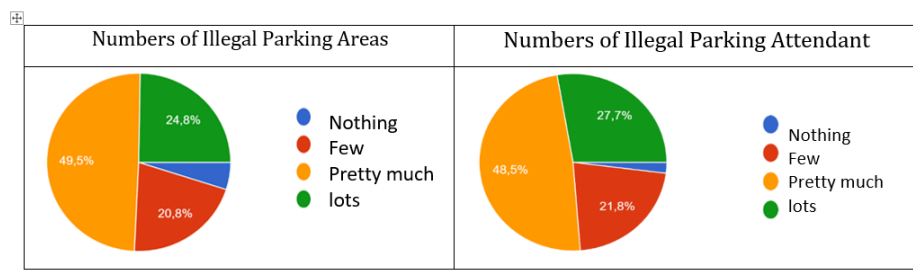


Figure 2. Perception of Motor Transportation Users on the Number of Illegal Parking Areas and Attendant

The Yogyakarta Government, as if powerless, is inconsistent in handling and putting those paid parking areas in order with various arguments that have been revealed and are not accompanied by a clear and measured effort to solve future issues. There is ignorance towards the existing parking areas and facilities. Thus, it can potentially cause other illegal parking areas, making parking issues in Yogyakarta more complex. The negative effects are more illegal levies to vehicle users that grow without control and monitoring from the authorized party.

Parking Attendants and Illegal Levies

Parking facilities need a service provided by some parking attendants. There is little difference between the definition of parking officer and parking attendant, as the general requirement of Regional Regulation (Perda) Number 2 of 2019 mentions that a parking officer is an individual a parking area operator hires as an attendant at the PLMJ facility. To make it easier to mention, we could call them parking officers assigned to serve parking users.

Ideally, each parking user (customer) pays for a standard parking service and is protected from potential risks. As the regulations in the Act of Customers' Protection state, among them are: (1) producers' duties or service providers' duties to provide service as it is to customers; (2) customers' rights towards comfort, security, and safety in consuming goods and services; (3) Rights to get a compensation or replacement; and (3) Rights to get compensation if the receiving goods and service is not relevant to the agreement or are not as it should be.

The requirements are adopted in Regional Regulation (Perda) Number 2 of 2019, among them those that manage parking attendants' responsibilities, such as (1) using an ID card and giving official parking ticket; (2) maintaining the security and order of parking facilities, and taking responsibilities for the safety of vehicles and its equipment; (3) arranging parked vehicles in an orderly manner when they arrive or leave; and fulfilling duties on state and regional levies; (5) compensation for risks of damage and loss vehicles given by parking attendants to the transportation users; and (6) sanction provisions towards parking attendants that violate parking rules.

Parking attendants must be legal, as managed in Article 4. Parking attendants in TJU must obtain a permit from an assigned officer and those who work at legal TPK under legal management. All follow regulations about the intended rules and permission proposed to fulfill various administrative requirements, and the permit is not applicable forever but only for a certain period. When the permission expires, the relevant parties must update it if they want to be parking attendants. Therefore, parking attendants working in illegal parking areas or not obtaining permission are classified as working in illegal parking areas. This phenomenon may occur and is one of many legal issues in Indonesia, especially for motor transportation users. The economy and the opportunity to benefit themselves and their group contribute to their existence (Purnomo, 2019).

Illegal parking places and parking attendants, so levies to parking users can be categorized as illegal because they do not have legitimate authority based on the law to make a collection. To date, illegal levies are categorized as a deviation done by civil servants or public officers, which an individual or an officer does by asking for money that does not follow the cost regulation." (Solahuddin, 2016. <http://www.bpkp.go.id>, accessed on 10 February 2022). In its development,

illegal levies occur not only in the public sector but also from societies to other societies, such as collection by illegal parking places and attendants.

The fact is easily found in many TJU and road-related or illegal TPK. Vina, a food stall owner at Timoho Street (2 April 2022), said parking was previously free, and there was no parking attendant because customers' vehicles parked close to the food stall and could be directly seen by the owner or food stall crew. The permit was never applied because the owner did not intend to collect parking fees. Besides, the land is hers. However, there has been a collection done by illegal parking attendants in the last two years. It began at the request of RT management to make local societies parking attendants. Even the insistence was accompanied by intimidation. The owner could not open the business if they did not hire a parking attendant.

The business owner succumbed to avoid a conflict with the local village administrator and let the illegal parking attendants stay. However, because of this levy, the food stall owner will be unable to enjoy the parking result on her property. Based on further investigation, the parking attendant gets a daily income of Rp. 70,000 - Rp. 100.000, but the person is unwilling to take responsibility for damage or lost risks.

The same thing happened almost everywhere, including Timoho Street and other places. Even at franchise stores/minimarkets that generally do not apply parking fees. Also, at other locations such as TJU or TPK, the TPK locations have been known. At night, there are more illegal parking attendants at TJU because many food stalls operate during that time. Besides, many illegal TPKs take advantage of tourists' parking needs during a long holiday by charging a high parking tariff (Shoup et al., 2017).

Several factors cause those facts: First, unauthorized parking, even in villages, often involves village administrators, such as RT, RW, and Youth Organizations or *Karang Taruna* (Parking Department Head of City Transportation Department of Yogyakarta, 7 February 2022). For example, there was no parking attendant at Indomart and Alfamart because of the lack of permission. Usually, it happens during certain moments, such as Idul Fitri. However, they continue to run it after Idul Fitri, and in the meantime, landowners find it difficult to cut it off due to the arrogance of the village administrators. Even though they prioritize deposits to the village administrators over the regional treasury, many official parking attendants feel burdened by village administrators' collections.

Second, many illegal parking areas and attendants are caused by a lack of job opportunities and poverty, resulting in new businesses in societies, such as culinary and retail, which are frequently accompanied by illegal parking areas and attendants (Kasiwas Poltabes Yogyakarta, 4 January 2023).

As an example, parking is prohibited along Malioboro Street. Soon, many parking areas on Malioboro Street will be opened. Some houses and house yards are used as tourist parking areas because they are reluctant to be away from Tugu, Malioboro and the Palace (Kraton). Many parking attendants appear and feel they deserve to charge parking fees even higher than the official tariff.

Previously, the parking attendant job was despised, and people felt embarrassed. However, they do not feel embarrassed but fight to get the position because of the economic factor. There are approximately 850 authorized parking attendants plus family members, implying that four times as many people rely on parking attendants as income (Parking Department Head of Yogyakarta Transportation Department, 7 February 2022). The more illegal parking attendants there are, the more difficult it is for authorized parties to deal with these illegal parking attendants. If they are firm, they are considered impartial toward minorities. On the other hand, if they are less firm, they are considered ignorant or not present.

Third, authorities enforce rules inconsistently, giving the impression that the government is unaware of the illegal behavior of parking attendants. In contrast, "illegal parking attendants in various locations are categorized as people who do Illegal Levies to societies," according to Kabagpenun Polri in Mabes Polri Jakarta (2021). The illegal parking attendant will be prosecuted in the future (<https://www.cnnindonesia.com>, accessed on 10 February 2022). Also, based on the statement of the Head of Daily Management YLKI, parking tariff without a ticket is called illegal levies because the department with the right to collect parking tariff is the Local Government, which gets into PAD. Thus, if parking is done without a ticket issued by the Local Government is called an illegal levy. (Sri Rahayu, 2021).

Several regulations in Yogyakarta Regional Regulation have managed: (1) duties to use attributes, maintain security and comfort of parking environment, and report parking retribution outcomes; (2) follow the rate limit determined by the Mayor; (3) be responsible to lost and damage risks; and (4) prohibition towards illegal parking attendants. Violations of some regulations may result in administrative sanctions such as permit revocation or activity termination, a fine, or even confinement for the longest 3 (three) months or a fine of Rp. 50,000,000,-

Regulation on parking is clear and firm enough, from the responsibilities of parking attendants and prohibitions to its sanctions. However, in its enforcement, it is still limited. As an example, the parking tariff is Rp. 2,000,- for four-wheelers and Rp. 1,000 for two-wheelers. The regulation is even openly visible in some official parking areas. However, a fact proves that the tariff has many been violated because it's partly increased to Rp. 2,000,- and Rp.4,000. Even at a certain moment, there are parking attendants who multiply (*nuthuk*) by 4 or 5 times the official rate, so they are given a sanction.

Parking areas have the potential to be sources of illegal levies. Therefore, the Transportation Department has coordinated with the Team of Saber Exortion Task Force (Saberpungli) of Poltabes Yogyakarta because the extortion is *Saber pungli's* authority. The extortion is also performed by the Civil Service Police Unit, which has the authority to maintain Regional Regulation or Perda (Transportation Department Officer, 7 February 2022). A minor criminal offense, such as illegal levies by a parking attendant, is resolved at the local government office with a warning or training. However, if it is related to a criminal act, the police and judiciary will handle it (the Head of Civil Service Police Unit of Yogyakarta, 5 April 2022). The followings are examples of extortion by parking attendants, particularly those in 2022.

Table 2. Violation Cases and Sanction Application

No	Date of Event	Case	Crime Scene	Types of Violation and Sanctions
1	19 January 2022	Charge Parking Fee for Bus Rp. 350,000,-	Mangkubumi Street, in front of the Grand Zuri Hotel	Misdemeanor, fine Rp. 2,000,000,-
2	6 Mei 2022	Charge Parking Fee for car Rp. 10,000,-	Sri Wedani Street in front of Taman Budaya	Misdemeanor, fine Rp. 500,000,-
3		Charge Parking Fee for car Rp. 20,000,-	KHA Dahlan Street in front of Mitra Hotel	Misdemeanor, fine Rp. 500,000,-
4		Charge Parking Fee for car Rp. 10,000,-	Sri Wedani Street in front of Taman Budaya	Misdemeanor, fine Rp. 500,000,-
5		Charge Parking Fee for car Rp. 10,000,-	Sri Wedani Street in front of the <i>Societet</i> Building	Misdemeanor, fine Rp. 500,000,-
6	9 Mei 2022	Charge Parking Fee for car Rp. 10,000,-	Mangkubumi Street in front of Harper Hotel	Misdemeanor, fine Rp. 100,000,-
7		Charge Parking Fee for car Rp. 15,000,-	Mangkubumi Street in front of the audio store	Misdemeanor, fine Rp. 100,000,-
8	9 April 2022	Charge Parking Fee for car Rp. 10,000,-	Mangkubumi Street in front of Merapi Pharmacy	Misdemeanor, fine Rp. 100,000,-

Source: Workgroup of Saber Pungli Poltabes Yogyakarta, 4th January 2023.

Because the law violations are more than handled, the cases and legal actions listed are an "iceberg" phenomenon. It refers to legal actions against a few parking attendants, usually due to society's report of viral incidents on social media.



Figure 3. Response of Vehicle Users Towards Illegal Levies

Besides, illegal parking attendants are untouchable, although the tariff is more expensive than legal ones. An argument that legal action in the misdemeanor category with a light fine does not create a deterrent effect on the actors (Kasiwas Poltabes of Yogyakarta, 4 January 2022) is an alibi to avoid law enforcement inconsistency.

Fourth, weak rule enforcement is also found because of the power relationship factor between illegal parking attendants and a certain party or apparatus behind the parking attendants. The intended apparatus is a “powerful person,” such as political elites, public figures, social organizations, and even the security forces (the Head of Civil Service Police Unit, 5 April 2022). It is not deniable that many parking attendants want to get paid easily and in fast way, although it violates the law. However, the guardian person’s role also contributes to the growing illegal parking. Those people use parking areas for economic and political interests. Therefore, there is a clash between law enforcement and the resistance of illegal parking attendants and their backing.

Due to the arguments of poverty and job opportunity limitations, illegal levies against transportation users appear to be a common phenomenon and are even considered illegal. Unfortunately, the blame also falls on permissive transportation users who give illegal parking attendants an opportunity. The assumption is unacceptable because the users are victims of legal malpractice done by parking attendants or local government and law enforcement public service malpractice. Societies are not willing to give an amount of money to a party that does not have the authority to do the collection.

The lack of enforcement is a sign of a lack of involvement by the local or central government in controlling illegal levies. There are many arguments for illegal parking attendants, which can be debatable from various perspectives. Thus, the issue is still difficult to solve. However, illegal levies as unlawful action are prohibited from social, economic, legal, or ethical perspectives. Furthermore, as citizens and taxpayers, transportation users are entitled to public services and protection from illegal levies for any reason. If the illegal levies are ignored, there will be more illegal parking and illegal levies due to structural flaws affecting the ongoing or developing poverty.

CONCLUSION

The growing illegal parking areas and attendants are facts that are not listed with the growing extortions. Illegal parking certainly causes more complex parking problems and hampers solution efforts. As a result, transportation users become the victims of extortion, which is done by the owner of the parking area and illegal parking attendants who freely violate the law and take unlawful advantage.

The growing number of vehicles, the expanding businesses of societies, and the limitations of local government in providing space and vehicle parking facilities are all facts about the illegal parking issue. The weak cooperation and coordination among government institutions, unclear authority and responsibilities of parking operators, and power relations between illegal parking actors and “powerful persons” have raised shifting responsibilities among public apparatus or officers. Because the monitoring and law enforcement functions toward illegal parking attendants are weak, transportation users do not receive much protection from the country against illegal levies done by other societies.

Poverty, high unemployment rate and lack of job opportunities become justifications for engaging in illegal behavior. Transportation user societies become the scapegoats because they

are considered to be allowing the illegal parking industry, which is growing. However, no argument can justify illegal levies actions, particularly those done by illegal parking actors, even legal parking actors.

Transportation users cannot use this reason as an excuse to be lenient because they are victims of illegal levies, public service, and law enforcement malpractice. Therefore, the country and particularly regional government have to present and provide a public service and law protection to transportation users. First, we need complete data on both legal and illegal parking areas and attendants; Second, the growing number of illegal parking areas and attendants should be legalized to allow control and training. Third, monitor continuity, rule consistency and non-discriminatory law enforcement. Finally, law enforcement is expected to be more effective, with more professional service and parking retribution, which can increase locally generated income.

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