

LEGAL RESPONSIBILITY OF RACING EXHAUST WORKSHOP BUSINESS ACTORS FROM SADD AL-DZARI'AH'S PERSPECTIVE (CASE STUDY OF LETDA SUJONO STREET, MEDAN CITY)

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ABSTRACT

The widespread use of racing exhausts in urban areas has caused various social problems, particularly related to noise that disturbs public order and public comfort. This phenomenon is not only related to the behavior of motor vehicle users, but is also influenced by the activities of repair shops that provide non-standard exhaust installation services. This study aims to analyze the legal responsibilities of racing exhaust repair shops based on positive law and review these practices from the perspective of Sadd al-Dzari'ah in Islamic law. The study used an empirical juridical method with a qualitative approach through field observations, interviews with residents, law enforcement officers, and repair shop owners in the Letda Sujono Street area of Medan City. The results showed that approximately 20–30% of motorcyclists use racing exhausts with noise levels reaching 80–95 dB, while there are approximately 6–9 repair shops that have the potential to provide non-standard exhaust installation services. Law enforcement has so far focused on road users, so the responsibility of repair shop owners has not been optimally addressed. From the perspective of Sadd al-Dzari'ah, a business activity that is essentially permissible can be restricted if it becomes a means of causing harm to society. This study emphasizes the importance of integration between positive law and Islamic legal principles in strengthening the policy of monitoring the distribution and installation of racing exhausts in order to protect public order and welfare.

Keywords: Racing exhausts, business actors' responsibilities, Sadd al-Dzari'ah, environmental noise, law enforcement

1. INTRODUCTION

The development of motorized transportation in the modern era has brought significant changes to the mobility patterns of urban communities. Motorcycles have become the most widely used mode of transportation because they are considered

practical, economical, and can reach various areas efficiently. Data from the Central Statistics Agency (BPS) shows that the number of motorized vehicles in Indonesia, particularly motorcycles, has increased significantly every year. This increase in vehicle numbers not only impacts traffic congestion but also gives rise to various social and environmental issues, one of which is the increasing use of racing exhausts or modified exhausts that produce high levels of noise (Ilmy, 2022).

The phenomenon of racing exhaust use is common in several major cities in Indonesia, including Medan. One area that frequently comes under scrutiny is Jalan Letda Sujono, a busy traffic route located in a residential and commercial area. The presence of motorized vehicles using noisy exhausts in this area often causes disturbances to the surrounding community, especially at night and early morning. The resulting noise not only disrupts the environment but can also impact public health, such as sleep disturbances, stress, and potential hearing loss for vulnerable groups such as children and the elderly (Dewi et al., 2022).

In the context of positive law in Indonesia, the use of substandard exhausts is expressly regulated in Law Number 22 of 2009 concerning Traffic and Road Transportation. Article 285 paragraph (1) states that any motorcyclist who fails to meet technical and roadworthiness requirements may be subject to criminal sanctions in the form of imprisonment for a maximum of one month or a fine of up to IDR 250,000. This provision is reinforced by Minister of Environment Regulation Number 7 of 2009, which sets a maximum noise threshold for motorized vehicles of 80 decibels for motorcycles under 175 cc and 83 decibels for motorcycles above 175 cc. This regulation aims to protect the public from noise pollution that has the potential to disrupt health and public order (Dewi et al., 2022).

Furthermore, the aspect of public protection is also regulated in Law Number 8 of 1999 concerning Consumer Protection, which affirms that every consumer has the right to obtain comfort, security, and safety when using goods or services. The law also prohibits businesses from producing or trading goods that do not meet the standards set by statutory regulations (Lubis, 2024). Therefore, the distribution of racing exhausts that do not meet noise standards is not solely the responsibility of vehicle users, but also relates to the activities of repair shops that produce, trade, or install these modified exhausts.

Although regulations regarding the use of noisy exhausts are in place, the reality on the ground shows that the use of racing exhausts remains widespread. Current law enforcement generally focuses on prosecuting vehicle users through roadside raids. This approach tends to be reactive and fails to fully address the root of the problem, particularly regarding the distribution chain and installation of racing exhausts by repair shops. This situation demonstrates a gap between applicable legal norms and prevailing social practices (Saroinsong, 2025).

From an Islamic legal perspective, economic activities and transactions are essentially permissible as long as they do not cause harm to society. One relevant concept in analyzing this phenomenon is the principle of *Sadd al-Dzari'ah*, which is the principle of blocking all means that could potentially lead to damage or harm (*mafsadah*). This principle emphasizes the importance of preventive measures to prevent social harm, even if such actions are essentially permissible (Kawakib et al., 2021). In the context of the use of racing exhausts, the installation of noisy exhausts by workshops can be seen as a means that opens up opportunities for disruptions to public order and comfort.

Several previous studies have examined the issue of modified exhausts from various perspectives. Saroinsong's (2025) research shows that law enforcement against the use of modified exhausts in several regions still faces various obstacles, primarily related to limited oversight and public legal awareness. Meanwhile, Gunawan's (2024) research demonstrates that the concept of *Sadd al-Dzari'ah* can be used as a normative approach to prevent economic activities that have the potential to cause social harm. However, research specifically examining the legal responsibility of racing exhaust repair shops using an integrative approach between positive law and the concept of *Sadd al-Dzari'ah* is still relatively limited.

Based on this description, there is a gap in research that requires further investigation, namely the form of legal responsibility of racing exhaust repair shops from a positive legal perspective and how these practices can be analyzed through the principle of *Sadd al-Dzari'ah* in Islamic law. Thus, this research contributes to the development of legal studies that integrate positive law and Islamic law approaches in efforts to address the problem of noise caused by racing exhausts in the community. Based on this background, this study aims to analyze the legal responsibility of racing exhaust workshop business actors on Jalan Letda Sujono, Medan City based on positive law and to examine this practice from the perspective of *Sadd al-Dzari'ah* in Islamic law in order to realize community protection and maintain public welfare.

2. RESEARCH METHOD

This research uses an empirical juridical approach, a legal research method that examines and analyzes legal issues not only based on written legal norms (law in books) but also in relation to empirical facts and practices in society (law in action). This approach was chosen to obtain a comprehensive picture of the legal liability of racing exhaust repair shops on Jalan Letda Sujono, Medan City, both from a positive legal perspective and within the framework of *Sadd al-Dzari'ah* in Islamic law.

This research is descriptive and analytical with a qualitative approach, focusing on a systematic description of the distribution and installation of racing exhausts by motorcycle repair shops and an analysis of the legal responsibilities inherent in these businesses. The research location was Jalan Letda Sujono, Medan City, considering that this area is one of the areas with a relatively high intensity of racing exhaust use and has many motorcycle repair shops that have the potential to install non-standard exhausts.

Research data was obtained through in-depth interviews, field observations, and documentation studies. Interviews were conducted with motorcycle repair shop owners, law enforcement officers, and relevant agencies to obtain information regarding racing exhaust installation practices and the types of supervision they employ. Field observations were conducted to directly observe workshop activities and the use of racing exhausts at the research site. Meanwhile, a documentary study was conducted of relevant laws and regulations, academic literature, and Islamic legal sources related to the concept of accountability and the principle of *Sadd al-Dzari'ah*. Data sources included primary data (workshop operators, law enforcement officers, and relevant agencies) and secondary data (books, scientific journals, laws and regulations, and other official documents).

Data analysis was conducted in three stages: data reduction, data presentation, and conclusion drawing. Data reduction was achieved by filtering and selecting data relevant to the research focus, particularly those related to racing exhaust workshop business practices and their legal accountability aspects. Data presentation was presented in a narrative and systematic manner to facilitate understanding of the research findings. Next, conclusions were drawn by linking the empirical findings to positive legal provisions regarding business actors' responsibilities and normative analysis based on the principle of *Sadd al-Dzari'ah* in Islamic law.

To ensure the validity of the data, this study uses triangulation techniques, including triangulation of sources, techniques, and time, to ensure the validity, consistency, and objectivity of the data obtained. With this method, it is hoped that this study will be able to provide a complete picture of the legal responsibility of racing exhaust workshop business actors and the relevance of implementing the *Sadd al-Dzari'ah* principle in controlling business practices that have the potential to cause harm to the community.

3. RESULT AND ANALYSIS

Circulation of Racing Mufflers on Jalan Letda Sujono, Medan City

Based on research observations from July 22, 2025, to August 11, 2025, on Jalan Letda Sujono, Medan City, it was found that the use of racing mufflers is still widespread, especially at night. Based on observations over three weeks, an average of 20-30% of motorcyclists passing through this area use mufflers with noise levels exceeding vehicle noise quality standards (80-95 dB). This noise has triggered complaints from residents, especially children, the elderly, and workers who need to rest at night. This can be seen in the following image:

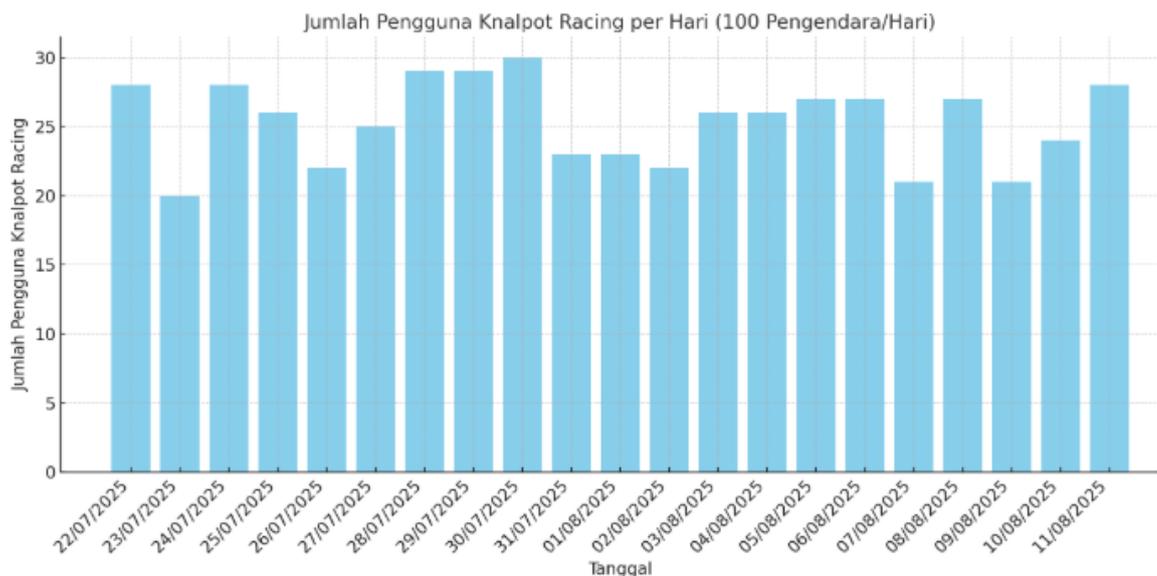


Figure 1 Racing Exhaust User Graph

In addition to examining the impact of racing exhaust use on users and the public, this study also examined the circulation of racing exhausts around Jalan Letda Sujono, Medan

City. This circulation includes the presence of motorcycle repair shops offering non-standard exhaust installation services, as well as public access to purchasing racing exhausts, both directly and indirectly.

Based on visual field observations and informal inquiries during the research period (July 22–August 11, 2025), researchers identified a number of motorcycle repair shops along and around Jalan Letda Sujono capable of installing racing exhausts, although not all of them display specific signs as racing exhaust sellers. Based on a simple field mapping, it is estimated that there are approximately 6–9 repair shops that can provide non-standard exhaust installation, either as a primary service or as an additional service upon customer request.

In addition to physical repair shops, the circulation of racing exhausts is also influenced by online sales, which are difficult to directly monitor. Consumers can purchase racing exhausts through social media or e-commerce platforms, then have them installed at general repair shops without any noise standard verification process. This pattern expands the distribution of racing exhausts and complicates conventional circulation control efforts.

This situation indicates that the circulation of racing exhausts on Jalan Letda Sujono does not occur openly within a single sales center, but rather through a diffuse distribution pattern involving general repair shops, online sales, and direct consumer demand. This distribution pattern contributes to the high number of racing exhaust users identified in this study, which accounts for approximately 20–30% of motorcyclists at certain times, particularly at night.

From a legal perspective, this fact demonstrates that enforcement of Law Number 22 of 2009 concerning Road Traffic and Transportation has not fully addressed the root of the distribution problem, as the focus of enforcement remains predominantly on end users. However, from a consumer law perspective, repair shops that facilitate the installation of non-standard exhausts play a strategic role in the distribution chain and should be subject to oversight and law enforcement.

Thus, the circulation of racing exhausts on Jalan Letda Sujono, Medan City, can be understood as the result of the interaction between consumer demand, the availability of installation services at repair shops, and weak distribution oversight. This situation strengthens the argument that handling racing exhausts is not enough to be done through raids on the streets, but requires a comprehensive approach that includes workshop supervision, distribution restrictions, and legal education for the public.

The Impact of Racing Exhausts on Jalan Letda Sujono, Medan City

The circulation and use of racing exhausts on Jalan Letda Sujono, Medan City, has significantly impacted public comfort and order. Based on field observations conducted over three weeks, it was found that approximately 20–30% of motorcyclists passing by at night use exhausts with noise levels exceeding the standard threshold for motor vehicles. This condition causes significant noise pollution in residential areas and public areas surrounding the road. Theoretically, motor vehicle noise exceeding the standard can be categorized as a form of environmental disturbance that impacts the quality of life of residents, especially in urban areas with high mobility (Dewi et al., 2022). Therefore, the

phenomenon of racing exhausts is not only a technical problem in traffic but also a social issue related to the community's right to a safe and comfortable environment.

Field findings indicate that the primary impact of racing exhausts is disruption to public comfort, especially at night. An interview with a local resident, Ms. Fauziah (55), revealed that the noise from racing exhausts directly affects residents' quality of sleep. He stated that "almost every night the loud exhaust noise is heard until midnight, waking my grandchildren frequently, and I have difficulty falling back to sleep." This statement demonstrates that vehicle noise not only disrupts temporary comfort but also impacts people's sleep patterns. Environmental health studies have shown that constant exposure to noise can cause sleep disturbances, stress, and a decline in physical and psychological health (World Health Organization, 2018). Therefore, the impact of noise from racing exhausts can be viewed as a form of disruption to public well-being.

In addition to impacting health, racing exhaust noise also affects people's psychological well-being. This was evident in an interview with another road user, Tasman (58), who stated that the sound of racing exhausts often causes discomfort and triggers emotions. He explained that "when I hear the sound of racing exhausts, I feel uneasy, my ears hurt, and sometimes I get emotional." This statement suggests that repeated noise can trigger emotional tension in people's daily lives. Academically, this phenomenon aligns with research findings showing that long-term exposure to environmental noise can increase stress levels and affect an individual's emotional balance (Basner & McGuire, 2018). Thus, the impact of racing exhausts is not only physical but also psychological.

From a law enforcement perspective, the impact of the circulation of racing exhausts is also related to weak oversight of the distribution and installation of modified exhausts. Interviews with police officers from the Medan Tembung Police Traffic Unit revealed that raids on racing exhaust users are indeed carried out routinely, especially on weekends. One police officer, First Brigadier Roberto Simanjuntak, explained that "raids on racing exhausts have become a routine activity, but the biggest obstacle is monitoring the distribution of exhausts sold freely in workshops and through online sales." This statement indicates that the problem of racing exhausts is not only related to the behavior of vehicle users, but also to the difficult-to-monitor distribution and installation system of modified exhausts. From a legal perspective, this situation indicates that regulatory enforcement often only targets end users, while the distribution chain of substandard products has not been optimally monitored (Saroinsong, 2025).

In addition to police officers, a similar view was expressed by a representative from the Medan City Transportation Agency, emphasizing the importance of a more comprehensive policy approach. In an interview, Sakti Lubis stated that while raids on racing exhaust users are necessary, such a policy will be ineffective if the sale of modified exhausts continues unchecked. This statement demonstrates that the issue of racing exhausts requires a policy approach that extends beyond repressive measures through street raids to oversight of the production and distribution of modified exhausts. This aligns with the view that controlling motor vehicle noise pollution requires cross-sectoral coordination between the police, the transportation agency, and other relevant agencies for effective policy implementation (Wardiati, 2024).

From an Islamic legal perspective, the impact of noise from racing exhausts can be analyzed through the concept of *Sadd al-Dzari'ah*, the principle of closing all facilities that have the potential to cause harm to the community. Although vehicle modification is

essentially permissible, when such practices negatively impact public order and health, they can be restricted or prevented to maintain the public interest. This principle emphasizes that freedom of economic or social activity must not neglect the interests of the wider community (Kawakib et al., 2021). Thus, the findings of this study indicate that the impact of racing exhaust use not only causes social and health disruptions but also emphasizes the importance of integrating positive law enforcement with the preventive principles of Islamic law to protect the public interest.

Responsibilities of Racing Exhaust Workshop Operators Based on Positive Law Analysis

The phenomenon of racing exhaust use on Jalan Letda Sujono in Medan City is not only related to the behavior of motor vehicle users but also to the activities of workshop operators providing modified exhaust installation services. In practice, workshops play a strategic role in the distribution chain of racing exhausts because they facilitate the installation of vehicle components that do not comply with technical standards stipulated by laws and regulations. Therefore, legal responsibility for the distribution of racing exhausts cannot be placed solely on vehicle users; it also needs to be analyzed from the perspective of workshop operators' responsibilities as providers of automotive services and products.

Within Indonesia's positive legal framework, the use of substandard exhausts is clearly regulated in Law Number 22 of 2009 concerning Road Traffic and Transportation. Article 106 paragraph (3) states that every motorized vehicle operated on the road must meet technical and roadworthiness requirements, including exhaust systems and vehicle noise levels. This provision is further clarified in Article 285 paragraph (1), which stipulates that motorcyclists who use vehicles that do not meet technical requirements may be subject to criminal sanctions in the form of imprisonment or fines. This regulation demonstrates that the government has established technical standards that must be adhered to in order to maintain the safety and comfort of the public when using motorized vehicles (Republic of Indonesia, 2009).

However, in practice, law enforcement has been largely directed at road users through enforcement operations or traffic raids. This approach tends to be reactive and has not optimally addressed the responsibility of repair shops that install or sell modified exhausts that do not meet noise standards. However, repair shops play a crucial role in providing the means to prevent violations of technical regulations for motorized vehicles. Thus, law enforcement that only focuses on vehicle users has the potential to ignore structural factors in the racing exhaust distribution chain (Saroinsong, 2025).

In addition to the provisions of the Traffic and Road Transportation Law, the responsibilities of repair shop operators can also be analyzed through Law Number 8 of 1999 concerning Consumer Protection. This law emphasizes that consumers have the right to comfort, security, and safety in using the goods or services they purchase. Business operators are also prohibited from producing or trading goods that do not meet the standards set by laws and regulations. In the context of racing exhausts, repair shops that knowingly provide or install exhausts with noise levels exceeding the standards can be categorized as businesses providing products or services that have the potential to harm the public (Lubis, 2024).

Provisions regarding motor vehicle noise standards are also regulated by Minister of Environment Regulation Number 7 of 2009, which establishes the threshold for motor vehicle noise. Under this regulation, motorcycle noise levels are limited to a maximum of 80 decibels for vehicles with engine capacities below 175 cc and 83 decibels for vehicles with engine capacities above 175 cc. This study found that the noise level of racing exhausts in the Jalan Letda Sujono area ranged from 80 to 95 decibels, exceeding established standards. This indicates that the installation of modified exhausts by repair shops potentially violates government-established noise quality standards.

From a business administration and regulatory perspective, repair shops are also obligated to operate their businesses in accordance with applicable technical standards and permits. If a repair shop intentionally installs vehicle components that do not meet safety and environmental standards, they can be held legally liable, both administratively and criminally. The principle of business actor liability in consumer law emphasizes that business actors are not only responsible for the products they produce, but also for the impacts of using the products or services they provide (Andini & Zulham, 2023).

However, the implementation of legal accountability for racing exhaust repair shops in the field still faces various obstacles. One major obstacle is limited oversight of the activities of repair shops providing modified exhaust installation services. Furthermore, the lack of an integrated technical oversight mechanism between relevant agencies, such as the police, transportation agencies, and environmental agencies, has resulted in suboptimal law enforcement against workshop operators. This situation demonstrates that the issue of racing exhausts is not solely related to normative legal aspects, but also to the effectiveness of policy implementation in the field (Wardiati, 2024).

Based on this description, it can be concluded that racing exhaust workshop operators have a legal responsibility that is inseparable from the problem of modified exhaust use in the community. Normatively, this responsibility can be reviewed through provisions in the Traffic and Road Transportation Law, the Consumer Protection Law, and regulations regarding motor vehicle noise standards. Therefore, law enforcement against racing exhausts should not only be directed at vehicle users, but also at workshop operators as parties involved in the production, distribution, and installation of non-standard exhausts. A more comprehensive approach to supervision and law enforcement is expected to reduce the circulation of racing exhausts and increase public protection against the impacts of motor vehicle noise.

The Responsibilities of Racing Exhaust Workshop Operators Based on the Perspective of Sadd al-Dzari'ah

Etymologically, Sadd al-Dzari'ah consists of two words: sadd, meaning to close, obstruct, or prevent, and dzari'ah, meaning a path, means, or cause that can lead to an action. In Islamic legal terminology, Sadd al-Dzari'ah is defined as the principle of blocking all means that have the potential to lead to harm (mafsadah), even if the action is initially permissible. This principle serves as a preventive instrument to maintain public welfare and prevent damage in social life (Kawakib et al., 2021).

In the context of racing exhausts, the business activities of repair shops that supply and install exhausts with excessive noise levels can be categorized as dzari'ah (indecent acts) that lead to mafsadah (disorderly behavior). The resulting noise not only disrupts public order but also impacts the health, comfort, and social stability of the community.

Therefore, although repair shops and vehicle modifications are essentially permissible activities, when such practices have a clear negative impact, they must be prevented according to the principle of *Sadd al-Dzari'ah*.

Ibn Qayyim al-Jauziyah emphasized that *Sadd al-Dzari'ah* is applied to close loopholes for actions that are legally permissible but have the potential to cause harm if allowed (Fawaid, 2019). In the history of Islamic law, the application of this principle is evident in the prohibition on selling weapons during times of conflict, the prohibition on selling wine to alcohol producers, and restrictions on other activities that are outwardly permissible but have the potential to cause *mafsadah* (disorderly behavior). This analogy is relevant to the practice of racing exhaust repair shops that continue to install noisy exhausts despite knowing the impact on society.

Thus, from the perspective of *Sadd al-Dzari'ah*, racing exhaust repair shops have a moral and sharia-compliant responsibility not to provide facilities that lead to social harm. Workshops cannot hide behind the excuse of "consumer demand," because in Islam, freedom of business is limited by the obligation to safeguard the public interest and prevent harm to others.

The role of the state and law enforcement officials in this context can be likened to *hisbah*, a supervisory institution tasked with preventing evil and maintaining social order. The application of the *Sadd al-Dzari'ah* principle requires that supervision not only be conducted on racing exhaust users through raids, but also directed at workshop businesses, through restrictions on the installation of non-standard exhausts, distribution supervision, and enforcement of the sale of exhausts that do not meet technical requirements. (Ningrum Nasution & Permata, 2024)

From an Islamic legal perspective, the basis for implementing the *Sadd al-Dzari'ah* concept aligns with Allah SWT's command to prevent all forms of harm that could cause harm to society. This is confirmed in His words in Surah Al-A'raf verse 56:

وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا وَادْعُوهُ حَوْفًا وَقَطْمًا إِنَّ رَحْمَتَ اللَّهِ قَرِيبٌ مِّنَ الْمُحْسِنِينَ

It means "Do not do any harm on the earth after it has been properly arranged. Pray to Him with fear and hope. Indeed, Allah's mercy is very close to those who do good."

This verse is the normative basis that every action that has the potential to cause damage, even if initially permissible, must be prevented so as not to cause wider negative impacts. Thus, the use of racing exhausts that cause noise and public unrest can be categorized as an act that opens the way to damage (*dzari'ah ilal mafsadah*), so it must be closed through legal mechanisms and state supervision.

The principle of *Sadd al-Dzari'ah* is in line with the words of Allah SWT in Surah Al-Baqarah verse 95:

وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ

Meaning: "Spend in the way of Allah, do not plunge yourself into destruction, and do good. Indeed, Allah loves those who do good."

This verse emphasizes the prohibition on humans from carrying out actions that have the potential to cause harm, both to themselves and others. Thus, the practice of using racing exhausts that cause noise can be seen as an act that opens the way to damage (dzari'ah ilal mafsadah), so that according to the law it must be prevented through monitoring and law enforcement mechanisms.

Hadith of the Prophet Muhammad SAW:

لَا ضَرَرَ وَلَا ضِرَارَ

Meaning: "There must be no harm, and no mutual harm." (Narrated by Ibn Majah, Ahmad, and Malik)

This hadith is a fundamental principle in Islamic law, prohibiting all forms of action that cause harm, whether to oneself or others. Scholars explain that this hadith forms the basis for the Islamic jurisprudence principle "al-ḍarar yuzāl" (harm must be removed). Therefore, all forms of action that cause harm must be prevented or eliminated to maintain the common good.

Therefore, the application of the principle of Sadd al-Dzari'ah emphasizes that the accountability of racing exhaust repair shops must be demonstrated through restrictions on the installation of non-standard exhausts, compliance with technical regulations, and an awareness not to use economic gain as a justification for business practices that harm the wider community.

4. CONCLUSION

Based on the research results, it can be concluded that the circulation and use of racing exhausts in the Letda Sujono Street area of Medan City is still quite high and causes various negative impacts on public order, comfort, and quality of life, especially in the form of noise pollution that disturbs residential areas. This problem is not only related to the behavior of motor vehicle users, but also involves the role of repair shop business actors who provide exhaust installation services that do not comply with technical standards. From a positive law perspective, the responsibility of repair shop business actors actually has a legal basis through regulations regarding motor vehicle technical requirements and consumer protection provisions, however, the implementation of law enforcement in the field is still more focused on vehicle users so that the supervision aspect of the production, distribution, and installation of modified exhausts has not been running optimally. Therefore, a more comprehensive law enforcement approach is needed by involving supervision of repair shop business actors as part of the racing exhaust distribution chain, accompanied by strengthening distribution supervision policies and increasing public awareness, so that efforts to control motor vehicle noise can be carried out more effectively and sustainably to maintain public order and welfare.

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