



Criminal offense of forgery of frame number and engine number of two-wheeled motorized vehicles

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Abstract

Since it is relatively rare, it is very likely that there are many vehicles whose frame numbers or engine numbers do not match the vehicle documents. This research aims to find out the actions taken by the police to recognize the conformity between the motor vehicle frame number and the frame and engine numbers. Physical inspection of motorized vehicles is a strategic step in dealing with this. The police must adhere to certain procedures when conducting investigations. This physical examination of motor vehicles and items that can be used as guidelines to determine the elements of motor vehicle forgery, is the problem that is the subject of this study. Checking the Motor Vehicle Number Certificate (STNK) and Motor Vehicle Owner's Book (BPKB) at the place of operation, checking the vehicle engine number, and testing the speed of the vehicle are ways of physically inspecting motor vehicles in order to control administration. Police officers use vehicle body changes and vehicle speed as guidelines to determine whether or not there are elements of vehicle forgery.

Keywords

Forgery of engine and frame numbers of two-wheeled vehicles is a crime.

Introduction

Motor Vehicle Owner Book and Motor Vehicle Registration Certificate are essentially required to be owned by every motor vehicle operated on the road, in accordance with Article 68 paragraph (1) of Law Number 22 Year 2009 concerning Road Traffic and Transportation STNK and BPKB must be attached to every vehicle that passes through the highway.

"Article 1 point (1) of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 7 concerning Registration and Identification of Motor Vehicles states "STNK and Motor Vehicle Identification Signs which are valid evidence of the operation of motor vehicles in the form of plates or other materials with certain specifications issued by the National Police and contain regional codes, master numbers, and validity periods and are installed on motor vehicles." According to Article 39 paragraph 5 of the Regulation of the Chief of the National Police of the Republic of Indonesia, "Motor vehicle number plates that are not issued by the Korlantas Polri are declared invalid and invalid."

Article 23 of Government Regulation No. 80/2012 further regulates what is stated in Article 272 of the Road Traffic and Transportation Law, that the results of investigations into violations of the Road Traffic and Transportation Law are used in the prosecution of such violations:

- a. discoveries made during on-road vehicle inspections.
- b. Documents and/or.
- c. Digital Recording.

Motor vehicles also have a vehicle identity called a frame number or VIN (Vehicle Identification Number), as well as an engine number, just like every citizen has an ID card. The VIN frame, which can be found in the engine compartment or passenger compartment, consists of 17 numbers and letters. The VIN is also written on the STNK (Vehicle Registration Certificate) and BPKB (Motor Vehicle Ownership Book). To standardize vehicle identification numbering systems around the world, chassis numbers, also known as VINs, are created in accordance with ISO 3779 for countries in Asia and Europe.

You can find out where the vehicle was assembled, the year of assembly, and other details by reading the chassis number, also known as the vehicle identification number (VIN). The vehicle's assembly location is indicated by the first and second numbers. African regions AA-AH (South Africa), AJ-AN (Ivory Coast), and BA-BE (Angola) are all referred to with the prefixes A-H. Asian regions are marked with the prefixes J-R, such as JA-JO in Japan, KL-KR in Korea, LA-LO in China, and MF-MK in Indonesia; European regions are marked with the prefixes S-Z, such as SA-SM in the United Kingdom, X3-X0 in Russia, and VF-VR in France. The North American region is identified by prefixes 1 to 5 of the frame number,

such as 1A-1O (United States), 2A- 2O (Canada), and 3A-37 (Mexico). Oceania is marked with prefixes 6-7, such as 6A- 6W for Australia and 7A-7E for New Zealand; additionally, prefixes 8-9 refer to South American countries, such as 8A-8E for Argentina, 8S-8W for Peru, and 9A-9E for Brazil.

The name of the vehicle manufacturer can be seen in the third digit of the chassis number, such as Y for Suzuki, F for Toyota, R for Honda, or K for Daihatsu. The vehicle model, engine type, and body type are all listed in the fourth to eighth digits of the chassis number. The writing system used to represent vehicle descriptions is unique to each manufacturer. Using a specific formula, the ninth digit serves as the check digit. Its purpose is to verify the vehicle's VIN. For vehicles located in North America, this is mandatory.

The year of manufacture of your vehicle is indicated by the tenth digit. Next comes the demand: A (from 1980 to 2010), B (from 1981 to 2011), C (from 1982 to 2012), D (from 1983 to 2013), E (from 1984 to 2015), F (from 1985 to 2015), G (from 1986 to 2017), H (from 1987 to 2017), J (from 1988 to 2018), K (from 1989 to 2019), L (from 1990 to 2020), M (from 1991 to 2021), N (from 1992 to 2022), P (from 1993 to 2023), R (from 1994 to 2024).

The eleventh to seventeenth digits of the chassis number contain the production code and additional information about the vehicle. There is a different symbol system for each manufacturer.

The victim felt cheated by the motorcycle seller who informed the police that the motorcycle to be sold already had complete papers according to the rider's initial report. The vehicle owner planned to complete the name return process at the Samsat after the goods were purchased by the buyer. Arriving at the Samsat, the owner finally handed over his vehicle to the officer for a physical inspection to be carried out by police officers from the Samsat, according to PERPRES No.7. Regident Ranmor, is the function of the National Police to provide legitimacy on the origin and eligibility, ownership and operation of Motor Vehicles, the function of supervision, Police forensics and services to the public through verification, recording and data collection, numbering, issuing and providing proof of registration and identification of Ranmor, archiving and providing information," according to Article 5 of 2015, which also states "The implementation of Police Regulation No. 7 of 2021, which refers to "Registration and Identification of Motor Vehicles", includes reference to the physical inspection of motor vehicles. Therefore, the physical inspection of motorized vehicles is very important because it is the first inspection door that can determine whether a motorized vehicle is still roadworthy and still meets the standards. frame number and engine number. In addition, from the inspection of Samsat officers, there were discrepancies in the results of the physical inspection of vehicles. The officer claims that the STNK and BPKB are not the original documents of the vehicle, and there are discrepancies between the results of the physical inspection and the motor vehicle documents. The seller changed the frame and engine number of the vehicle. As a result, the officer found evidence of falsified motor vehicle identity and advised the owner to report the vehicle to the local police. did not bother because the vehicle owner felt cheated and hurt, so he reported to the police.

The following is a problem formulation based on the previous background:

1. What factors cause the perpetrators to falsify vehicle documents such as engine and frame numbers?
2. What are the obstacles faced by the Bandung Police Criminal Investigation Unit in solving the crime of forgery of vehicle registration papers, engine numbers, and frame numbers?
3. What steps are taken to catch the perpetrators of falsifying motor vehicle documents, engine numbers, and frame numbers?

Research Methods

The title of the thesis, "The Crime of Counterfeiting the Frame Number and Engine Number of Motor Vehicles, explains the broad focus of the investigation, which includes the practice of criminal law...

The following are the study objectives:

1. Describe the circumstances that led to the offender removing the Engine Number and Frame Number of the Motor Vehicle.
2. Explaining the difficulties faced by members of the Bandung Police Criminal Investigation Unit in solving the crime of counterfeiting the Engine Number and Frame of Two-Wheeled Motorized Vehicles,
3. describes the efforts made to find the party responsible for counterfeiting the Engine Number and Frame Number of a Motor Vehicle.

The following is an operational definition of the variables or research items examined in this scientific work:

1. Crime is a violation of norms committed by people who are responsible for their actions, and must be prevented in order to maintain public safety and uphold the rule of law.
2. Forgery is a fraudulent act by altering data, statistics, or documents (see forged documents). Examples of the use of counterfeit goods, STNKB and BPKB evidence of STNK, and Motor Vehicle Identification Marks that function as motor vehicle accessories when operating on the road and contain the owner's identity, motor vehicle identity, police number, and validity period. additional fraud crimes. This crime resembles fraud.

Results and discussion

Why Two-Wheeled Motorized Vehicles Have Fake Engine and Frame Numbers

According to Mulia Sudana Eka, a number of factors, including economic factors, have an impact on fraudsters. This economic factor greatly influences a person to commit fraud because of the financial obligations that must be met. Another factor that motivates criminals to commit crimes is moral factors, such as their lack of awareness of the benefits and disadvantages of their behavior.¹

¹ Mulia Sudana Eka, interview by Penyidik Reserse Kriminal Polisi Resort Regol. 2022. *Interview* (30 June).

The perpetrators of counterfeiting crimes are influenced by several factors, including:

Economic Factors

Mulia Sudana Eka explained that due to the demands of daily life, this economic factor is the main cause of the STNKB forgery crime. The perpetrators of STNKB and BPKB counterfeiting benefit from minimal capital, as well as economic pressures that force them to commit such crimes:²

- 1) Coarse sandpaper: Rp. 5,000
- 2) STNK and BPKB: Rp. 250,000
- 3) Grinding: Rp. 150,000
- 4) Iron plate: Rp. 50,000

Mulia Sudana Eka continued, the crime of STNKB and BPKB fraud is one of the crimes that is preferred by the perpetrators compared to other crimes because it is easy to obtain these tools. The perpetrators of this forgery crime are used as a business with cheap capital.³

Environmental Factors

According to Mulia Sudana Eka, environmental protection is one of the factors causing criminal acts of STNKB and BPKB forgery. When perpetrators and vehicle leasing partners work together to forge STNKB and BPKB, an event where friendship can produce good and bad behavior, this friendship can make it easier for criminals to do so.⁴

Strong consumer purchasing power does not correlate with market demand for motor vehicles

According to Mulia Sudana Eka, there can be a conflict between people's strong desire for motorized vehicles and the financial capabilities of some people. For example, members of the lower middle class may choose to buy motorcycles this way. However, the general public was previously unaware that the cheapest motorcycles were stolen motorcycles with fake STNKB and BPKB badges.⁵

Obstacles to the Settlement of the Crime of Counterfeiting Engine and Frame Numbers of Two-Wheeled Motorized Vehicles

STNKB and BPKB forgery cases cannot be solved for a number of reasons. Public ignorance of the crime of forgery, weak police analytical skills, facilities and They include things like infrastructure, criminal networks, and outside actors.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

The Unawareness of Certain Communities Against Fake STNK and BPKB

Mulia Sudana Eka said that people do not know for sure that STNKB and BPKB are genuine, so criminals are free to do anything with these forgeries. Motor vehicle sellers, especially those selling used vehicles, are further evidence of this lack of understanding. There is a lot of uncertainty regarding the origin of the goods being sold and used motor vehicles being sold. Public ignorance of the need to check the status of vehicles before buying or selling them at the SAMSAT office.⁶

Police inaccuracy

Asep Suryaman explained that the accuracy of law enforcement officers who can see without tools becomes a problem when dealing with STNKB forgery cases. In conducting raids or examinations in the field, the police must be careful in ensuring the authenticity of the vehicle owner's STNKB. Forgery of these documents can easily spread when the police do not check them thoroughly.⁷

Crime Syndicate

The existence of a network or group of fake STNKB printing both inside and outside the Regol area, as well as criminal production of motorcycle frame numbers and engine numbers, according to Mulia Sudana Eka, is an additional obstacle to the investigation of fraud crimes. When a criminal commits a crime and then flees the scene or returns to his hometown, it is difficult for law enforcement to track him down and identify the STNKB crime.⁸

Settlement of Those Who Falsify Engine and Frame Numbers of Two-Wheeled Motorized Vehicles

On the contrary, the findings of the victim's report provided legal remedies, stating that the Yamaha Rx-King motorcycle was in good condition when purchased by the victim and the documents were complete. After that, the police confirmed that the results of the physical inspection of the vehicle were not in accordance with the rules (original). When compared with the Samsat archive, the results of the physical examination show irregularities in the engine frame number..,

Table. 1: Incidents of counterfeiting in the jurisdiction of Regol Police in 2022

Suspect Name	Articles Involved	Description
DADANG	Article 263 jo 266	Change the frame and engine numbers of two-wheeled motorcycles
Source: Regol Police in 2022 Criminal Investigation Agency (Reskrim)		

⁶ *Ibid.*

⁷ Asep Suryaman, interview by kepala kepolisian resortRegol. 2022. *Interview* (30 June).

⁸ Mulia Sudana Eka. Loc.Cit.

In addition to article 263, the perpetrator was charged with article 266. Because the perpetrator lied about the identity of driving a vehicle, he was charged with the relevant offense.

There are three kinds of efforts to find the perpetrators of falsifying motor vehicle ownership books and numbers. ...:

Attempts to Resolve Pre-Emptive

In order for the public to know the sanctions for violating the applicable legal provisions, this settlement effort focuses more on counseling the public through counseling or socialization about the differences between original and fake STNKB and BPKB, as well as the suitability of personal identity. motor vehicle engine frame number.

Mulia Sudana Eka emphasized that countermeasures are preventive by educating the public. In this case, educating the general public will involve demonstrating how limiting public vehicle ownership will reduce the effect of counterfeiting by dishonest criminals. By reducing the number of vehicles and complicating the design, counterfeiting will be reduced from the difficulty level of STNKB and BPKB.⁹

Mulia Sundana Eka also said that awareness of forgery cases needs to be socialized to the public about the value of ensuring the authenticity of a document. By increasing legal awareness, the community can also help the police by increasing understanding in the community.¹⁰

Regin Mutiari continued, in order for the police to better understand the original or fake STNKB and BPKB, as well as the original frame and engine numbers of vehicles, then each police station needs to get training on how to distinguish between the two. It is hoped that this activity can help police officers distinguish between real and fake STNKB and BPKB, as well as the authenticity of vehicle identity.¹¹

Preventive Settlement Prevention

As such, the purpose of deterrence is to stop future criminal acts. This is because it is better to avoid something than to have to deal with it. The elements of Article 266 are as follows: "Any person shall be punished by a maximum imprisonment of seven years for any person who intentionally inserts false information into an authentic deed with intent to use said deed or to cause others to use it as if it were true, if the use of said information may cause damage".¹²

Furthermore, Asep Suryaman said, the preventive efforts of the party directly carried out preventive activities such as:¹³

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ Regin Mutiari, interview by Akademasi Universitas Islam Nusantara. 2022. *Interview* (10 July).

¹² Mulia Sudana Eka, *Loc.Cit.*

¹³ Asep Suryaman, interview by Kepala kepoisian Resort Regol. 2022. *Interview* (30 June).

1. Vehicles must be physically inspected every five years to determine if there are any changes.
2. STNKB extended after five years
3. If you wish to duplicate an STNKB due to damage or loss, the following conditions must be met:
 - a. Bring a police missing certificate.
 - b. Keep/Attach original ID card.
 - c. BPKB must be brought first the original
 - d. Statement letter of STNKB lost on stamp duty
 - e. Vehicles for physical inspection must be brought or brought to SAMSAT
4. Cross-checking the results of the physical examination of the vehicle to determine whether there are any irregularities in the physical examination, as well as the chassis number and engine number of the vehicle to determine whether the vehicle papers are forged, when conducting research on motor vehicle documents. Choosing high-quality security markings for STNK documents to make it more difficult to forge documents

There are many ways and forms of preventive settlement efforts, including those described by Regin Mutiari, namely:¹⁴

1. Regular vehicle maintenance.
2. After that, it must cooperate with Bareskrim to conduct raids in areas where STNKB and BPKB counterfeiting is suspected.
3. Direct or Bareskrim authorities should cooperate with Polda Propam or local Polsek if they have a relationship with people involved in STNKB and BPKB counterfeiting.

Mulia Sudana Eka also provided counseling on the use of existing facilities and infrastructure in order to prevent illegal acts of counterfeiting STNKB and BPKB in the Regol Police environment to the fullest. so that people buy goods. STNKB and BPKB numbers must be checked first on used motorcycles. The number of STNKB and BPKB forgery can be reduced with adequate infrastructure.¹⁵

Repressive Remedies

Repressive action is action taken immediately after a crime occurs. This effort is more concerned with controlling an event that has just occurred. Mulia Sunada Eka explained that the crime network environment must be examined in advance to minimize the counterfeiting of STNKB and BPKB as a criminal act. Investigation of caught criminals reveals information about crime networks. Interrogations conducted by investigators can generate such information.¹⁶

Mulia Sunada Eka continued because the criminal act of counterfeiting STNKB and BPKB in Bandung City was carried out by someone from outside, so we must cooperate with the Bandung Police and West Java Regional Police to complete

¹⁴ Regin Mutiari, interview by Akedemisi Universitas Islam Nusantara. 2022. *Interview* (10 July).

¹⁵ Mulia Sudana Eka. *Loc.Cit.*

¹⁶ *Ibid.*

the circulation and investigate all criminal acts. network in the Bandung area. work that takes place in the Regol area.¹⁷

Mulia Sunada Eka claims the legal process for the perpetrators of STNKB and BPKB forgery through the findings of the victim's report, the loss of the motorcycle led to the process of falsifying the frame number and engine number of the motorcycle, related to the forgery attempt. reached a settlement with the Regol Police. Mulia Sunada Eka also claims the perpetrators have been dealt with according to the law.¹⁸

According to Mulia Sunada Eka, the severe sanctions contained in the law have deterred those who commit counterfeiting crimes.¹⁹ Regin Mutiari explained that the legal process against STNKB and BPKB forgery must still be carried out, everything must be in accordance with the law, witness examinations must be carried out, proof must be proven, if the fake must be proven by what is issued by the Directorate. Traffic (Dirlantas), and the tax authorities must check the authenticity if there are tax problems.²⁰

Conclusions

The conclusions that can be drawn from the analysis and research in the previous chapter are:

- a. that the demand for motorized vehicles in the economy, environment, and market is not proportional to the purchasing power of the community, thus causing the perpetrator to commit the crime of counterfeiting STNKB and BPKB.
- b. STNK forgery is a criminal offense that is difficult to solve due to several factors, including:
 1. Lack of Public Awareness of Counterfeit STNKB and BPKB Positions
 2. Crime network
 3. Lack of assertiveness shown by the police
- c. Settlement Efforts Against Parties Who Falsify Two-Wheeled Motorized Vehicle Numbers:
 1. Proactive actions to avoid
 2. Preventive measures for prevention
 3. Repressive Prevention Solution.

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¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Regin Mutiari. *Loc.Cit.*

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