



# Analysis of Fiqh Siyasaḥ on The Effectiveness of Driver's License Service Implementation In the Jurisdiction of Tapanuli Selatan Police Department, Padang Sidempuan City

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**Abstract:** A Driver's License (SIM) is an important document that must be possessed by every driver in Indonesia. The existence of a driver's license (SIM) serves as a legal document for the community to be able to drive motor vehicles legally and avoid legal sanctions from the police. Therefore, public services in the issuance of driver's licenses, particularly in the jurisdiction of the South Tapanuli Police (Tapsel), Padang Sidempuan City, must comply with the provisions of Article 21 of Law Number 25 of 2009 concerning Public Services. However, in practice, SIM services in that area are considered not optimal. From the perspective of fiqh siyasah, the SIM service should reflect the principle of public welfare (maslahah 'ammah) and align with the maqāṣid syarī'ah, particularly in the aspect of protecting life (ḥifẓ al-nafs). Fiqh siyasah views that public policy, including traffic regulations, should aim to maintain order and the safety of society as a whole. In this context, the suboptimal implementation of SIM services indicates a gap between positive legal policies and the values of justice in Islam. This research uses an empirical legal approach through interviews, field observations, and the distribution of questionnaires. The data collected includes primary data, secondary data, as well as relevant scientific literature sources. The research results show that although there is a strong legal basis, the implementation of SIM services in the jurisdiction of Polres Tapsel has not yet fully met the principles of good public service, both in terms of efficiency, transparency, and accountability. According to the scholars of fiqh siyasah, the service should be carried out fairly, firmly, and consistently for the sake of achieving the welfare of the community. Therefore, there is a need to improve the quality of SIM services by the police so that the public becomes more law-abiding and orderly in traffic.

**Keywords:** Fiqh Siyasaḥ, Issuance of SIM, Law No. 25 of 2009

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## 1. Introduction

A driver's license (SIM) is considered one form of government intervention in its citizens' affairs, specifically regarding their right to operate motor vehicles on the road, with the intention that the holder of the driver's license (SIM) behaves according to the government's wishes (MONIKA, 2023), (Jovi, 2022). The state of Indonesia adheres to the principle of being a rule of law state or *rechstaat* in governing a good national and state life, in other words, it is not based on a power system or *machstaat*. This means that the state can regulate its citizens based on the law, so that policies are made with the assistance of other government institutions, including the existing police, and can be held accountable for their actions. Adhering to the principle of legality, with the recognition of Human Rights (HAM) and supported by an independent judiciary free from any intervention, these characteristics are part of a state based on the rule of law (Tutik, 2016), (Junaidi et al., 2023)

The state of Indonesia adheres to a legal system known as civil law or continental Europe law, which has characteristic features, namely, having written legal sources or legal codification, judges are free from presidential power, so the primary legal reference comes from laws, and the judiciary follows the inquisitorial principle where judges play

a role in deciding a case by considering related laws (Sophar Maru Hutagalung, 2022), (Marzuki, 2021).

A country must have good legal rules that do not contradict each other. Therefore, all types of regulations and laws regarding constitutional matters are well-organized sources of Indonesian constitutional law (Febriansyah & Prasetyo, 2021), (Bakry, Apriyanto, & Mangaluk, 2025). Like formal law, among others, Statutory Regulations, treaties (agreements with other countries), jurisprudence (court decisions), customs and excise, as well as doctrine (opinions of legal experts) (DiMatteo, 2021), (Ovadek & Willemyns, 2019).

Police Regulations are rules issued by the Indonesian National Police, recognized for their existence and having permanent legal force, which aim to regulate legal interests in general, and are indeed mandated by higher-ranking regulations (Adhikara, Putranto, & Gurion, 2024), (Adhikara et al., 2024). The legality of the Polri institution itself is enshrined in the 1945 Constitution, specifically in Article 30, Paragraph 4, which states: "The Indonesian National Police is assigned as a state apparatus to maintain security and order for every citizen and has the duty to enforce the law." The legal products created by the Polri institution include, among others, Police Regulation No. 5, issued in 2021, related to the issuance of driver's licenses, which clearly regulates the process of obtaining a driver's license for all types of motor vehicles (Hasibuan, 2021), (Oktaviani Fanidia, 2024).

The legality and identity card of a driver who has passed a series of tests and administration, understands traffic regulations, and is skilled in driving, issued by the National Police Institution, is commonly referred to as a Driver's License (SIM) (Praja, 2023). According to the Regulation of the National Police of the Republic of Indonesia Number 5 of 2021, a Driver's License or SIM is a tool to prove the validity of a driver's competence corresponding to the type of vehicle they own. The SIM is obtained after processing the SIM at the SIM administration service unit office of the Tapsel Police in Padang Sidempuan, following a series of existing tests (Meilani, Sidiq, Tantoro, & Sugiyanto, 2023), (Adelia, Wulandari, & Junadi, 2025).

The legal basis for the driver's license (SIM) refers to Government Regulation Number 44 of 1993 concerning Vehicles and Drivers Article 216, Law Number 2 of 2002 concerning the Indonesian National Police in Article 14 paragraph (1) letter b and Article 15 paragraph (2) letter c, as well as Police Regulation Number 5 of 2021. To understand the purpose of issuing a Driver's License (SIM) as a form of personal identification for vehicle users, as a tool for controlling driver competence, and as a tracking tool owned by the police. Referring to Police Regulation Number 5 of 2021 concerning the issuance and marking of driver's licenses, it is mandatory to possess a driver's license corresponding to the type of motor vehicle being used when operating various types of motor vehicles.

## **2. Materials and Methods**

This research uses Empirical Legal Research, or legal research that employs empirical facts derived from human behavior. The method employed by the author involves an intensive background of the current situation, and the interaction of the environment of a social unit, individual, group, institution, or community, as well as the collection of sentences from relevant scientific journal articles. The approach used is the Tapsel Police Resort approach in Padang Sidimpuan City based on Article 21 of Law No. 25 of 2009 and the conceptual approach. The final result of this research is to realize optimal driving license (SIM) services. which is the subject of discussion regarding the issues being addressed and related to Article 21 of Law No. 25 of 2009.

## **3. Results and Discussion**

### ***3.1 Implementation of SIM Services in the Jurisdiction of Tapsel Police Department, Padangsidimpuan City***

The service of issuing and publishing Driver's Licenses (SIM) is an integral part of the duties of the Indonesian National Police in order to achieve orderly traffic, as regu-

lated in Law Number 2 of 2002 concerning the Indonesian National Police. In Article 14 paragraph (1) letter b and Article 15 paragraph (2) letter c, it is stated that the National Police of the Republic of Indonesia is tasked with conducting the registration and identification of motor vehicle drivers. The technical implementation of these provisions is clarified in the Indonesian National Police Regulation Number 5 of 2021 concerning the Issuance and Marking of SIM.

Public services in the context of issuing driver's licenses must also align with the principles of public service regulated by Law Number 25 of 2009 on Public Services, particularly Article 21, which emphasizes that every public service provider is obligated to deliver services that are professional, transparent, accountable, fast, and oriented towards public satisfaction. (LEMBANG, 2015).

In the jurisdiction of the South Tapanuli Police, Padangsidimpuan City, SIM services are provided through the SIM Administration Organizer Unit (Satpas) SIM, which is responsible for conducting the entire process from registration, document verification, theory and practical exams, to SIM printing. Based on observations and field data, the implementation of SIM services in this area has been carried out with a structured system, but it is not yet fully optimal (Sarmini, 2019). Several aspects identified in the implementation of SIM services include:

a. Procedure and Service Flow

The procedure for obtaining a driver's license has followed the provisions of Perpol Number 5 of 2021, which includes administrative stages, health checks, and theory and practical exams. However, in practice, the public often complains about the lack of socialization regarding the procedures and criteria for passing the practical exam, which results in a high number of applicants failing. (Salim, 2017).

b. Facilities and Infrastructure

The facilities available at the Satpas Polres Tapsel, including the waiting room, service counters, and practical exam area, still need improvement. For example, during peak service hours, the service area becomes crowded and uncomfortable for applicants.

c. Human Resources (HR)

The SIM service officers at the Tapsel Police Department generally possess basic competencies in carrying out their duties. However, some respondents stated that the officers' attitude in providing services still seems formalistic and less communicative, thereby reducing public satisfaction with the public service.

d. Digitalization and Transparency System

Although online services for SIM registration are available through the Digital Korlantas Polri application, their utilization among the people of Padangsidimpuan City is still minimal. This is due to the lack of digital education and limited internet access in some areas.

e. Integrity and Supervision

The community expects services free from the practices of brokers and illegal levies. In practice, this issue remains a challenge in the jurisdiction of the Tapsel Police, despite internal efforts from the police to discipline certain individuals.

In the perspective of *fiqh siyasah*, the policy of issuing driver's licenses is closely related to the principle of *maslahah 'ammah* (public interest). The state, in this case through the police institution, is authorized to establish policies to regulate traffic in order to maintain the safety of life (*hifz al-nafs*), one of the main objectives of *maqāṣid al-syarī'ah*. Therefore, the implementation of administrative and technical requirements in the issuance of driver's licenses is not a form of restricting citizens' rights, but rather an effort to maintain social order and public safety.

However, if its implementation is not transparent, not fair, and opens the door to unprofessionalism, then the policy contradicts the values of *fiqh siyasah* which emphasize justice ('*adl*), responsibility (*mas'uliyah*), and service (*khidmah*) free from harm (*maf-sadah*).

Based on the analysis above, the implementation of SIM services at the Tapsel Police Department in Padangsidempuan City requires several improvements to align with the principles of public service and the values of *fiqh siyasah*. Some recommendations that can be proposed are: (a) Improvement of HR quality through prime service training based on ethics and values of welfare. (b) Digitalization of information systems and public education so that SIM registration is faster, more transparent, and more efficient. (c) Periodic socialization regarding the procedures and requirements for driver's licenses so that the public understands better and is prepared to follow the process. (d) Strict internal supervision to prevent extortion and brokering practices. (e) Improvement of public service facilities and infrastructure to provide comfort and convenience for SIM applicants.

### ***3.2 Factors That Hinder the Procedure for Issuing Driver's Licenses (SIM)***

Public service is one of the benchmarks of the government's success in carrying out its function as a servant of the community. In the context of police administrative services, one of the crucial forms of service is the issuance of a Driver's License (SIM). The service of issuing driver's licenses (SIM) is not only related to the legality of driving but also involves aspects of safety, order, and social responsibility. However, in its implementation, various obstacles are still found that cause the issuance of driver's licenses (SIM) services to not run optimally in accordance with the spirit of bureaucratic reform and the principles of public service as regulated in Law Number 25 of 2009 concerning Public Services.

One of the main obstacles in SIM services is the lack of socialization to the public. Many applicants do not yet understand the procedures, requirements, and stages that must be followed to obtain a driver's license. This lack of knowledge creates the perception that the process of obtaining a driver's license is complicated and difficult. As a result, some members of the public tend to take shortcuts, such as using intermediaries or brokers, which only adds to the chaos of the service system.

In addition, the limited facilities and supporting infrastructure at the SIM Administration Unit (Satpas) office pose a significant obstacle. In several regions, including suburban areas or outskirts, the service infrastructure is still inadequate. Narrow waiting

areas, lack of parking spaces, and technology that is not yet fully integrated with the national digital system are important issues that need to be addressed immediately. This condition not only hinders the speed of service but also affects the comfort and satisfaction of the community as service users.

The use of digital technology in SIM services has actually started to be implemented, for example through the Digital Korlantas Polri application. However, its implementation is still limited due to the low digital literacy of the community and the uneven access to the internet, especially in areas far from the city center. This causes the majority of the public to still prefer manual or conventional methods in managing their driver's licenses, resulting in long queues and slow service processes.

In addition, the emergence of illegal levies or intermediaries remains a classic issue in the SIM service process. Although various efforts have been made to eradicate this practice, there are still gaps that certain individuals exploit. The existence of these brokers undermines the integrity of the system and violates the principles of transparency and fairness in public service. The public, who find the procedures too difficult or convoluted, are ultimately tempted to use unofficial services, causing the cycle of service irregularities to continue.

From various inhibiting factors, it can be concluded that efforts to improve SIM services require a comprehensive approach, both in terms of policy, enhancement of human resource competencies, infrastructure improvement, public education, and strengthening an inclusive digital system. A synergy is needed between the police as the service provider, local government as the policy supporter, and active community participation so that the SIM service truly becomes a public service that is fast, accurate, and dignified.

Reliability is a mandatory requirement for public service officers. Reliability, which is the ability to provide the desired service promptly, accurately, and satisfactorily. Performance must meet customer expectations, which means timeliness, equal service for all customers without errors, a sympathetic attitude, and high accuracy. According to the source, the officers authorized to provide service for SIM applications and renewals are those who have been appointed by the Kasat Lantas. So not just anyone can handle the service for SIM applications and renewals because the officers have previously undergone training, especially the testing operators, both for theoretical and practical tests.

There are ten criteria that can be used by the community to provide a perception of service quality, namely (Kurniawan, 2022): (a) Reliability, the ability to deliver promised services on time. (b) Responsiveness, availability to assist the community or customers by providing services that meet expectations. (c) Competence, knowledge, and skills/abilities required to provide service. (d) Access, ease of communication/contact with service provider institutions. (e) Courtesy, friendliness, politeness, respect for others, full consideration with a spirit of friendship. (f) Communication, always providing clear information in a language they understand, and being willing to listen. (g) Credibility, trustworthy, honest, and prioritizing the interests of the community/customers. (h) Security, the service provided is free from danger, doubt, and risk. (i) Understanding the customer, striving to know and understand the individual needs of customers. (j) Appearance,

ance presentation, appearance of physical facilities, personal appearance, and the equipment used.

From the perspective of tangibles, which include the quality of service in the form of office physical facilities, computerized administration, waiting rooms, and information desks. From the results of interviews with informants, namely customers/communities using the services, improvements need to be made regarding office facilities. First, there is no special waiting room for customers/communities while they wait for the service process. This special waiting room is necessary because the waiting area currently used is combined with the room where the service is processed, and the space is limited both in terms of size and seating, which is inadequate if there is a surge of customers/communities. Second, the lack of a dedicated information area causes confusion for customers/clients who need information regarding the services.

Meanwhile, the factors hindering SIM services in the jurisdiction of the Tapsel Police Department in Padang Sidempuan City can be seen from the following aspects (Andrea, 2023): (a) Human Resources. The staff's indiscipline occurs due to the lack of firmness and supervision from the management, which affects the quality of service. (b) Level of Awareness. The lack of awareness and compliance with regulations among staff and driver's license applicants. (c) Facilities and Infrastructure. The service area is cramped, the number of cameras is limited, causing long queues and a decline in service quality.

The implementation of the SIM service mechanism at the Tapsel Police Department in Padang Sidempuan City, provided by the SIM officers, is still lacking. However, the SIM officers remain friendly and transparent in their service, as seen from the community's response, which feels quite satisfied with the service provided by the SIM officers, in terms of service as follows: (a) Simple and straightforward service procedures. (b) The discipline of the staff is quite good and patient. (c) Lack of comfort due to inadequate waiting room facilities. (d) The clarity of information is still hindered by network issues, but it is addressed with an apology. (e) Certainty of service time that is quite good and refers to official regulations.

### ***3.3 Obstacles Faced by the Administration Organizing Unit in Providing Driver's License (SIM) Services***

The Administration Organizer Unit (Satpas) for Driver's Licenses (SIM) plays an important role in providing services to the community, especially in the process of issuing and renewing SIMs. This service not only involves administrative aspects but is also part of efforts to enforce the law and improve road safety. Although the South Tapanuli Police (Tapsel) through the Padangsidimpuan City Satpas have made efforts to provide effective and efficient SIM services, various obstacles are still encountered in its implementation, affecting the optimization of public services.

One of the main obstacles is the limited supporting facilities and infrastructure for services. Although the Tapsel Police Department has been equipped with basic facilities, there are still shortcomings in supporting infrastructure such as cramped waiting rooms, an electronic queue system that is not yet optimal, and limited computer equipment and internet networks that often experience disruptions. This hinders the smoothness of ad-

ministrative processes and reduces the comfort and satisfaction of the community with the services provided. (Mahfudhoh, 2019).

In addition, the shortage of competent personnel also poses a significant challenge. In many cases, the officers serving the driver's license applicants also have other duties in the police unit, so the driver's license service cannot be conducted in a focused and optimal manner. The high number of applicants arriving each day is not proportional to the number of available officers, resulting in long queues, delayed processes, and an increased risk of administrative errors.

Technical factors in the implementation of theory and practical exams often become obstacles as well. Many people still fail to pass the exam stages, either due to a lack of understanding of traffic regulations or a lack of driving skills. However, the lack of guidance or initial simulations from the Satpas causes most applicants to have to repeat the process, taking more time. This also adds to the workload of the officers and slows down the overall service.

The level of legal literacy and public awareness regarding the importance of driver's licenses remains a separate issue. Not a few people come to apply for a driver's license without complete documents, do not understand the procedures that must be followed, and tend to demand expedited processing without going through the official channels. This condition creates a gap for the practice of brokering, which harms the community and undermines the principle of transparency in public service.

There are several obstacles faced by the administrative units in providing Driver's License (SIM) services:

a. Constraints in public awareness

Public awareness regarding the importance of the Driver's License (SIM) at the Tapsel Police Department in Padangsidempuan City needs to be significantly improved. The level of public awareness is already good, and the community is aware of the existence and role of the SIM Administration Unit at the Tapsel Police Department in Padangsidempuan City as the place to process SIM applications. Additionally, the public has also received well the outreach about the importance of SIM, its benefits, and the mechanism for obtaining it. However, outreach related to driver's licenses is still frequently conducted by the officers at the Tapsel Police Department in Padangsidempuan City to address the community members who still do not comply and consider SIM unimportant. This needs to be done so that the public can understand and increase their awareness of the importance of a driver's license for vehicle users.

b. Constraints in the rules

A driver's license is an identification card and proof of identity issued by the police to individuals who have completed the requirements and understand the rules and driving skills. Because a driver's license is important for vehicle drivers, it is mandatory for those aged 17 to apply for a driver's license. At the Satpas Polres Tapsel Kota Padangsidempuan, this regulation is clearly in place and has been implemented by the majority of the community. The regulation regarding the obligation to have a driver's license for drivers is

binding and must be adhered to, considering the sanctions that have been imposed on violators. However, there are still members of the public who ignore these rules.

#### c. Organizational constraints

The SIM Administration Organizer Unit (Satpas) of the Tapsel Police Department in Padangsidempuan City, as an organization that administers SIM, has good systems, procedures, and methods in resolving various issues that hinder the achievement of the organization's goals. In dealing with the large number of people applying for driver's licenses, Satpas cannot choose or reject applicants while the registration period is still ongoing. This presents a unique challenge in managing queues and improving the quality of service evenly.

#### 4. Conclusions

From the research that has been conducted, it can be concluded that the analysis of fiqh siyasah on the effectiveness of the implementation of driver's license (SIM) services in the jurisdiction of the Tapsel Police Department in Padang Sidempuan City is based on Article 21 of Law No. 25 of 2009 to realize optimal public service. A Driving License (SIM) is proof of registration and identification to the Police Department for those who have met the administrative requirements, are physically and mentally healthy, understand traffic regulations, and are skilled in operating motor vehicles. Every service standard is required to include components at least covering the Legal Basis based on Article 21 of Law No. 25 of 2009.

In the issuance of driver's licenses, from the perspective of service fairness, the public should be more courageous in reporting any deviant actions such as illegal levies to reduce them. For the police, in addition to imposing fines for illegal levies, it is advisable that individuals involved in such activities be given sanctions in the form of suspension. If they are still found to be involved, they should face more severe sanctions, such as termination of employment. To reduce fraudulent practices in the issuance of driver's licenses, transparency is necessary, such as the use of CCTV installed in the areas of Theoretical and Practical Tests.

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