

Siyasah Dusturiyah in the Police Efforts: Protection and Regulation of Electric Bicycle Users

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Abstract: Lima Puluh Kota Regency is a strategic area in West Sumatra located on the inter-provincial route to Riau, which accelerates its adaptation to technological developments, including the use of electric bicycles. However, the legal status of electric bicycles as vehicles remains unclear, leading to the absence of specific regulations governing their use on public roads and increasing safety risks for users, such as traffic accidents and conflicts with other vehicles. This study aims to analyze the policies and public outreach carried out by the Lima Puluh Kota Resort Police in handling traffic accidents involving electric bicycles in the regency. The research employs a qualitative empirical legal method, in which data are collected directly from respondents through established instruments to obtain a holistic understanding of the issues studied. The findings show that, in order to provide access to traffic accident compensation, the Lima Puluh Kota Resort Police classify electric bicycles as conventional bicycles so that victims can be covered by Jasa Raharja as a state-owned social accident insurance provider. In addition, the police conduct both internal and external socialization to the community regarding the safe and lawful use of electric bicycles on public roads in Lima Puluh Kota Regency

Keywords: Electric Bicycles, Traffic Safety, Jasa Raharja Insurance

Introduction

Lima Puluh Kota Regency is a strategically located area in West Sumatra, positioned on an essential transit route that links West Sumatra with the neighboring province of Riau. This geographic position has significantly influenced the socio-economic development of the region by facilitating faster mobility and exchange of goods, services, and ideas. Additionally, being a transit corridor has meant that Lima Puluh Kota has experienced a more accelerated adoption of emerging technologies compared to more remote or less connected regions. Among these technological advances, the rise in the use of electric bicycles stands out as a notable shift in transportation trends within the regency.

Electric bicycles, or e-bikes, represent a modern solution to transportation needs, offering cost-effective, eco-friendly, and efficient alternatives to traditional motorized vehicles, especially in urban and semi-urban settings. The integration of electric bicycles into daily life reflects broader technological and social changes impacting the population in Lima Puluh Kota. In particular, Nagari Taeh Baruah, a notable subdistrict within the regency, exhibits one of the highest populations of electric bicycle users. This fact underscores the critical importance of addressing regulations, safety measures, and public awareness concerning the use of this emerging mode of transportation. Observations in Nagari Taeh Baruah reveal that a significant portion of the community utilizes electric bicycles as a primary means of transportation. Unlike traditional bicycles or motorcycles, electric bicycles blend characteristics of both, allowing riders to travel greater distances and speeds with reduced physical exertion. However, the legal classification of

electric bicycles remains ambiguous. Unlike motorcycles, which are strictly regulated by Law Number 22 of 2009, outlining requirements such as helmet usage under Article 291 and mandatory possession of a driving license per Article 77, electric bicycles do not fall under a clearly defined regulatory category. Consequently, many riders operate these vehicles without safety gear, exposing themselves and others to increased risks.

The absence of distinct and enforceable regulations for electric bicycles has tangible consequences, as illustrated by recorded traffic incidents. A significant accident in October 2024 involving underage riders on electric bicycles brings the issue into sharp focus. During this incident, two young students, aged 8, collided with a motorcycle on a public road, resulting in injuries of varying severity to the children and the motorcyclist. The accident, responded to by the local traffic police unit, exemplifies the gap in protective measures for electric bicycle users. It also highlights the urgent need for a coherent legal framework to safeguard the welfare and rights of all road users, including vulnerable groups like children. Currently, electric bicycles are often classified inconsistently. Some are treated like electric motorcycles, subject to stringent safety and licensing regulations; others are considered bicycles, benefiting from laxer rules. Through arrangements like those used by the Kudus Police Department, usage zones for electric bicycles are administratively limited to areas such as residential neighborhoods, streets designated for car-free days, tourist destinations, and near public transportation hubs. This zoning approach attempts to mitigate safety risks but remains insufficient to guarantee comprehensive protection or to ensure widespread compliance. Furthermore, the allowance for electric bicycles on sidewalks, provided pedestrian safety is maintained, speaks to the quasi-experimental nature of traffic management for these vehicles in Indonesia.

These regulatory ambiguities raise significant human rights concerns. According to Indonesia's foundational legal principles embodied in the 1945 Constitution and reinforced by Pancasila's fifth principle of social justice, every citizen is entitled to protection and equitable access to public goods and services, including transportation safety. The state's obligation to uphold, protect, and promote human rights — encompassed in Articles 28A, 28H, and 28I of the Constitution and specified in Law Number 39 of 1999 concerning Human Rights — extends to road safety and accident prevention measures. Ensuring the safety of electric bicycle users is thus not only a matter of road safety policy but also a human rights imperative. In this context, the philosophical and legal principles of *Siyasah Dusturiyah* — the Islamic governance doctrine emphasizing justice, welfare, and the protection of citizens under constitutional frameworks — provide a valuable lens for analyzing and shaping policy responses. *Siyasah Dusturiyah* prioritizes the role of the state in maintaining public order and protecting individual rights within an ethical framework grounded in Islamic teachings and democratic governance. Applying these principles to contemporary transportation challenges offers a framework to align regulatory approaches with constitutional human rights protections and the public good.

This article explores how the police in Lima Puluh Kota integrate *Siyasah Dusturiyah* principles into their efforts to safeguard electric bicycle users. By examining police policies, enforcement practices, public outreach initiatives, and accident management strategies, it aims to contribute to the development of an inclusive, just, and effective regulatory environment. This environment should ensure the social welfare of vulnerable road users without compromising technological advancement or mobility needs. The following sections elaborate on the socio-technological context, analyze the legal ambiguities surrounding electric bicycle classification, present detailed case studies of accidents and law enforcement responses, review relevant human rights provisions, and explore the application of *Siyasah Dusturiyah* in policymaking and policing.

Literature Review

Theory of the Rule of Law

One prominent scholar who articulated the concept of the rule of law is F.J. Stahl, a German jurist. According to Stahl: "The state must be a state of law; that is the motto and indeed the driving force behind the development of the modern era. The state must precisely determine the boundaries and limits of its

activities in accordance with the legal environment of citizens' freedoms and must guarantee an inviolable atmosphere of such freedom. The state is to realize the idea of ethics from the perspective of the state, but should not exceed what is appropriately meritorious in expressing the legal atmosphere."

Article 1 paragraph (3) of the 1945 Constitution of Indonesia explicitly states that Indonesia is a state of law. Thus, the Indonesian constitution affirms that Indonesia is based on the principle of a legal state (*rechtsstaat*). The concepts of *rechtsstaat* and the rule of law are related to the idea of *nomocracy*, etymologically derived from the Greek roots *nomos* (norm/law) and *cratos* (power). *Rechtsstaat* developed in Continental European countries, whereas the rule of law is more prevalent in Anglo-Saxon legal systems.

Theory of Human Rights

Human rights are fundamentally defined as inherent rights attached to the nature and existence of humans as beings created by God Almighty, and are His gifts that must be respected, upheld, and protected by the state, law, government, and every individual for the dignity and honor of humanity (Chainuur, 2000:14). This concept is generally understood in the context of the vertical relationship of power between the people and the state government. Violations of human rights—from the first generation to the third—typically involve the government's role, often categorized as crimes committed by the state. These are usually framed as "political crimes" or "crimes against the government," distinct from crimes against official authority. Consequently, the repressive power exercised by the state against its citizens remains the primary target of human rights struggles. However, as explained above, the nature and complexity of human rights continue to evolve over time and into the future.

Theory of Social Discipline

In a broad sense, discipline is understood as an attitude of obedience and adherence to the values we believe in. It is the capacity for self-control, following rules, and responsibly completing tasks. Discipline involves training oneself to develop good habits and mastering impulsive desires. It extends beyond external compliance to include self-regulation and personal development. Essentially, discipline shapes our character, establishes goals, and motivates actions aligned with our values. In other words, discipline is an inner strength that drives us to become the best version of ourselves.

Theory of Legal Certainty

Certainty denotes a definite condition, regulation, or decree. Law, by nature, must be certain and just. It functions as a guide for behavior and supports an order deemed reasonable or fair. Only through certainty and justice can the law fulfill its role effectively. Legal certainty is a normative issue that cannot be solved purely from a sociological standpoint.

Theory of Legislation Formation

Legislation as a legal product should not be considered a political product but a norm that is sourced from the pluralistic nature of the Indonesian nation, rich in culture, values, and legal pluralism. The legislature, which represents the people, should no longer base its functions—whether in oversight, budgeting, or legislation—on the interests or benefits of elite rulers. This characteristic exemplifies Pancasila as a state of law, where legislators understand the spirit or philosophy embedded within it.

Indonesia's legal framework demands public participation in overseeing the lawmaking process. Each legislative session ideally requires parliament members to engage in dialogue and communication with their constituents as a basis for lawmaking decisions. This participatory process aims to reach consensus rather than political or authoritarian decisions, avoiding closed public spaces, and reflects a typology of responsive law

Method

This study employs a qualitative research approach, which is a legal research method focusing on obtaining deep and comprehensive insights through data and information collected from respondents. The qualitative method emphasizes procedures and steps that involve respondents as subjects who can freely express their answers and feelings, enabling the researcher to gain a holistic understanding of the phenomena under investigation. Specifically, this research investigates the efforts of the Lima Puluh Kota Police in protecting electric bicycle users from the perspective of *Siyasah Dusturiyah*.

To obtain the necessary data, the researcher utilized data collection techniques centered on interviews with key informants. This method allows for direct engagement with individuals who possess relevant knowledge and experience related to the research topic. The primary data gathered are qualitative in nature and are presented descriptively, supplemented by documentation methods to enrich the data pool. Through these techniques, the research captures nuanced and context-rich information essential for analyzing policing efforts and legal protections in the context of *Siyasah Dusturiyah*.

Results and Discussion

The policy implemented by the Lima Puluh Kota Police Resort in handling accidents involving electric bicycles on public roads involves multiple strategic approaches. Firstly, the police enforce traffic laws by issuing fines to electric bicycle users who violate regulations by riding on public roads. Despite ongoing educational efforts warning the public that electric bicycles should not be used on these roads, when violations persist, law enforcement action in the form of fines is carried out as a necessary measure to uphold safety and compliance. Secondly, the police classify electric bicycles as manual bicycles for the purpose of securing insurance claims from *Jasa Raharja*, the Indonesian state-owned social insurance provider. According to *Ipda Rithomi, S.H.*, Head of the Traffic Law Enforcement Unit, when an accident occurs involving an electric bicycle, the severity of the injury is assessed – ranging from minor injuries to fatalities. For serious accidents, the policy is to facilitate insurance claims by treating the electric bicycle as a manual bicycle. This classification allows accident victims or their heirs to submit necessary documentation, including police accident reports, identity proofs, photos of the incident, and medical records to *Jasa Raharja* for compensation processing. This pragmatic approach ensures victims' rights to compensation are upheld, reflecting the police's prioritization of benefit over harm. It recognizes the victims' humanity by providing both accident victims – electric bicycle users – and suspected offenders – such as motorcyclists – with protective legal measures like insurance.

This policy also underscores the pressing need for formal legal protections for electric bicycle users, who currently lack specific traffic regulations. The legislative gap complicates legal enforcement and vehicle classification, thereby affecting user safety and legal certainty. By categorizing electric bicycles as manual bicycles, administrative processes become more straightforward, contributing to the users' sense of security while educating the public on the critical importance of road safety. The policy thus transcends mere pragmatism and constitutes an effort to raise public awareness on the necessity of comprehensive regulations to address technological innovations in transportation.

From the perspective of *Siyasah Dusturiyah*, these police policies reflect the application of Islamic governance principles centered on public welfare, justice, and the protection of individual rights within the framework of constitutional legality. *Siyasah Dusturiyah* mandates that state authorities act to maintain order and promote the common good while minimizing harm. By enforcing laws through fines, the police uphold public order and deter unsafe behavior, aligning with the *maqasid al-shariah* goal of preserving life (*hifz al-nafs*). Meanwhile, the pragmatic reclassification of electric bicycles for insurance facilitation exemplifies the principle of *maslahah* (public interest), ensuring victims receive just compensation in the absence of specific legal provisions. This approach demonstrates the dynamic and adaptive nature of *Siyasah Dusturiyah* in responding to emerging societal challenges and technological developments, prioritizing justice and benefit over rigid formalism. In parallel, the Lima Puluh Kota Police Resort undertakes various socialization campaigns aimed at minimizing the use of electric bicycles on public

roads. Ipda Rithomi, highlights that these efforts target different demographic groups, especially children and adolescents who form the majority of electric bicycle users. Educational outreach extends to primary, secondary, and high schools, emphasizing that electric bicycles are only permissible in residential complexes or office areas—not on public roads. This public awareness campaign includes distributing brochures that explain the dangers of using electric bicycles on public thoroughfares, leveraging social media platforms managed by the Traffic Unit, and organizing community outreach events such as morning school sessions or community service programs. Although these campaigns lack dedicated funding, they remain a recurring component in the annual calendar aimed at reducing traffic incidents and filling regulatory gaps.

The socialization process has two dimensions: internal and external. Internally, communication and education are directed toward the police officers themselves. The head of the Traffic Unit ensures members understand the ban on electric bicycles on public roads, stressing the risks involved and the importance of enforcing regulations. Officers are instructed to monitor and take action against violators, including issuing penalties. This internal clarity improves enforcement consistency and highlights the importance of safety. Externally, the Traffic Unit engages the broader community, including schools, civil society organizations, and the media, to foster greater awareness and compliance with traffic rules. This external socialization involves partnerships between the police and various stakeholders to disseminate educational messages on safe traffic behavior and the specific prohibitions relating to electric bicycle use on public roads. Through these participatory efforts, the police aim to cultivate a culture of traffic safety that aligns with contemporary transportation realities and technological progress.

Incorporating the principles of *Siyasah Dusturiyah*, these combined policies and outreach efforts exemplify governance that balances governmental authority with public consultation and welfare. *Siyasah Dusturiyah* emphasizes the duty of the state to protect citizens' rights, regulate public behavior for the common good, and foster social harmony. The internal socialization of police officers corresponds to the principle of *iqtidar* (capacity and responsibility), ensuring state agents are aware of their duties and the limits of enforcement. The external socialization aligns with the principle of *shura* (consultation) by involving community participation and awareness in regulatory compliance. Ultimately, these approaches demonstrate the dynamic interaction between Islamic legal philosophy and contemporary public policy, striving to achieve justice, prevent harm, and promote societal well-being in the context of rapid technological change. These comprehensive strategies by the Police Resort of Lima Puluh Kota, guided by both national law and the ethical framework of *Siyasah Dusturiyah*, aim not only to reduce accidents involving electric bicycles but also to enhance legal protection and public understanding. This fosters safer roads and advances equitable legal adaptations to new transport technologies in Indonesian society.

Conclusion

Conclusions should be written briefly. Conclusions must include three elements, namely important research findings, contributions to science, and explanations of research limitations. Do not repeat abstracts or simply list research results. Give scientific consideration to your work and state possible applications and developments. You should suggest further research based on the results of your research.

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Conflict of Interest

This article has no conflicts of interest.

References

- Arifin firdaus. (2019). Hak Asasi Manusia. Yogyakarta: Thafa Media
- Aryani Witasari. (2013). Sepeda listrik. Jurnal Ilmiah. Universitas Muhammadiyah.
- Az Zuhaili Wahbah. (2011). Fiqh Islam Wa Adillatuhu. Jakarta: Gema Insani
- Azmi Simorong. Asas Kepastian Hukum Dalam Penerapan Hukum Pidana. Universitas Satya Wacana. Hal 26-35
- Bandar Abdul Majid A. Teori Kedisiplinan.
- Chainnur. (2012). dasar-dasar ilmu hukum. Jakarta: Sinar Grafika
- Dewi Masitoh. (2006). Tingkat Kedisiplinan Masyarakat Dalam Menjaga Budaya Hidup Bersih Terhadap Lingkungannya. Universitas Negeri Semarang
- Fatricya, M. (2024). Tanggung Jawab Pemerintah Kabupaten Tanah Datar Terhadap Pemenuhan Hak Orang Dalam Gangguan Jiwa Perspektif Fiqh Siyasah Idariyah. Universitas Islam Negeri Mahmud Yunus Batusangkar. Hal 35
- Fence M Wantu. Pengantar Ilmu Hukum. Perpustakaan Nasional : Katalog Dalam Terbitan (KDT) 2015
- Fiani, Savina Kus, Perspektif Siyasah Dusturiyah Terhadap Putusan Mahkamah Konstitusi Yang Bersifat Non Excuitable, Prodi Hukum Tata Negara Fakultas Syari'ah Dan Hukum Universitas Islam Negeri Sunan Ampel, Surabaya, 2020
- Fiqh Islam Wa Adillatuhu. Jakarta: Gema Insani
- Hasan, Ismail Metareum, Inventarisasi dan Analisa terhadap Perundangundangan Lalu Lintas, CV. Rajawali, 2009.
- Iqbal Muhammad, Fiqh Siyasah Kontekstualisasi Doktrin Politik Islam, Jakarta: Prenada Media, 2014.
- Kedisiplinan, A. Kajian Teoretis. Universitas Medan Area
- Kedisiplinan, A. Kajian Teoretis. Universitas Medan Area
- Mahkamah Konstitusi Dan Jaminan Fidusia. Tinjauan Tentang Kepastian Hukum. Hal 38
- Mahkamah Konstitusi Dan Jaminan Fidusia. Tinjauan Tentang Kepastian Hukum. Hal 50
- Mahmud Marzuki, Peter. Penelitian Hukum. Jakarta: Kencana. 2014
- Mawardi, Al-Imam. Hukum Tata Negara Dan Kepemimpinan Dalam Sejarah Islam. Jakarta: Gema Insani. 2000
- Muh Firdaus. Kedisiplinan. Universitas Bengkulu. 2019
- Muhammad Iqbal. (2017). Fiqh Siyasah. Jakarta: Lintang Rasi Aksara Books hukum islam. (n.d.).
- Rian Muhammad. Kedisiplinan. Universitas Islam Riau. Hal 8-10
- Rohim Anta Teori Kedisiplinan. L. A. 2011
- Sahputra, M. Restorative Justice Sebagai Wujud Hukum Progresif Dalam Peraturan Perundang-Undangan Di Indonesia 1 Restorative Justice As A Progressive Law In The Regulation Of Indonesia.
- Septirahmah, A. P., Hilmawan, M. R., & K. (2021). Faktor-Faktor Internal Yang Mempengaruhi Kedisiplinan : Pembawaan, Kesadaran, Minat Dan Motivasi, Serta Pola Pikir. Hal 2.
- Sulaiman A. (2009) Pengantar Ilmu Hukum. Universitas Negeri Semarang
- T., Hehanussa, D. J., Gladies Sopacua, M., Surya, A., Alfaramona Sumarezs Titahelu, J., Mario Monteiro, J., Adelina Siregar, R., Bagenda, C., Rinaldi, K., Jalaludin Rifa, I., Nurwandri, A., Muhammad Aidil, A., Satory, A., & Jaelani, E. (2023). Metode Penelitian Hukum.
- Undang-Undang Dasar Tahun 1945
- Undang-Undang Kepolisian, Undang-Undang No 2 Tahun 2002. Visimedia.

Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan.

Undang-Undang Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia