

TANGGUNG JAWAB PEMERINTAH DAERAH TERHADAP KERUGIAN  
YANG DIALAMI PENGGUNA JALAN AKIBAT JALAN RUSAK

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**ABSTRACT**

*This study examines the legal liability of local governments for losses suffered by road users due to road damage, focusing on aspects of authority, obligations, and the forms of legal protection provided. The main issues include the authority and duties of local governments in managing road infrastructure in accordance with the division of governmental affairs based on Law No. 23 of 2014 on Regional Government, Law No. 2 of 2022 on Roads, and Law No. 22 of 2009 on Road Traffic and Transportation. The research method employed is normative juridical with a statute approach and a conceptual approach, supported by the analysis of primary, secondary, and tertiary legal materials.*

*The findings reveal that local governments bear administrative, civil, and criminal liabilities if proven negligent in the operation, maintenance, or repair of roads according to proper functional standards, resulting in material or immaterial losses for road users. Legal protection mechanisms can be pursued through civil lawsuits under Article 1365 of the Indonesian Civil Code, criminal charges under Article 273 of the Road Traffic and Transportation Law, or administrative remedies via complaints to relevant authorities. This study recommends strengthening supervision, implementing regular maintenance, and enforcing the legal obligations of road operators to ensure road infrastructure that is safe, sustainable, and oriented toward public safety.*

**Keywords:** *Local Government Liability, Road Damage, Road User Losses, Legal Protection, State Liability.*