

**IMPLEMENTATION OF OPERATIONAL SPEED LIMIT MONITORING  
FOR COMMERCIAL BUS TRANSPORTATION IN REDUCING  
ACCIDENTS FROM THE PERSPECTIVE OF MINISTRY OF  
TRANSPORTATION REGULATION NO. 111 OF 2015 AND SADD ADZ-  
DZARI'AH**

**(Study at the East Java Provincial Transportation Agency)**

**THESIS**

**BY:**

**QURROTA A'YUN**

**220202110116**



**SHARIA ECONOMIC LAW STUDY PROGRAM**

**FACULTY OF SHARIA**

**MAULANA MALIK IBRAHIM STATE ISLAMIC UNIVERSITY**

**MALANG**

**2026**

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**2026**

## THESIS ORIGINALITY STATEMENT

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*In the Name of Allah,*

With full awareness and responsibility toward the advancement of knowledge, the author hereby declares that the thesis entitled:

**IMPLEMENTATION OF OPERATIONAL SPEED LIMIT MONITORING  
FOR COMMERCIAL BUS TRANSPORTATION IN REDUCING  
ACCIDENTS FROM THE PERSPECTIVE OF MINISTRY OF  
TRANSPORTATION REGULATION NO. 111 OF 2015 AND SAAD ADZ-  
DZARI'AH (Study at the East Java Provincial Transportation Agency)**

is entirely an original work prepared independently in accordance with the principles of academic scientific writing and is fully accountable. Should this thesis, in whole or in part, be proven in the future to constitute plagiarism of another person's work, then this thesis as a requirement for obtaining a bachelor's degree shall be declared null and void by law.

Malang, 29<sup>th</sup> of April 2026



Qurrota A'yun

NIM. 220202110116

**APPROVAL PAGE****APPROVAL PAGE**

After reading and reviewing the thesis of Qurrota A'yun, Student ID Number 220202110116, from the Sharia Economic Law Study Program, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang, entitled:

**IMPLEMENTATION OF OPERATIONAL SPEED LIMIT MONITORING  
FOR COMMERCIAL BUS TRANSPORTATION IN REDUCING  
ACCIDENTS FROM THE PERSPECTIVE OF MINISTRY OF  
TRANSPORTATION REGULATION NO. 111 OF 2015 AND SAAD ADZ-  
DZARI'AH (Study at the East Java Provincial Transportation Agency)**

the supervisor hereby declares that the thesis has fulfilled the academic requirements to be submitted and examined before the Board of Examiners.

Malang, 29<sup>th</sup> of April 2026

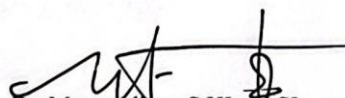
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








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## CONSULTATION RECORD


### CONSULTATION RECORD

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No.	Day / Date	Consultation Material	Signature
1.	Friday / October 17, 2025	Title refinement	
2.	Tuesday / October 28, 2025	Chapter I and Chapter II	
3.	Friday / October 31, 2025	Research Methodology	
4.	Tuesday / November 4, 2025	Addition of references	
5.	Wednesday / November 5, 2025	Proposal seminar approval	
6.	Friday / November 28, 2025	Chapter IV and Chapter V	
7.	Tuesday / January 27, 2026	Revision of Chapter IV	
8.	Wednesday / February 11, 2026	Revision of Chapter V	
9.	Friday / February 13, 2026	Approval of Chapter IV and Chapter V	
10.	Friday / February 25, 2026	Thesis defense approval	

Malang, 29<sup>th</sup> of April 2026

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## RATIFICATION PAGE

### RATIFICATION PAGE

The Board of Examiners of the thesis of Qurrota A'yun, Student ID Number 220202110116, Department of Sharia Economic Law, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang, entitled:

**IMPLEMENTATION OF OPERATIONAL SPEED LIMIT MONITORING FOR  
COMMERCIAL BUS TRANSPORTATION IN REDUCING ACCIDENTS FROM  
THE PERSPECTIVE OF MINISTRY OF TRANSPORTATION REGULATION NO.  
111 OF 2015 AND SAAD ADZ-DZARI'AH (Study at the East Java Provincial  
Transportation Agency)**

has declared that she has successfully passed the thesis examination held on: of 17<sup>th</sup>  
April 2026

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## MOTTO

" No dream is too high and no dream should be underestimated. Aim as high as you wish and strive to achieve what you truly hope for"

(Maudy Ayunda)

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا

Translation: "Allah does not burden a soul beyond that it can bear."

(Q.S Al-Baqarah: 286)

Everything that begins with good intentions, hard work, and unceasing prayers will eventually find its way. This thesis is a small proof of a long journey of struggle that was never faced alone, because in every step there were the prayers of parents, the support of friends, and the help of Allah SWT that never ceased. This achievement is evidence that every challenge is a process of maturation not an obstacle, but a bridge toward greater dreams and hopes.

Grateful for the struggle, proud of my journey

(Author)

## PREFACE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillahirabbil'alamin, Praise and gratitude are offered to Allah SWT, who has bestowed His mercy, health, and opportunity upon the author so that this research entitled “Implementation Of Operational Speed Limit Monitoring For Commercial Bus Transportation In Reducing Accidents From The Perspective Of Ministry Of Transportation Regulation No. 111 Of 2015 And Sadd Adz-Dzari'ah (Study At The East Java Provincial Transportation Agency)” can be completed well. Peace and blessings be upon the Prophet Muhammad SAW, who has provided the best example uswatun hasanah for us in living our lives in accordance with Islamic principles. By following his example, may we be among those who believe and receive his intercession on the Day of Judgment. Amin.

With all the guidance, direction, and assistance that have been provided, the author would like to express sincere gratitude to:

1. Prof. Dr. Hj. Ilfi Nur Diana, M. Si., as the Rector of Maulana Malik Ibrahim State Islamic University of Malang.
2. Prof. Dr. Hj. Umi Sumbulah, M. Ag., as the Dean of the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang.
3. Dwi Hidayatul Firdaus, M. SI., as the Head of the Sharia Economic

Law Study Program, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang.

4. Mahbub Ainur Rofiq, S.HI., M.H., as the author's academic advisor during the study period at the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang. The author expresses sincere gratitude for his guidance, advice, and motivation throughout the academic journey.
5. Dr. Musataklima, S.HI., M.SI., as the thesis supervisor who has devoted time to provide direction and motivation in completing this thesis.
6. All lecturers of the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang, who have shared their knowledge with us. With sincere intentions, may all their deeds become acts of worship to gain the pleasure of Allah SWT.
7. All employees and staff of the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang. The author would like to express great appreciation for their assistance in the process of completing this thesis.
8. The campus and beloved almamater, thank you for being a place for the author to gain knowledge with all the facilities provided. May Allah SWT always grant His mercy and blessings upon it.

9. The author's beloved parents, Father and Mother, who have played the most significant role in the author's life. They are the two people who always strive for their youngest child to pursue the highest level of education, even though they themselves could only complete basic education. Thank you for the endless love that never fades with time, for the patience and sacrifices that have always accompanied the author's life journey. Thank you for being a source of strength and inspiration. Lastly, thank you for everything that you have given, which cannot be counted.
10. The author's sisters, Nurul Fithriyah and Rochmawati, who have provided support, encouragement, and prayers throughout the process of completing this thesis. May Allah SWT always grant them health and blessings.
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12. My friends from Poseidone HES 2022 UIN Malang, thank you for this beautiful journey. Thank you for being friends as well as family who have given many valuable experiences. May we meet again in another opportunity and become successful people in both

this world and the hereafter.

13. The Head of the Transportation Office of East Java Province along with the staff and informants who were willing to become the subjects of this research and interview sources. May they always be given ease in carrying out their duties.
14. Lastly, the author would like to express gratitude to someone who has quietly continued to struggle without stopping, someone with very high dreams namely the author of this thesis, myself, Qurrota A'yun. The youngest child who is stepping toward the age of 23, known to be strong and resilient, yet still making many mistakes within herself. Thank you for enduring this far and continuing to move forward to face all the challenges created by life. The author is proud of every small step achieved, even if it is not always celebrated by others. Even when things do not go according to plan, remain patient and accept with sincerity what has been received. Never stop moving forward. The author hopes that every step will always be given strength, surrounded by good and great people, and that all dreams will soon come true.

The author hopes that the knowledge obtained during the time as a student of Sharia Economic Law at Maulana Malik Ibrahim State Islamic University of Malang will be beneficial for the author and for others. With the completion of this thesis report, it is hoped that the knowledge gained during the study period can bring

benefits for life in this world and the hereafter. As a human being who is never free from mistakes, the author sincerely welcomes forgiveness, as well as criticism and suggestions from all parties for improvement in the future.

Malang, 29<sup>th</sup> of April 2026

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Qurrota A'yun

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## ABSTRAK

Qurrota A'yun, 220202110116, 2026. **Implementasi Pengawasan Batas Kecepatan Operasional Transportasi Bus Komersial Dalam Mengurangi Kecelakaan Perspektif Permenhub Nomor 111 Tahun 2015 Dan *Sadd Adz-Dzari'ah***, Skripsi, Program Studi Hukum Ekonomi Syariah, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Pembimbing : Dr. Musataklima, S.HI., M.SI.

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***Kata Kunci: Pengawasan; Batas Kecepatan; Bus Komersial; Permenhub Nomor 111 Tahun 2015; Sadd Adz-Dzari'ah.***

Penelitian ini dilatarbelakangi oleh tingginya angka kecelakaan lalu lintas yang masih terjadi di Indonesia, termasuk yang melibatkan bus komersial. Pemerintah telah menetapkan Peraturan Menteri Perhubungan Nomor 111 Tahun 2015 tentang Tata Cara Penetapan Batas Kecepatan Kendaraan Bermotor sebagai upaya preventif dalam menekan risiko kecelakaan. Namun, implementasi pengawasan batas kecepatan di lapangan masih menghadapi berbagai kendala, sehingga diperlukan evaluasi terhadap peran instansi yang berwenang, khususnya Dinas Perhubungan Provinsi Jawa Timur. Rumusan masalah dalam penelitian ini adalah Bagaimana peran Dinas Perhubungan Provinsi Jawa Timur dalam mengimplementasikan pengawasan batas kecepatan operasional bus komersial berdasarkan ketentuan Peraturan Menteri Perhubungan Nomor 111 tahun 2015 di Indonesia dan Bagaimana perspektif *Sadd Adz-Dzari'ah* terhadap peran Dinas Perhubungan Provinsi Jawa Timur dalam mengawasi batas kecepatan operasional bus komersial guna mengurangi terjadinya kecelakaan lalu lintas

Penelitian ini menggunakan metode penelitian hukum empiris dengan pendekatan kualitatif. Data diperoleh melalui wawancara mendalam dengan pihak Dinas Perhubungan Provinsi Jawa Timur serta didukung oleh studi dokumentasi. Penelitian ini berfokus pada pelaksanaan pengawasan batas kecepatan operasional bus komersial di lapangan.

Hasil penelitian menunjukkan bahwa Dinas Perhubungan Provinsi Jawa Timur telah melaksanakan bentuk implementasi yang telah diterapkan, seperti pemasangan *GPS Tracker*, pemasangan *On Board Unit (OBU)*, penerapan Sistem Manajemen Keselamatan (SMK), razia dan *ramp check*, pemanfaatan ETLE dan PJR, serta pemasangan rambu batas kecepatan. Namun demikian, pelaksanaan pengawasan masih menghadapi kendala berupa keterbatasan sumber daya manusia, belum optimalnya integrasi teknologi pengawasan, serta faktor perilaku pengemudi. Dalam perspektif *Sadd Adz-Dzari'ah*, pengawasan batas kecepatan merupakan bentuk upaya pencegahan terhadap potensi kemudharatan (*mafsadah*) yang dapat timbul akibat pelanggaran batas kecepatan, sehingga penguatan pengawasan menjadi langkah penting dalam mengurangi kecelakaan lalu lintas.

## ABSTRACT

Qurrota A'yun, 220202110116, 2026. **Implementation Of Operational Speed Limit Monitoring For Commercial Bus Transportation In Reducing Accidents From The Perspective Of Ministry Of Transportation Regulation No. 111 Of 2015 And Saad Adz-Dzari'ah (Study At The East Java Provincial Transportation Agency)**, Thesis, Sharia Economic Law Study Program, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang. Supervisor: Dr. Musataklima, S.HI., M.SI.

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***Keywords: Operational; speed limit; Commercial Buses; Permenhub Number 111 of 2015; Sadd Adz-Dzari'ah.***

This research is motivated by the high rate of traffic accidents that continue to occur in Indonesia, including those involving commercial buses. The government has issued Minister of Transportation Regulation Number 111 of 2015 concerning Procedures for Determining Vehicle Speed Limits as a preventive measure to reduce the risk of accidents. However, the implementation of speed limit supervision in the field still faces various challenges, making it necessary to evaluate the role of the responsible institution, particularly the Transportation Agency of East Java Province. The research problems in this study are: (1) How is the role of the Transportation Agency of East Java Province in implementing supervision of operational speed limits for commercial buses based on the provisions of Minister of Transportation Regulation Number 111 of 2015 in Indonesia; and (2) How is the perspective of *Sadd Adz-Dzari'ah* on the role of the Transportation Agency of East Java Province in supervising the operational speed limits of commercial buses in order to reduce traffic accidents.

This study employs an empirical legal research method with a qualitative approach. Data were collected through in-depth interviews with officials of the Transportation Agency of East Java Province and supported by documentation studies. The research focuses on the implementation of speed limit supervision for commercial buses in practice.

The results show that the Transportation Agency of East Java Province has implemented several supervisory measures, such as the installation of GPS trackers, On Board Units (OBU), the application of Safety Management Systems (SMK), traffic inspections and ramp checks, the utilization of ETL and highway patrol units (PJR), as well as the installation of speed limit signs. However, the implementation still faces challenges, including limited human resources, suboptimal integration of monitoring technology, and driver behavior factors. From the perspective of *Sadd Adz-Dzari'ah*, speed limit supervision represents a preventive effort to avoid potential harm (*mafsadah*) resulting from speed violations; therefore, strengthening supervision is an essential step in reducing traffic accidents.

## ملخص الجن

فُرِّهُ أَعِين، ٢٠٢٦، ٢٢٠٢٠٢١١٠١١٦. **تَطْبِيقُ الرِّقَابَةِ عَلَى حُدُودِ السَّرْعَةِ التَّشْغِيلِيَّةِ لِنَقْلِ الحَافِلَاتِ التِّجَارِيَّةِ فِي التَّخْفِيفِ مِنْ حَوَادِثِ المَرُورِ فِي ضَوْءِ لَائِحَةِ وزيرِ المَوَاصِلَاتِ رَقْمِ ١١١ لِسَنَةِ ٢٠١٥ وَمَبْدَأِ سَدِّ الذَّرَائِعِ،** رِسَالَةٌ جَامِعِيَّةٌ، قِسْمُ الاقْتِصَادِ الإِسْلَامِيِّ، كَلْبَةُ الشَّرِيعَةِ، جَامِعَةُ مَوْلَانَا مَالِكِ إِبْرَاهِيمِ الإِسْلَامِيَّةِ الحُكُومِيَّةِ مَالَانِق. المُشْرِفُ: الدُّكْتُورُ موسى تكلما، مَاجِسْتِير.

**الكَلِمَاتُ المُفْتَاخِيَّةُ: الرِّقَابَةُ؛ حُدُّ السَّرْعَةِ؛ الحَافِلَاتُ التِّجَارِيَّةُ؛ لَائِحَةُ وزيرِ المَوَاصِلَاتِ رَقْمِ ١١١ لِسَنَةِ ٢٠١٥؛ سَدُّ الذَّرَائِعِ.**

تستند هذه الدراسة إلى ارتفاع معدلات حوادث المرور التي لا تزال تحدث في إندونيسيا، بما في ذلك الحوادث التي تتورط فيها الحافلات التجارية. وقد أصدرت الحكومة لائحة وزير النقل رقم 111 لسنة 2015 بشأن آلية تحديد حدود السرعة للمركبات كإجراء وقائي للحد من مخاطر الحوادث. ومع ذلك، فإن تطبيق الرقابة على حدود السرعة في الميدان لا يزال يواجه العديد من التحديات، مما يستدعي إجراء تقييم لدور الجهة المختصة، ولا سيما هيئة النقل في إقليم جاوة الشرقية.

تتمثل إشكالية هذه الدراسة في: كيف يتمثل دور هيئة النقل في إقليم جاوة الشرقية في تنفيذ الرقابة على حدود السرعة التشغيلية للحافلات التجارية استناداً إلى أحكام لائحة وزير النقل رقم 111 لسنة 2015 في إندونيسيا؟ وكيف يُنظر إلى هذا الدور من منظور قاعدة سدّ الذرائع في الرقابة على حدود السرعة التشغيلية للحافلات التجارية للحد من وقوع حوادث المرور؟

تعتمد هذه الدراسة على منهج البحث القانوني الإمبريقي باستخدام المقاربة النوعية. وقد جُمعت البيانات من خلال مقابلات معمقة مع مسؤولي هيئة النقل في إقليم جاوة الشرقية مدعومة بدراسة الوثائق. وتركّز الدراسة على تنفيذ الرقابة على حدود السرعة التشغيلية للحافلات التجارية في الواقع العملي.

وتُظهر نتائج الدراسة أن هيئة النقل في إقليم جاوة الشرقية قد قامت بتطبيق عدة أشكال من تركيب وحدات التشغيل على (GPS Tracker) الرقابة، مثل تركيب أجهزة تتبع المواقع وتنفيذ (SMK) وتطبيق نظام إدارة السلامة (On Board Unit/OBU) متن المركبات والاستفادة من نظام الرصد الإلكتروني (Ramp Check) حملات التفيتش والفحص الفني بالإضافة إلى تركيب لوحات حدود (PJR) ودوريات الطرق السريعة (ETLE) للمخالفات السرعة. ومع ذلك، لا تزال عملية الرقابة تواجه بعض التحديات، من بينها محدودية الموارد البشرية، وعدم التكامل الأمثل لتكنولوجيا المراقبة، إلى جانب عوامل سلوك السائقين.

ومن منظور قاعدة سدّ الذرائع، تُعدّ الرقابة على حدود السرعة وسيلة وقائية لمنع وقوع المفاسد المحتملة الناتجة عن تجاوز السرعة، مما يجعل تعزيز هذه الرقابة خطوة أساسية في الحد من حوادث المرور

## TRANSLITERATION GUIDELINES

In writing scientific or academic works, the use of foreign terms is often unavoidable. In general, according to the General Guidelines for Indonesian Spelling (Pedoman Umum Ejaan Bahasa Indonesia), foreign words are written in italics. In the context of the Arabic language, there are specific transliteration guidelines that apply internationally. The following table presents transliteration guidelines as a reference for writing academic works.

The Arabic-Indonesian transliteration used by the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang follows the model of the Library of Congress (LC), United States, as follows:

Arab	Indonesia	Arab	Indonesia
أ	`	ط	ṭ
ب	b	ظ	ẓ
ت	t	ع	‘
ث	th	غ	gh
ج	j	ف	f
ح	ḥ	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	و	w
س	s	ه	h
ش	sh	ء	’
ص	ṣ	ي	y
ض	ḍ		

To indicate a long vowel sound (madd), it is written by placing a horizontal line above the letter, such as ā, ī and ū. (أ, ي, و). Double Arabic vowel sounds are transliterated by combining two letters, “ay” and “aw,” such as in *layyinah* and *lawwāmah*. Words ending with *tā’ marbūṭah* that function as an adjective (*ṣifah*) or *muḍāf ilayh* are transliterated as “ah,” while those functioning as *muḍāf* are transliterated as “at.”

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## CHAPTER I

### INTRODUCTION

#### A. Background

Land transportation, particularly commercial buses, is an important means that supports the mobility of communities between regions. In its operation, safety is a primary aspect that must be maintained, one of which is through the regulation of operational speed limits. In this regard, the government stipulates in the Minister of Transportation Regulation Number 111 of 2015 concerning the Procedures for Determining Motor Vehicle Speed Limits that every motor vehicle must comply with speed limits according to road classification and vehicle type.<sup>1</sup> This regulation also emphasizes the importance of implementing Standard Operating Procedures (SOP) for transportation operators to ensure that drivers do not exceed the established speed limits as part of a systematic effort to prevent traffic accident



Figure 1.1 Traffic Accident Data for 2024

<sup>1</sup> Pasal 3, Peraturan Menteri Perhubungan Republik Indonesia Nomor 111 Tahun 2015, Tentang Tata Cara Penetapan Batas Kecepatan.

Based on traffic accident data for 2024, the number of traffic accidents in Indonesia remains relatively high. A total of 28,033 incidents were recorded, with 6,894 fatalities, 589 people seriously injured, and 19,147 people slightly injured. Based on the types of vehicles involved, 229 buses were recorded. In terms of road function, the highest number of accidents occurred on collector roads (10,416 cases) and arterial roads (8,129 cases), while 266 cases were recorded on toll roads. These data indicate that traffic accidents remain a serious issue in the management of national land transportation.<sup>2</sup>

Supervision of the operational speed limits of commercial bus transportation needs to receive serious attention, particularly from the Transportation Office (Dishub) as the technical authority responsible for formulating and implementing transportation policies and supervising the operational activities of public transportation. Effective supervision can be carried out through routine inspections, roadworthiness tests (uji KIR), and the utilization of monitoring technologies such as GPS trackers and electronic tachographs to ensure that drivers do not violate speed limits.<sup>3</sup>

This research was conducted at the Transportation Office of East Java Province because the region is one of the provinces with a very high level of intercity and interprovincial vehicle mobility. Based on data from the Central Statistics Agency (Badan Pusat Statistik) in 2024, East Java is among the top

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<sup>2</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

<sup>3</sup> Mirza Azzahra Damayanti et al., "Analisis Efektivitas Pemanfaatan GPS Tracker Dalam Pemantauan Ketepatan Waktu Armada Distribusi," *Jurnal Manajemen Pendidikan Dan Ilmu Sosial* 6, no. 6 (2025): 4643–52,:// <https://doi.org/10.38035/jmpis.v6i6.6026>.

three provinces with the highest number of traffic accidents in Indonesia, with many incidents involving public transportation vehicles. In this regard, Law Number 22 of 2009 grants authority to regional governments to carry out guidance and supervision over the implementation of road traffic and transportation. Article 208 emphasizes that supervision includes activities such as traffic regulation, guarding, escorting, and patrols to ensure safety and order on the roads.<sup>4</sup> In this context, the Transportation Office of East Java Province has a strategic role as the technical authority responsible for supervising the operation of public transportation, including commercial buses, to ensure compliance with speed limit regulations in accordance with applicable law.

As an implementing regulation of Law Number 22 of 2009 on Road Traffic and Transportation (UU LLAJ), the government issued Minister of Transportation Regulation Number 111 of 2015 concerning Procedures for Determining Motor Vehicle Speed Limits, which technically regulates the maximum and minimum speed limits based on road and vehicle types. However, the implementation of this regulation largely depends on the supervision carried out by the authorized institutions. Weak supervision has the potential to cause repeated violations, which ultimately increases the risk of traffic accidents, particularly those involving commercial buses as mass transportation vehicles.

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<sup>4</sup> Pasal 208, Undang-Undang Nomor 22 Tahun 2009.

The urgency of this research lies in the importance of improving supervision over the operational speed limits of commercial bus transportation in order to reduce the number of traffic accidents. The government has issued Minister of Transportation Regulation Number 111 of 2015 concerning the Procedures for Determining Motor Vehicle Speed Limits, which regulates the maximum and minimum speed limits based on the type of road and vehicle. However, the implementation of this policy in practice still faces several obstacles, such as the limited availability of speed monitoring technology and weak supervision by authorized institutions. In addition, driver behavior and the weak enforcement of administrative sanctions against companies also contribute to the problem. Therefore, regional governments through the Transportation Office of East Java Province need to strengthen collaboration with the Traffic Corps (Korlantas) and the Toll Road Regulatory Agency (BPJT) in enforcing technology-based law enforcement, such as speed cameras and intelligent traffic systems (ITS).

From the perspective of *Sadd Adz-Dzari'ah*, supervision of speed limits represents a preventive effort against potential harm or damage (*mafsadah*) that may arise from human negligence. The principle of *Sadd Adz-Dzari'ah* teaches that any means that may lead to harm must be closed off or prevented from the outset.<sup>5</sup>

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<sup>5</sup> Umi Khusnul Khotimah, *Pendekatan Fikih Dan Ushul Fikih: Kajian Sumber Sumber Hukum Islam Dan Metodologi Ijtihad*, (lamongan: Nawa Litera Publishing, 2025) 142.

## **B. Research Problems**

Based on the background described above regarding the supervision of operational speed limits of commercial bus transportation in reducing accidents from the perspective of Minister of Transportation Regulation Number 111 of 2015 and Sadd Adz-Dzari'ah, this research focuses on the following questions:

1. How is the role of the Transportation Office of East Java Province in implementing supervision over the operational speed limits of commercial buses based on the provisions of Minister of Transportation Regulation Number 111 of 2015 in Indonesia?
2. How does the perspective of Sadd Adz-Dzari'ah view the role of the Transportation Office of East Java Province in supervising the operational speed limits of commercial buses in order to reducing traffic accidents?

## **C. Research Objectives**

Based on the research problems above, this study aims to:

1. Analyze and describe the role of the Transportation Office of East Java Province in implementing the operational speed limits for commercial buses based on the provisions of Minister of Transportation Regulation Number 111 of 2015.
2. Examine the perspective of Sadd Adz-Dzari'ah regarding the role of the Transportation Office of East Java Province in supervising compliance with operational speed limits of commercial buses in order to prevent traffic accidents.

## **D. Research Benefits**

This research is expected to provide both theoretical and practical benefits for all parties. The benefits of this research are as follows:

### **1. Theoretical Benefits**

This research is expected to contribute to the development of legal studies, particularly in the fields of Sharia Economic Law and transportation law, through the integration of positive law and the principle of Sadd Adz-Dzari'ah in the context of traffic supervision. Theoretically, this research broadens the understanding of the application of preventive principles in Islamic law to issues of modern transportation safety, and also enriches the literature regarding the supervision of regional governments in enforcing motor vehicle speed limits. Therefore, this research can also serve as an academic reference for the development of theories and concepts of traffic supervision based on sharia values.

### **2. Practical Benefits**

This research is expected to provide practical benefits for the Transportation Office of East Java Province as an evaluation material in implementing supervision over the operational speed limits of commercial bus transportation in accordance with the provisions of Minister of Transportation Regulation Number 111 of 2015. The results of this study can be used to identify implementation constraints in the field, as well as to formulate more optimal supervisory improvements as part of reducing traffic accidents.

In addition, this research is expected to benefit public transportation companies, commercial bus drivers, and the community as transportation service users by increasing awareness of the importance of complying with operational speed limits for the sake of collective safety. From the perspective of Sadd Adz-Dzari'ah, this research is also expected to become a practical reference in applying the principle of preventing harm (mafsadah) in transportation supervision policies, so that speed supervision is not only administrative in nature but also oriented toward the protection of life and public safety.

#### **E. Operational Definitions**

Operational definitions are prepared to explain the key terms used in this research so that readers have the same understanding of the variables being studied. The explanation of these terms also aims to limit the scope of the research so that the interpretation of data and findings becomes more focused and measurable. To avoid misinterpretation and errors in understanding the terms, the author establishes the following definitions:

##### **1. Speed Limit**

The operational speed limit is defined as the maximum speed of motor vehicles regulated by law in Minister of Transportation Regulation Number 111 of 2015. These speed limits include 80 km/h on intercity roads, 50 km/h in urban areas, and 30 km/h in residential areas. In this research, the speed limit refers to the maximum speed standard for

commercial buses to ensure they operate under safe, efficient conditions and in accordance with transportation safety standards.<sup>6</sup>

## 2. Commercial Bus

A commercial bus is a motor vehicle used for transporting passengers by charging a fee, or for commercial and industrial goods transportation with or without a fee. It also refers to a public motor vehicle used to transport passengers in exchange for a certain fare or tariff. In this research, commercial buses include intercity buses, tourism buses, and regular buses operating in the East Java region. Commercial buses are the focus of this research because they have a high risk of traffic accidents if their operational speed is not strictly supervised by the authorized institutions.<sup>7</sup>

## **F. Structure of Writing**

To facilitate both the author and readers in understanding the research entitled “Implementation Of Operational Speed Limit Monitoring For Commercial Bus Transportation In Reducing Accidents From The Perspective Of Ministry Of Transportation Regulation No. 111 Of 2015 And Sadd Adz-Dzari'ah (Study At The East Java Provincial Transportation Agency)”, a systematic structure of discussion is required so that the preparation of this research becomes more organized, directed, and easy to understand. The structure of the discussion in this research is as follows:

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<sup>6</sup> Pasal 3, Peraturan Menteri Perhubungan Republik Indonesia Nomor 111 Tahun 2015, Tentang Tata Cara Penetapan Batas Kecepatan.

<sup>7</sup> Pasal 3 Ayat (2), Peraturan Pemerintah Nomor 74 Tahun 2014 Tentang Angkutan Jalan.

Chapter I, Introduction. This chapter contains a general description of the background of the problem underlying the research on the supervision of operational speed limits for commercial bus transportation. This chapter also includes the formulation of the research problems that become the focus of the study, the research objectives formulated based on the research questions, and the research benefits which include both theoretical and practical benefits for the author, related institutions, and readers in general.

Chapter II, Literature Review. This chapter contains the theoretical foundation and concepts used as the basis for analysis in answering the research problems. It includes the Supervision Theory, Land Transportation Law, and the Theory of Sadd Adz-Dzari'ah in Islamic law. In addition, this chapter also presents a discussion of relevant previous studies as comparative material and to demonstrate the position and novelty of this research compared to earlier studies.

Chapter III, the Research Methodology is explained in detail as the framework used to obtain data and address the research questions. This chapter outlines the type of research employed, namely empirical legal research with a qualitative approach; the data sources, which consist of primary, secondary, and tertiary data; data collection techniques through in-depth interviews and documentation studies; as well as methods of data processing and analysis using descriptive qualitative techniques. This research methodology is designed to ensure that the study is conducted systematically and that the results can be scientifically justified.

Chapter IV, Research Results and Discussion. This chapter presents the results of field research regarding the implementation of supervision over the operational speed limits of commercial bus transportation by the Transportation Office of East Java Province. The discussion includes the forms and mechanisms of supervision carried out based on Minister of Transportation Regulation Number 111 of 2015, the obstacles encountered in its implementation, and the role of such supervision in reducing traffic accidents. The research findings are then analyzed using the perspective of Sadd Adz-Dzari'ah to examine the extent to which the principle of preventing harm before accidents occur is applied.

Chapter V, Conclusion. This chapter contains conclusions that summarize the results of the research and discussion as answers to the research questions that have been formulated. In addition, this chapter also presents constructive and applicable recommendations for the Transportation Office of East Java Province and other related parties in order to improve the effectiveness of supervising operational speed limits for commercial buses as part of efforts to reducing traffic accidents in the future.

## CHAPTER II

### LITERATURE RIVIEW

#### A. Previous Studies

Before preparing the research entitled “Implementation Of Operational Speed Limit Monitoring For Commercial Bus Transportation In Reducing Accidents From The Perspective Of Ministry Of Transportation Regulation No. 111 Of 2015 And Sadd Adz-Dzari'ah”, the researcher conducted an analysis of several pieces of literature that are relevant to the theme and issues being studied. The analysis of previous studies is necessary to identify the research gap between this study and earlier research. Several previous studies with themes relevant to this research are as follows:

First, a study by Cut Nur Safrida Diniyati, Fatahillah, and Harun (2025) examined the forms of legal protection for public bus passengers who became victims of accidents in Lhokseumawe.<sup>8</sup> The results showed that legal protection for passengers is not yet optimal, as the company only provides compensation through Jasa Raharja without additional compensation for material or immaterial losses. The similarity with this research lies in the focus on legal aspects in the implementation of public transportation. The difference is that their study focuses on the responsibility of transportation

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<sup>8</sup> Cut Nur Safrida Diniyati et al., “Perlindungan Hukum Terhadap Penumpang Bus Angkutan Umum Apabila Terjadi Kecelakaan Berdasarkan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan (Studi Penelitian Pada Perusahaan Pengangkutan Bus Umum Di Lhokseumawe),” *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 8, no. 3 (2025), <https://doi.org/10.29103/jimfh.v8i3.23068>.

companies, whereas this research emphasizes the supervision of speed limits by the Transportation Office.

Second, a study by Akhmat Marzuki, Tri Mulyani, and Amri Panahatan Sihotang (2022) examined the supervisory function of the Transportation Office in ensuring the operational feasibility of BRT Trans Semarang. The results indicated that supervision is carried out through routine inspections by the Operational Division of BLU UPTD, including checking vehicle feasibility and imposing sanctions on drivers who violate designated routes. The similarity with this research is that both examine the supervisory function of the Transportation Office. The difference lies in the object of supervision: this study focuses on the speed of commercial buses rather than vehicle feasibility.<sup>9</sup>

Third, a study by Muhammad Adi Makayasa, Eddy Asnawi, and Bahrum Azmi (2022) discussed law enforcement against speed limit violations on toll roads. The study found that although speed limits have been regulated under Law No. 22 of 2009 and Government Regulation No. 79 of 2013, enforcement remains weak due to limited personnel and facilities. The similarity with this research lies in the focus on speed limits. However, the difference is that the study emphasizes law enforcement aspects, while this research focuses on the supervisory role of the Transportation Office.<sup>10</sup>

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<sup>9</sup> Akhmat Marzuki et al., "Pengawasan Dinas Perhubungan Kota Semarang Terhadap Kelaikan Bus Rapid Transit Trans Semarang," *Semarang Law Review (SLR)* 1, no. 2 (2020): 134-140, <https://doi.org/10.26623/slr.v1i2.2764>.

<sup>10</sup> Muhammad Adi Makayasa Et Al., "Penegakan Hukum Atas Sanksi Pelanggaran Batas Kecepatan Berkendara Maksimal Di Jalan Bebas Hambatan," *EKSEKUSI* 4, no. 2 (2022): 106-20, <https://doi.org/10.24014/je.v4i2.14395>.

Fourth, a study by Ribka Layasina Br Sembiring, Made Sugi Hartono, and I Wayan Landrawan (2022) found that the legal process for speed limit violations is carried out based on Article 311 and Article 310 of Law No. 22 of 2009 on Road Traffic and Transportation (UU LLAJ). However, its implementation is often hindered by the lack of witnesses and differences in testimony. The similarity with this research is that both discuss speed limit violations. The difference lies in the research approach: this study evaluates the supervisory aspect of the Transportation Office rather than the police judicial process.<sup>11</sup>

Fifth, a study by Rahmi Yatin Nisak and Ranggi Ade Febrian (2025) explained the strategic role of the Transportation Office in improving traffic safety through driver training, safety campaigns, and the School Safety Zone (ZoSS) program. The main obstacles identified were limited human resources and supervision technology. The similarity with this research lies in the guidance and supervisory functions of the Transportation Office. However, this research specifically focuses on speed limit supervision as part of transportation safety efforts.<sup>12</sup>

Sixth, a study by Ilham Faizal Ahmad (2024) highlighted that the supervision carried out by the Blitar Transportation Office over freight

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<sup>11</sup> Ribka Layasina Br Sembiring et al., "Penegakan Hukum Terhadap Pengemudi Angkutan Umum Yang Melampaui Batas Kecepatan Yang Menyebabkan Adanya Korban Jiwa (Studi Kasus Satlantas Polrestabes Medan)," *Jurnal Komunitas Yustisia* 5, no. 2 (2022): 703-13, <https://doi.org/10.23887/jatayu.v5i2.51835>.

<sup>12</sup> Rahmi Yatin Nisak and Ranggi Ade Febrian, "Peran Dinas Perhubungan Kota Pekanbaru Dalam Pembinaan Keselamatan Transportasi," *Jurnal Mahasiswa Pemerintahan*, March 16, 2025, 109-18, <https://doi.org/10.25299/JMP.2025.21662>.

vehicles has not been optimal, as many of these vehicles do not undergo the mandatory roadworthiness test (uji KIR), which potentially endangers safety. From the perspective of Sadd Adz-Dzari'ah, supervision functions as a preventive measure against harm through vehicle feasibility testing mechanisms. The similarity with this research lies in the use of the Islamic legal approach (Sadd Adz-Dzari'ah); however, the object differs, as this study focuses on commercial buses, not freight vehicles.<sup>13</sup>

Seventh, a study by Rivaldo Cahya Rahmawan, Yulius Yohanes, and Bima Sujendra (2021) found that the supervision conducted by the Transportation Office in regulating buses on the Sanggau–Pontianak route has not been optimal due to limited personnel and weak enforcement against buses that are not roadworthy. The similarity with this research lies in the broader theme of Transportation Office supervision, while the difference is that this research focuses on speed supervision, not route regulation.<sup>14</sup>

Eighth, a study by Ari Yudha Fadhilah Nastan and Syaiful Amri (2024) found that the implementation of speed limit regulations is still weak. However, from the perspective of Fiqh Siyasah, such regulations are in line with the principle of protecting human life. The similarity with this research is that both examine speed limits from the perspective of Islamic law, while the difference is that this research focuses on the role of the Transportation

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<sup>13</sup> “Pengawasan Dinas Perhubungan Kabupaten Blitar Terhadap Transportasi Angkutan Barang Perspektif Saddu Adzariah - Etheses of Maulana Malik Ibrahim State Islamic University,” accessed February 6, 2026, <http://etheses.uin-malang.ac.id/71330/>.

<sup>14</sup> Rivaldo Cahya Rahmawan et al., “Pengawasan Dinas Perhubungan Dalam Penertiban Angkutan Bus Di Kabupaten Sanggau,” *PubliKA Jurnal Ilmu Administrasi Negara (e-Journal)* 11, no. 1 (2022): 161-78, <https://doi.org/10.26418/publika.v11i1.2930>.

Office, rather than the enforcement of rules on toll roads. Eighth, a study by Ari Yudha Fadhilah Nastan and Syaiful Amri (2024) found that the implementation of speed limit regulations is still weak. However, from the perspective of Fiqh Siyasah, such regulations are in line with the principle of protecting human life. The similarity with this research is that both examine speed limits from the perspective of Islamic law, while the difference is that this research focuses on the role of the Transportation Office, rather than the enforcement of rules on toll roads.<sup>15</sup>

Ninth, a study by Farhan Sholahudin, Yunita Miftahul Muna, and Monica Ayu Istianti (2025) examined the effectiveness of vehicle speed management in urban areas. The results showed that vehicle speeds frequently exceed the established limits and recommended the installation of speed cameras and traffic patrols. The similarity with this research lies in the focus on speed limits, whereas the difference is that this research emphasizes legal aspects and institutional supervision.<sup>16</sup>

And lastly, a study by Muhammad Iqbal (2022) examined the legal responsibility of regional governments in providing protection and compensation for victims of bus accidents. From the perspective of Maslahah Mursalah, this responsibility is considered part of the protection of life (hifz

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<sup>15</sup> Ari Yudha Fadhilah Nastan and Syaiful Amri, "Implementasi Peraturan Pemerintah Nomor 79 Tahun 2013 Tentang Jaringan Lalu Lintas Dan Angkutan Jalan Mengenai Batas Kecepatan Kendaraan Dijalan Tol Perspektif Fiqh Siyasah," *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga* 6, no. 1 (2024): 890-903, <https://doi.org/10.47467/as.v6i1.5744>.

<sup>16</sup> Farhan Sholahudin et al., "Manajemen Kecepatan Kendaraan di Ruas Jalan MT Haryono, Kota Semarang, Jawa Tengah," *Praxis : Jurnal Sains, Teknologi, Masyarakat dan Jejaring* 7, no. 2 (2025): 139-49, <https://doi.org/10.24167/praxis.v7i2.12786>.

al-nafs). The similarity with this research lies in the theme of legal protection in transportation, while the difference is that this research highlights the moral and administrative responsibility of the government, rather than the supervision of vehicle speed.<sup>17</sup>

In addition to being presented in the form of a narrative description, the previous studies that have been reviewed are also summarized systematically in the form of a table. This presentation is intended to facilitate understanding and comparison among the studies, both in terms of research focus, methods used, and their thematic relevance to this research. Thus, readers can obtain a more concise and structured overview of the position of this research among similar studies that have been conducted previously, as follows:

Table 2.1 Previous Studies

No	Author's Name	Research Title	Similarities	Differences
1.	Cut Nur Safrida Diniyati, Fatahillah, Harun (2025)	Legal Protection for Public Bus Passengers in the Event of an Accident.	The similarity with this research lies in the legal aspects of bus transportation operations and passenger safety.	The study focuses on the legal responsibility of transportation companies and the provision of compensation to accident victims, whereas this research focuses on the implementation of supervision

<sup>17</sup> Iqbal Lamkaruna Tijue and Fatimahzahara Fatimahzahara, "Pertanggungjawaban Pemerintah Daerah Terhadap Korban Kecelakaan Bus Trans Metro Deli Perspektif Masalah Mursalah," *Jurnal Ilmiah Edunomika* 9, no. 1 (2025), <https://doi.org/10.29040/jie.v9i1.16420>.

No	Author's Name	Research Title	Similarities	Differences
				over the operational speed limits of commercial buses by the Transportation Office of East Java Province as an effort to mitigate traffic accidents.
2.	Akhat Marzuki, Tri Mulyani, Amri Panahatan Sihotang (2022).	Supervision by the Transportation Office over the Operational Feasibility of BRT Trans Semarang	The similarity with this research lies in the supervisory function and role of the Transportation Office.	This study focuses on supervising the operational feasibility of Bus Rapid Transit (BRT) fleets, whereas this research focuses on supervising compliance with the operational speed limits of commercial buses based on Minister of Transportation Regulation Number 111 of 2015.
3.	Muhammad Adi Makayasa, Eddy Asnawi, Bahrum Azmi (2022).	Law Enforcement of Sanctions for Speed Limit Violations on Toll Roads.	The similarity with this research lies in the discussion of vehicle speed limit violations.	This study focuses on law enforcement and the imposition of sanctions for speed limit violations by law enforcement authorities, whereas this

No	Author's Name	Research Title	Similarities	Differences
				research focuses on the administrative supervisory role of the Transportation Office in preventing speed limit violations by commercial buses.
4.	Ribka Layasina Br Sembiring, Made Sugi Hartono, I Wayan Landrawan (2022)	Law Enforcement Against Public Transportation Drivers Who Exceed Speed Limits.	The similarity with this research lies in the discussion of speed limit violations in public transportation and traffic law enforcement under Law No. 22 of 2009.	This study focuses on the law enforcement process and criminal sanctions for speed limit violations through judicial mechanisms, whereas this research focuses on accident mitigation through preventive supervision of speed limits by the Transportation Office.
5.	Rahmi Yatin Nisak, Ranggi Ade Febrian (2025)	The Role of the Pekanbaru City Transportation Office in Promoting Transportation Safety	The similarity with this research lies in the discussion of the strategic role of the Transportation Office in traffic safety	This study focuses on general traffic safety promotion through education and safety campaigns,

No	Author's Name	Research Title	Similarities	Differences
				whereas this research focuses on technical and operational supervision of compliance with the speed limits of commercial buses.
6.	Ilham Faizal Ahmad (2024).	Supervision by the Blitar Regency Transportation Office over Freight Transportation From the Perspective of Sadd Adz-Dzari'ah	The similarity with this research lies in the use of the Sadd Adz-Dzari'ah perspective and the supervision carried out by the Transportation Office.	This study focuses on the supervision of freight transportation and the implementation of KIR (vehicle roadworthiness tests) from the perspective of Sadd Adz-Dzari'ah, whereas this research focuses on the supervision of operational speed limits for commercial buses by the Transportation Office of East Java Province from the perspective of Sadd Adz-Dzari'ah.
7.	Rivaldo Cahya Rahmawan, Yulius Yohanes,	Supervision by the Transportation Office in Regulating Bus	The similarity with this research lies in the supervision carried out by	This study focuses on route regulation and the operational feasibility of

No	Author's Name	Research Title	Similarities	Differences
	Bima Sujendra (2021)	Transportation in Sanggau Regency.	the Transportation Office over bus transportation.	buses in public transportation services, whereas this research focuses on supervising the operational speed limits of commercial buses as an instrument for accident prevention.
8.	Ari Yudha Fadhilah Nastan, Syaiful Amri (2024)	Implementation of Government Regulation Number 79 of 2013 concerning Road Traffic and Transportation Networks Regarding Vehicle Speed Limits on Toll Roads from the Perspective of Fiqh Siyasah.	The similarity with this research lies in the discussion of speed limits from the perspective of Islamic law.	This study focuses on the implementation of speed limits on toll roads using the Fiqh Siyasah approach, whereas this research focuses on the supervision of commercial bus speed limits by the Transportation Office using the Sadd Adz-Dzari'ah approach.
9.	Farhan Sholahudin, Yunita Miftahul Muna, Monica Ayu Istianti (2025)	Vehicle Speed Management on the MT Haryono Road Section, Semarang City, Central Java	The similarity with this research lies in the control and regulation of vehicle speed limits.	This study focuses on vehicle speed management from the technical transportation perspective, whereas this

No	Author's Name	Research Title	Similarities	Differences
				research focuses on the juridical and institutional aspects of speed limit supervision carried out by the Transportation Office.
10.	Muhammad Iqbal (2022)	Regional Government Responsibility for Victims of Trans Metro Deli Bus Accidents from the Perspective of Maslahah Mursalah	The similarity with this research lies in the discussion of transportation safety and the protection of life.	This study focuses on the responsibility and compensation of regional governments toward bus accident victims, whereas this research focuses on accident prevention efforts through supervision of operational speed limits for commercial buses.

The novelty of this literature review lies in its effort to integrate the study of transportation supervision with an Islamic legal perspective, particularly Sadd Adz-Dzari'ah, which remains relatively underexplored in previous research. Most prior studies tend to examine either the legal responsibility of transportation providers, the effectiveness of law enforcement, or the general supervisory role of the Transportation Office without linking these aspects to

Islamic legal theory. In contrast, this research specifically focuses on the implementation of speed limit supervision by the Transportation Office and analyzes it through the lens of preventive principles in Islamic law. Therefore, this study offers a distinctive contribution by bridging the gap between positive law (Minister of Transportation Regulation No. 111 of 2015) and Islamic legal thought.

## **B. Theoretical Framework**

In this research, the theoretical framework used includes several relevant theories, namely Supervision Theory, Land Transportation Law, and the Theory of Sadd Adz-Dzari'ah in Islamic law:

### **1. Supervision Theory**

#### **a. Definition of Supervision**

Supervision (controlling) is one of the management functions that plays an important role in ensuring that the activities carried out by an organization are in accordance with predetermined plans and objectives. In the context of law and government, supervision also functions to ensure that the implementation of public policies is carried out in accordance with statutory regulations.

In the context of public administration, Setiawan and Johannes state in their book that supervision is a form of legal protection for society against the exercise of state power. Supervision functions to reduce the

risk of abuse of authority and to ensure that the power granted is used appropriately for the public interest.<sup>18</sup>

## **b. Forms of Supervision**

In the context of administrative law and government administration, supervision can be divided into several forms based on the actor, timing, and method of implementation. According to Handyaningrat, supervision based on its scope can be classified into:<sup>19</sup>

### 1) Internal Supervision

Internal supervision is carried out by institutions or officials who are still within the same organizational structure as the object being supervised. Its purpose is to ensure efficiency, effectiveness, and compliance in the implementation of duties with legal provisions and leadership policies. An example is supervision by the Inspectorate General of the Ministry of Transportation over activities carried out within its institutional structure.

### 2) External Supervision

External supervision is carried out by institutions outside the organizational structure, such as the Supreme Audit Agency (BPK), the Ombudsman of the Republic of Indonesia, or judicial institutions. This type of supervision aims to maintain public accountability and prevent abuse of authority by state officials

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<sup>18</sup> Irfan Setiawan, dan Ayu Widowati Johannes *Pengawasan Pemerintahan dalam Ulasan Teori dan Praktek* (Bandung: CV Rtujuh Media Printing, 2024), 6.

<sup>19</sup> Rahmawati Sururama, dan Rizki Amalia *Pengawasan pemerintahan* (Bandung: Cendekia, 2020), 71.

Supervision based on its nature or timing, according to Handyaningrat, can be divided into:<sup>20</sup>

1). Preventive Supervision (Before an Activity Occurs)

Preventive supervision is carried out to prevent violations before administrative actions or activities are implemented. In the transportation sector, this form can include driver safety training, the installation of speed limiters, and vehicle roadworthiness tests.

2). Repressive Supervision (After an Activity Occurs)

Repressive supervision is conducted after an activity or administrative action has taken place. Its purpose is to assess whether implementation is consistent with the established plans and to impose sanctions if violations are found. In practice, repressive supervision may take the form of performance audits, evaluation of results, or law enforcement against traffic violations.

Supervision based on its object can be divided into two types<sup>21</sup>:

1). Direct Supervision

Functional supervision is carried out by institutions that have specific functions in the field of supervision, such as the Financial and Development Supervisory Agency (BPKP). Meanwhile, direct supervision is conducted through observation or field inspections by

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<sup>20</sup> Rahmawati Sururama, dan Rizki Amalia *Pengawasan pemerintahan* (Bandung: Cendekia, 2020), 72.

<sup>21</sup> Rahmawati Sururama, dan Rizki Amalia *Pengawasan pemerintahan* (Bandung: Cendekia, 2020), 73.

authorized officials, for example officers from the Transportation Office who conduct inspections or raids on public transport vehicles.

## 2). Indirect Supervision

Indirect supervision is defined by Sujamto (1996:14) as “supervision carried out by organizational officials or leaders without directly visiting the object being supervised or inspected.” Typically, officials conducting this type of supervision rely on reports submitted to them by studying and analyzing documents or reports related to the supervised object.

### c. Objectives of Supervision

The primary objective of supervision in public law is to ensure legal certainty, order, and legal protection for society from arbitrary actions by state officials. Supervision also functions to uphold the principle of checks and balances among state institutions so that the exercise of power remains within the legal framework. Indroharto emphasizes that supervision is a form of control over the exercise of administrative authority so that it does not deviate from the public interest and legal principles.<sup>22</sup> In the context of transportation, the objective of supervision is to ensure safety, prevent accidents, and enforce sanctions against violators as a form of legal protection for road users.

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<sup>22</sup> Rahmawati Sururama, dan Rizki Amalia *Pengawasan pemerintahan* (Bandung: Cendekia, 2020), 30.

## **2. Land Transportation Law**

### **a. Definition of Land Transportation Law**

The term carriage is often replaced by the term transportation. Carriage emphasizes the juridical aspect, while transportation emphasizes the economic activity aspect; however, both have the same meaning, namely the activity of moving goods or people using a means of transport.

From an etymological perspective, the word transportation originates from the Latin *transportare*, where *trans* means across or to the other side, and *portare* means to carry or to bring. Therefore, transportation can be interpreted as carrying or bringing something to another side or from one place to another. Transportation can be defined as a means that plays an important role in human life, both in maintaining interactions between people and as a tool that facilitates the movement of goods from one place to another.<sup>23</sup>

Thus, land transportation refers to a system consisting of vehicles, infrastructure, service users, and management, all of which are regulated by law. Land transportation has the main function of connecting regions, facilitating the distribution of goods and services, and supporting national economic growth.

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<sup>23</sup> Siti Fatimah *Pengantar Transportasi* (Ponorogo : Myria Publisher, 2019), 2.

## **b. Legal Basis of Land Transportation**

The regulation of land transportation in Indonesia is based on several laws and regulations that form the juridical foundation for its administration. The primary legal basis is Law Number 22 of 2009 concerning Road Traffic and Transportation, which regulates the principles of safety, security, and order in traffic.<sup>24</sup>

In addition, Government Regulation Number 74 of 2014 concerning Road Transportation serves as a direct derivative of the law and technically regulates types of transportation, licensing, and the responsibilities of carriers. Furthermore, Minister of Transportation Regulation Number 27 of 2015 regulates the minimum service standards for passenger transportation, while Minister of Transportation Regulation Number 111 of 2015 regulates motor vehicle speed limits.<sup>25</sup>

According to Siti Nurbayati, transportation law regulation is not merely oriented toward identifying violations committed by road users but rather toward providing protection, services, rights, and responsibilities for road users, as well as realizing traffic safety and security.<sup>26</sup> Therefore, these legal foundations reflect the integration between aspects of public service and legal protection for all parties involved in transportation activities.

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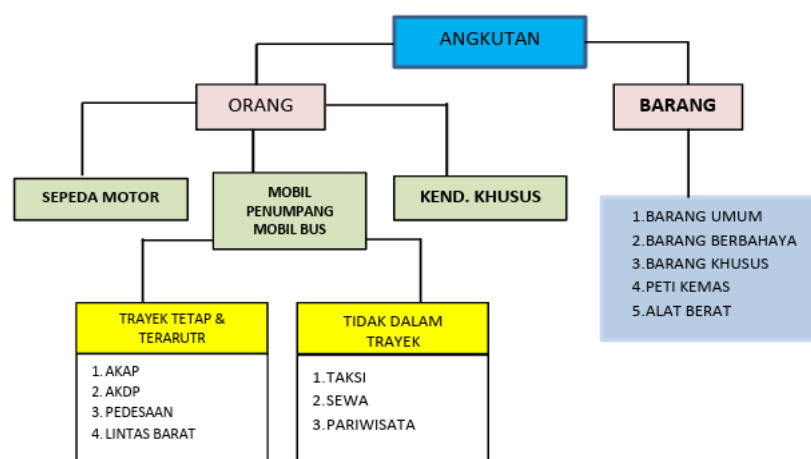
<sup>24</sup> Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

<sup>25</sup> Peraturan Pemerintah Nomor 74 Tahun 2014 tentang Angkutan Jalan.

<sup>26</sup> Elfrida Ade Putri *Monograf Penegakan Hukum Lalu Lintas dan Angkutan Jalan Raya* (Jakarta: Mitra Wacana Media, 2015), 22.

### c. Types of Land Transportation

Land transportation can be classified based on several criteria, including ownership, cargo, operational area, and service function. According to Subarto et al. in the book *Characteristics of Public Road Transportation in Indonesia*, this classification is important in order to provide legal certainty and appropriate regulation for each type of transportation.<sup>27</sup>



**Figure 2.1: Types of Land Transportation**

#### 1) Based on Ownership

There are two types of land transportation based on ownership: public transportation and private transportation. Public transportation refers to the transportation of people or goods provided for use by the public in exchange for a service fee, such as buses, taxis, or city transport. Private transportation is used for

<sup>27</sup> Subarto, Bambang Istianto, dan Erna Suharti *Karakteristik Angkutan Umum Transportasi Jalan di Indonesia* (Bandung: Citra Aditya Bakti, 2010),22.

personal purposes without charging any fee, such as private cars and motorcycles.

#### 2) Based on Type of Cargo

Based on the type of cargo, land transportation is divided into passenger transportation and goods transportation. The responsibility of the carrier toward passengers differs from the responsibility toward goods, because in passenger transportation the object of responsibility is the safety of human life.

#### 3) Based on Operational Area

Land transportation, particularly passenger transportation, can also be categorized based on the type of vehicle used, namely motor vehicles, passenger cars (buses), and special vehicles. Based on the category of passenger vehicles (buses), it is further divided into four operational areas: intercity transportation within a province (AKDP), intercity transportation between provinces (AKAP), rural transportation, and cross-regional transportation. The regulation of operational areas determines supervisory authority, where regional governments regulate rural transportation and AKDP, while the central government regulates AKAP and cross-regional transportation.

#### 4) Based on Service Function

Based on its function, land transportation is divided into regular transportation and special transportation. Regular transportation

operates on fixed routes, while special transportation includes employee transportation, student transportation, and tourism transportation that require special permits.

#### **d. Rights and Obligations of Land Transportation Carriers**

The responsibility of the carrier arises from the moment passengers board or goods are loaded until they are unloaded at the destination. According to Nugroho and Haq (2019), during this process the carrier must be responsible based on three principles.<sup>28</sup> The first is the principle of liability based on fault. This principle explains that determining liability in transportation is based on the view that the injured party or plaintiff must prove the carrier's fault.

The second principle is the rebuttable presumption of liability. This principle is similar to the first, but the burden of proof is reversed, meaning the defendant must prove that they were not at fault. The third principle is the strict liability principle (no fault or absolute liability). Under this principle, the carrier is responsible for any loss arising from any event occurring in the course of transportation operations.

From the perspective of positive law, Article 186 paragraph (1) of Law Number 22 of 2009 emphasizes that public transportation companies are obliged to guarantee the safety of passengers and/or goods from departure until arrival at the destination.<sup>29</sup> This provision is

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<sup>28</sup> Sigit Sapto Nugroho, dan Hilman Syahrial Ishaq *Hukum Pengangkutan Indonesia* (Solo: Pustakan Iltizam, 2019),26.

<sup>29</sup> Pasal 186, Undang-Undang Nomor 22 Tahun 2009.

clarified in Government Regulation Number 74 of 2014 concerning Road Transportation, which stipulates that transportation companies must possess operational permits, carry out vehicle maintenance, and meet minimum service standards. Failure to fulfill these obligations may result in administrative or legal sanctions.<sup>30</sup>

In addition to obligations, carriers also have certain rights. Carriers have the right to receive payment for services according to the agreement.<sup>31</sup> Thus, the rights and obligations of carriers are balanced and must be carried out based on the principles of prudence and professional responsibility.

#### **e. Rights and Obligations of Land Transportation Passengers**

The legal relationship between passengers and carriers is based on a transportation agreement. Passengers are obliged to pay travel fares and comply with safety regulations during the trip, while passenger rights are inseparable from the obligations of the carrier. Basic passenger rights regulated in consumer protection law include the right to safety, the right to information, the right to choose, and the right to be heard.<sup>32</sup>

#### **f. Minimum Service Standards (SPM) of Land Transportation**

Minister of Transportation Regulation Number 27 of 2015 establishes Minimum Service Standards (SPM) for passenger

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<sup>30</sup> Pasal 78, Peraturan Pemerintah Nomor 74 Tahun 2014 tentang Angkutan Jalan.

<sup>31</sup> I Wayan Partama Putra, dan I Gede Agus Uji Widastra, "Perlindungan Hukum Terhadap Penumpang Jasa Transportasi Laut Dari Sanur Menuju Nusa Penida Ditinjau Berdasarkan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen," *Widyasrama*, no 33(2022): 59 <https://ejournal.undwi.ac.id/index.php/widyasrama/article/view/1319> .

<sup>32</sup> Putra, dan Widastra, Perlindungan Hukum Terhadap Penumpang, 60.

transportation using public motor vehicles. These standards include aspects of safety, security, comfort, affordability, equality, and regularity.<sup>33</sup>

The implementation of SPM represents the responsibility of the state to protect consumers of transportation services and to ensure that public services are provided in a professional and fair manner. In the context of administrative law, violations of minimum service standards may result in administrative sanctions for transportation service providers.

### 3. Sadd Adz-Dzari'ah Theory

#### a. Definition of Sadd Adz-Dzari'ah

The term Sadd Adz-Dzari'ah consists of two words: sadd and dzari'ah. Linguistically, the word sadd originates from the Arabic verb sadda-yasuddu-saddan, which has several meanings, including to close or block something open. Meanwhile, the word adz-dzari'ah is derived from the verb dzara'a, which means to extend or move forward.<sup>34</sup>

Scholars of ushul fiqh provide several interpretations of Sadd Adz-Dzari'ah. Al-Baji defines Sadd Adz-Dzari'ah as something that is initially permissible to do but later becomes prohibited because it ultimately leads to a forbidden act. Based on this explanation, it can be concluded that a matter whether in the form of speech or action that is

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<sup>33</sup> Pasal 3, Peraturan Menteri Perhubungan Nomor Pm 27 Tahun 2015 Tentang Perubahan Atas Peraturan Menteri Perhubungan Nomor PM 10 Tahun 2012 Tentang Standar Pelayanan Minimal Angkutan Massal Berbasis Jalan.

<sup>34</sup> Ismail Jalili *Eksistensi Sadd adz-Dzari'ah Dalam Ushul Fiqh: Kajian Pemikiran Ibnu Qayyim al-Jauziyyah (w.751 H/1350 M)* (Boyolali: Lakeisha, 2020), 45.

originally permissible according to Islamic law may be abandoned if it ultimately leads to harm.<sup>35</sup>

#### **b. Legal Basis of Sadd Adz-Dzari'ah**

Scholars who support Sadd Adz-Dzari'ah as a *hujjah syar'iyah* (legal argument in Islamic law) base their arguments on verses of the Qur'an and the Sunnah of the Prophet Muhammad (peace be upon him), including Qur'an Surah Al-An'am verse 108.<sup>36</sup>

وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِنْ دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ

Translation: "And do not insult those they invoke besides Allah, lest they insult Allah in enmity without knowledge." Qur'an Surah Al-An'am [6]:108.<sup>37</sup>

As explained by Ibn Qayyim, Allah SWT forbids Muslims from mocking the deities worshiped by the polytheists. Although such an action may be intended to defend the glory of Allah and to belittle their deities, it would ultimately lead to an undesirable act (a prohibited action), which in turn could cause the polytheists to insult and revile Allah SWT. Therefore, it is more important to prevent the polytheists from insulting and reviling Allah SWT than to insult their deities. Furthermore, this verse serves as a reminder for Muslims that avoiding

<sup>35</sup> Ismail Jalili *Eksistensi Sadd adz-Dzari'ah Dalam Ushul Fiqh: Kajian Pemikiran Ibnu Qayyim al-Jauziyyah (w.751 H/1350 M)* (Boyolali: Lakeisha, 2020), 46.

<sup>36</sup> Ismail Jalili *Eksistensi Sadd adz-Dzari'ah Dalam Ushul Fiqh: Kajian Pemikiran Ibnu Qayyim al-Jauziyyah (w.751 H/1350 M)* (Boyolali: Lakeisha, 2020), 49.

<sup>37</sup> "Surat Al-An'am Ayat 108 Arab, Latin, Terjemah dan Tafsir | Baca di TafsirWeb," September 15, 2018, <https://tafsirweb.com/2232-surat-al-anam-ayat-108.html>.

what is prohibited (at-tahrīm) is more important than performing what is merely permissible (al-ibāhah).<sup>38</sup>

Scholars who support Sadd Adz-Dzari'ah as a legal principle elaborate their arguments through various statements and practices of the Prophet Muhammad (peace be upon him). The Prophet's statements both explicit and implicit as well as his practices, provide significant foundations for the concept of Sadd Adz-Dzari'ah.

عَنْ أَبِي عَبْدِ اللَّهِ التُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «إِنَّ الْحَلَالَ بَيِّنٌ، وَإِنَّ الْحَرَامَ بَيِّنٌ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ» فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ كَالرَّاعِي يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يَقَعَ فِيهِ. أَلَا وَإِنَّ لِكُلِّ مَلِكٍ حِمًى. أَلَا وَإِنَّ حِمَى اللَّهِ مَحَارِمُهُ. أَلَا وَإِنَّ فِي الْجَسَدِ مُضْغَةً، إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ وَإِذَا فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ، أَلَا وَهِيَ الْقَلْبُ. رَوَاهُ الْبُخَارِيُّ وَمُسْلِمٌ

Translation: *An-Nu'man bin Bashir said: I heard the Messenger of Allah (peace and blessings be upon him) say: "What is lawful (halal) is clear and what is unlawful (haram) is also clear. Between the two there are doubtful matters (shubhat) that many people do not know about. Whoever avoids the doubtful matters has protected his religion and his honor. But whoever falls into doubtful matters is like a shepherd who grazes his flock near a forbidden boundary, and it is feared that it may fall into it. Indeed, every king has a boundary, and the boundary set by Allah on His earth is what He has made unlawful. Truly, in the body there is a piece of flesh; if it is good, the whole body will be good, and if it is corrupt, the whole body will be corrupt. Indeed, it is the heart."* (HR Bukhari).

<sup>38</sup> Ismail Jalili *Eksistensi Sadd adz-Dzari'ah Dalam Ushul Fiqh: Kajian Pemikiran Ibnu Qayyim al-Jauziyyah* (w.751 H/1350 M) (Boyolali: Lakeisha, 2020), 50.

### **c. The Purpose of Sadd Adz-Dzari'ah**

Sadd Adz-Dzari'ah When Sadd Adz-Dzari'ah viewed from the magnitude of the impact it causes in terms of harm (mafsadah), Ibn Qayyim al-Jawziyyah classifies adz-dzari'ah into four types:

1. Means (wasilah) that directly lead to harm, for example, drinking alcohol leads to harm in the form of intoxication (damage to the intellect); adultery leads to harm in the form of the corruption of lineage and family structure through the mixing of lineage.
2. Means to something permissible (mubah) but intended to cause harm., For example, a marriage contract conducted with the intention of nikah muhallil. The marriage contract itself is permissible (halal), but it becomes merely a disguise for something prohibited, namely nikah muhallil, which ultimately results in harm. Likewise, a sale and purchase agreement conducted with the intention of committing riba (usury).
3. Means to something permissible that are not intended to cause harm but generally lead to harm, where the harm outweighs the benefit. For instance, mocking the deities worshipped by polytheists in their presence. Another example is a widow beautifying herself during her waiting period (iddah). Beautification is permissible (halal), and it may not be intended for immoral purposes. However, because it occurs at an inappropriate time during the iddah period it can potentially lead to slander or social discord.

4. Using something permissible that may sometimes lead to harm (mafsadah), but whose benefits outweigh the harm. Examples include seeing the face of a woman when proposing marriage and conveying the truth to an unjust ruler.<sup>39</sup>

Therefore, the main objective of applying the Sadd Adz-Dzari'ah method is to block all means that may lead to violations or harm (mafsadah), either directly or indirectly. This principle is based on the rule that if a particular objective is prohibited by Islamic law, then all pathways leading to it must also be prohibited.<sup>40</sup>

In the context of supervising the speed limits of commercial buses, this preventive value aligns with the government's efforts to prevent traffic accidents by controlling driver behavior. In other words, speed supervision is not merely an administrative action but also a form of applying the principle of Sadd Adz-Dzari'ah within the realm of public policy namely, closing the possibility of violations before they result in negative consequences for road users' safety.

The method of Sadd Adz-Dzari'ah also aims to instill moral awareness in every legal action and policy so that they are not solely oriented toward outcomes but also consider intentions (motives) and potential impacts. This principle teaches that preventive actions such as speed limitations, enforcement of traffic regulations, and vehicle

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<sup>39</sup> Agus Miswanto *Ushul Fiqh: Metode Ijtihad Hukum Islam* (Magelang: UNIMMA Press, 2018), 195.

<sup>40</sup> Agus Miswanto *Ushul Fiqh: Metode Ijtihad Hukum Islam* (Magelang: UNIMMA Press, 2018), 196.

inspections are necessary measures because they aim to protect human life, which is one of the primary objectives of Islamic law (maqasid al-shari'ah). Thus, the implementation of Minister of Transportation Regulation Number 111 of 2015 can be viewed as a concrete manifestation of the values of Sadd Adz-Dzari'ah within the positive legal system.

In addition to functioning as a preventive principle, Sadd Adz-Dzari'ah also aims to balance benefit (maslahah) and the potential harm that may arise from an action. In practice, not every permissible means may be carried out if empirically it leads to greater danger. Therefore, in the context of commercial bus transportation, speed limitation policies should not merely be understood as administrative compliance but rather as an effort to close pathways leading to risks that may endanger passengers and other road users. This principle emphasizes that preventing accidents is better than responding after harm has occurred. Accordingly, the application of Sadd Adz-Dzari'ah provides ethical and normative legitimacy for transportation supervision policies aimed at minimizing potential harm on the roads.

## CHAPTER III

### RESEARCH METHODOLOGY

Research methodology is a scientific method used to obtain data for specific purposes. In order for this study to run smoothly and produce accountable results, a particular method is required. The methods employed in this research are as follows:

#### A. Type of Research

This study employs an empirical legal research method, which aims to understand how the law is implemented in practice and how it operates within society.<sup>41</sup> This type of research focuses on social realities and field practices, particularly concerning the implementation of speed limit supervision for commercial buses by the Transportation Agency of East Java Province. Data collection is conducted through interviews to obtain direct information from parties involved in such supervision.

This research not only examines the practical implementation of the law but also reviews the applicable normative provisions as a benchmark for assessing the conformity between legal rules and their implementation in the field. The study aims to determine whether speed limit supervision has been carried out in accordance with existing regulations and to identify the factors influencing it.

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<sup>41</sup> Sigit Sapto Nogroho, *Metodologi Riset Hukum*, (Surakarta: Oase Pustaka, 2020), 43

## **B. Research Approach**

This study uses a qualitative approach as the primary method. The qualitative approach is chosen because the research is oriented toward uncovering empirical realities in the field.<sup>42</sup> The focus of the study lies in the supervision of operational speed limits for commercial buses by the Transportation Agency of East Java Province. Through this approach, data are obtained descriptively through interviews and direct interaction with informants, enabling the researcher to understand experiences, perceptions, and patterns of supervision implementation in the field. This approach provides an in-depth understanding of supervision dynamics that cannot be explained through quantitative methods.

In addition, this research also employs a statutory approach as a supporting method to understand the regulatory framework related to operational speed limits for commercial buses. This approach involves examining relevant regulations, such as Law Number 22 of 2009 on Road Traffic and Transportation and Minister of Transportation Regulation Number 111 of 2015.<sup>43</sup>

## **C. Research Location**

This research was conducted at the Transportation Agency of East Java Province, located at Jl. Ahmad Yani No. 268, Menanggal, Gayungan District, Surabaya. This institution was selected because it has direct authority in

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<sup>42</sup> Suyanto, *Metode Penelitian Hukum: Pengantar Penelitian Normatif, Empiris, dan Gabungan*, (Gresik: UNIGRES Press, 2022), 140

<sup>43</sup> Zainuddin Ali, *Metode Penelitian Hukum*, (Jakarta: Sinar Grafika, 2009), 96

transportation supervision, particularly in implementing speed limit control for commercial buses in the East Java region.

#### **D. Data Sources**

To obtain accurate and comprehensive data, this study uses three types of data sources: primary, secondary, and tertiary data.<sup>44</sup>

##### **1. Primary Data Sources**

Primary data are the main data obtained directly from the field. In this study, primary data were collected through interviews with officials or personnel of the Transportation Agency of East Java Province who have authority in supervising operational speed limits for commercial buses.<sup>45</sup>

##### **2. Secondary Data Sources**

Secondary data are supporting data obtained through literature review. These include laws and regulations related to road traffic and transportation, legal textbooks particularly those discussing transportation law, administrative law, and Islamic law scientific journals, theses, and previous studies relevant to transportation supervision and vehicle speed limits.

##### **3. Tertiary Data Sources**

Tertiary data are complementary data that provide additional explanations for primary and secondary data. These include legal dictionaries and encyclopedias, traffic accident statistical reports, and data

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<sup>44</sup> Zainuddin Ali, *Metode Penelitian Hukum*, (Jakarta: Sinar Grafika, 2009), 106

<sup>45</sup> Suyanto, *Metode Penelitian Hukum: Pengantar Penelitian Normatif, Empiris, dan Gabungan*, (Gresik: UNIGRES Press, 2022), 153

from official websites of relevant institutions such as the Ministry of Transportation, the Police, and the Central Statistics Agency.

### **E. Data Collection Methods**

Data collection in this study is conducted through several methods:

1. Interviews, Interviews are conducted directly (face-to-face) with informants who have authority and technical knowledge related to the supervision of public transportation operations. The main informant in this study is Mr. Ardhian Trilaksono, Head of the Control and Operations Section at the Transportation Agency of East Java Province. The selection of this informant is based on the consideration that this position is directly responsible for traffic and road transport supervision, including controlling operational speed limits for commercial buses.
2. Documentation Study, This method involves collecting and reviewing various documents related to the research object, such as laws and regulations in the field of road traffic and transportation, regional regulations, supervision activity reports, violation data, and other relevant administrative documents. These documents are used to complement and verify interview data so that the information obtained becomes more accurate and comprehensive.<sup>46</sup>

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<sup>46</sup> Andi Prastowo, *Metode Penelitian Kualitatif dalam Perspektif Rancangan Penelitian*, (Yogyakarta: Ar-Ruzz Media, 2011), 212

## F. Data Processing Methods

In this study, data processing is carried out to facilitate the researcher in understanding, interpreting, and drawing conclusions from the collected data. The stages of data processing are as follows<sup>47</sup>:

1. Data Editing (*Editing*), The first step is to re-examine all data obtained from the field. This stage aims to ensure completeness, accuracy, and consistency between data. Through editing, the researcher evaluates the authenticity and relevance of the data to ensure alignment with the research focus. Interview data are then reviewed to serve as analytical material in writing the thesis on transportation supervision from the perspective of *Sadd Adz-Dzari'ah*.
2. Data Classification (*Classifying*), This stage involves grouping data according to research needs to make them more organized and easier to process. Irrelevant data are filtered out, while important data are categorized into primary, secondary, and tertiary data. This process requires careful attention to distinguish between empirically valuable information and supporting data, ensuring a clear direction for analysis.
3. Data Analysis (*analysing*), After the data are examined and classified, the next stage is analysis. This is carried out by simplifying and interpreting the data so that they are easier to understand and relate to the applied theory. This study uses qualitative juridical analysis, a method that

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<sup>47</sup> Andi Prastowo, *Metode Penelitian Kualitatif dalam Perspektif Rancangan Penelitian*, (Yogyakarta: Ar-Ruzz Media, 2011), 238

examines descriptive data in depth by linking it to applicable legal norms and empirical realities. Through this analysis, the researcher identifies the relationship between the supervision conducted by the Transportation Agency of East Java Province and the effectiveness of speed limit enforcement for commercial buses.

4. Conclusion (*concluding*), The final stage in data processing is drawing conclusions from the analysis. At this stage, processed data are organized into a logical, systematic, and comprehensible narrative. The aim is for the research results to comprehensively answer the research questions and provide solutions to the issues studied. The conclusions are then presented in the form of a scientific description as the final outcome of the research.

## CHAPTER IV

### RESEARCH RESULTS AND DISCUSSION

#### A. General Overview of the Research Object

##### 1. Profile of the Transportation Office of East Java Province

The Transportation Office of East Java Province is a regional government agency that carries out duties and functions as regulated in East Java Governor Regulation Number 97 of 2021, Chapter III Article 4 paragraphs (1) and (2). Its main task is to assist the Governor in carrying out governmental affairs that fall under the authority of the Provincial Government in the transportation sector, as well as delegated assistance tasks. The Transportation Office of East Java Province is responsible for assisting the Governor in implementing governmental affairs within the provincial authority in the field of transportation and delegated tasks. In carrying out these responsibilities, the Transportation Office of East Java Province performs various functions, including the formulation of policies in the transportation sector, the implementation of transportation policies, the execution of evaluation and reporting activities in the transportation sector, the administration of departmental activities in transportation affairs, and the implementation of other functions assigned by the Governor in accordance with its duties and functions.<sup>48</sup>

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<sup>48</sup> Ardhian Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

The authority of the Transportation Office of East Java Province in supervising land transportation is implemented based on the division of governmental responsibilities between the central government, provincial government, and regency/municipal governments. The provincial government has the authority to supervise public transportation operating across regency or municipal routes within one province, while supervision at the national level falls under the authority of the relevant ministries.

Structurally, the Transportation Office of East Java Province consists of five divisions, namely the Secretariat, the Railway and Transportation Network Division, the Traffic Division, the Road Transportation Division, and the Shipping Division. In addition, it has 14 Technical Implementation Units (UPT) spread across various regions in East Java

## **2. Vision and Mission of the Transportation Office of East Java Province**

The vision of the Transportation Office of East Java Province is “East Java with Morality, Progress, Global Competitiveness, and Sustainability”.<sup>49</sup>

The missions of the Transportation Office of East Java Province are: to realize social transformation in supporting high-quality human resources; to realize sustainable regional economic transformation; to create clean governance and innovative public services; to establish strong regional security, substantive democracy, and regional macroeconomic stability; to

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<sup>49</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

strengthen socio cultural and ecological resilience; to reinforce regional development that encourages new economic growth centers and strengthens equitable development; to realize the provision of quality and environmentally friendly infrastructure and facilities; and to ensure the continuity of development.

### 3. Organizational Structure of the Transportation Office of East Java Province

Structural officials within the Transportation Office of East Java Province (Data as of July 2025)<sup>50</sup>:

1	Dr. Ir. NYONO, S.T., M.T.	Kepala Dinas Perhubungan
2		Sekretaris
3	ANITA KHOIRUNNISA, S.H.	Kepala Sub Bagian Umum Dan Kepegawaian
4	YUNIAR HERLIN FARAHSANTI, S.E.	Kepala Sub Bagian Keuangan
5	YUNIAR VIDIANTO, A.Md.LLAJ., S.T., M.T.	Kepala Sub Bagian Penyusunan Program Dan Anggaran
6	AINUR ROFIQ, S.H., M.M.	Kepala Bidang Angkutan Jalan
7	MULYONO, S.H.	Kepala Seksi Prasarana Angkutan Jalan
8	AGUNG HERU PRASONGKO, A.Md., S.T., M.I.P.	Kepala Seksi Sarana Angkutan Jalan
9	FARID SUSANTO, A.Md.LLAJ., S.Si.T., M.T.	Kepala Bidang Lalu Lintas Jalan
10	HARI SETIAWAN, S.T., M.T.	Kepala Seksi Manajemen Dan Rekamaya Lalu Lintas
11	MOCHAMMAD ARIF KURNIAWAN, S.T., M.M.	Kepala Seksi Prasarana Lalu Lintas
12	Ir. LUHUR PRIHADI EKA NURABDI, M.T.	Kepala Bidang Pelayaran
13	RIZKY ENDANG MUSTIKA, S.T., M.M.T.	Kepala Seksi Kepelabuhan
14	INDRA BACHTIYAR, S.T.	Kepala Seksi Lalu Lintas Angkutan Laut Dan Keselamatan Pelayaran
15	JOKO PITOMO, S.T., M.T.	Kepala Bidang Perkeretaapian Dan Jaringan Transportasi
16	SUMARNI, S.T., M.M.	Kepala Seksi Jaringan Transportasi Dan Multimoda
17	RENDRA WAHYUDDI, S.T.	Kepala Seksi Perkeretaapian
18	ERNA LUKITANINGSIH, S.E., M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Bangkalan
19	LITA NURAINI, S.H., M.M.	Kepala Sub Bagian Tata Usaha
20	IFAN JAUIHARI, A.Md., S.T., M.M.	Kepala Seksi Lalu Lintas Dan Angkutan
21	DEWANTO ADIPUTRANTO, S.Sos.	Kepala Seksi Pengendalian Dan Operasional
22	AGUS SETIYONO, A.Ma.PKB., S.H., M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Banyuwangi
23	WWIT YULIANTO, S.AP.	Kepala Sub Bagian Tata Usaha
24	KARSI, S.AP.	Kepala Seksi Lalu Lintas Dan Angkutan
25		
26	Ir. TEGUH BUDI HARTONO, S.Si.T., M.Si.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Jember
27	FACHRUR ROSYIDI, S.Kom.	Kepala Sub Bagian Tata Usaha
28	AGUS WENDARIYANTO, S.E.	Kepala Seksi Lalu Lintas Dan Angkutan
29	R. LUKITO ADI NUGROHO, S.E., M.T.	Kepala Seksi Pengendalian Dan Operasional
30	Dra. AGUS SETYAWATI, M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Kediri
31	RULLY ASMUJANTO, S.Sos., M.Si.	Kepala Sub Bagian Tata Usaha
32	HENRY SANJAYA, S.E.	Kepala Seksi Lalu Lintas Dan Angkutan
33	EKO IRIANTO, S.Sos., M.M.	Kepala Seksi Pengendalian Dan Operasional
34	ACHMAD FADIL, S.T., M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Lamongan
35	WVIA RINA EKA RAHAYU, S.T., M.M.	Kepala Sub Bagian Tata Usaha
36	SUBIANTO, S.Hut.	Kepala Seksi Lalu Lintas Dan Angkutan
37	BAGOS SUTEJO, A.TD., M.T.	Kepala Seksi Pengendalian Dan Operasional
38	HARY MURCAHYO, S.E., M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Madiun
39	ANA SETIAWATI, S.E., M.M.	Kepala Sub Bagian Tata Usaha
40	HERI WIDODO, S.E.	Kepala Seksi Lalu Lintas Dan Angkutan
41	ARDHIAN TRILAKSONO, S.T., M.T.	Kepala Seksi Pengendalian Dan Operasional
42	MUHAMMAD BINSAR GARCHAH SIREGAR, S.H., M.M.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Malang
43	SRI WAHYUNI, S.AP., M.M.	Kepala Sub Bagian Tata Usaha
44	CAHYO BUDI SANTOSO, S.IP.	Kepala Seksi Lalu Lintas Dan Angkutan
45	SUNARYO, S.T., S.H., M.M.	Kepala Seksi Pengendalian Dan Operasional
46	KRISTIANI ASIH PRATIWI, S.H., M.Si.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Mojokerto
47	SUNARMI PURWANINGSIH, S.H.	Kepala Sub Bagian Tata Usaha
48	WIDYO PRIYATMOKO, S.T., M.M.	Kepala Seksi Lalu Lintas Dan Angkutan
49	AKHMAD YAZID, S.Sos.	Kepala Seksi Pengendalian Dan Operasional
50	YOYOK KRISTYOWAHONO, S.H., M.H.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Probolinggo
51	SARI KUSUMANINGTYAS, A.Md. LLAJ, S.T., M.T.	Kepala Sub Bagian Tata Usaha
52	MOCHAMAD ASKUR, S.H., M.M.	Kepala Seksi Lalu Lintas Dan Angkutan
53	HADI WIYONO, S.H.	Kepala Seksi Pengendalian Dan Operasional
54	ARJANI HIA PUTRA, A.TD.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Surabaya
55		Kepala Sub Bagian Tata Usaha
56	HERU SUKANDAR, S.H.	Kepala Seksi Lalu Lintas Dan Angkutan
57	SLAMET, A.Ma.PKB., S.H., M.M.	Kepala Seksi Pengendalian Dan Operasional
58	SAKUDIN, S.T., M.T.	Kepala UPT Pengelolaan Prasarana Perhubungan LLAJ Tulungagung
59		Kepala Sub Bagian Tata Usaha
60	PURWOHADY SAPUTRO, A.Md.LLAJ., S.T.	Kepala Seksi Lalu Lintas Dan Angkutan
61		Kepala Seksi Pengendalian Dan Operasional
62	PURWO CAHYO WIDHIATMOKO, S.E., M.M.	Kepala UPT Pelayanan Jasa Kebandarudaraan Abdulrachman Saleh
63	HOLILI, S.H.	Kepala Sub Bagian Tata Usaha
64	DIAN TUNJUNGSARI IKA WARDHANI, S.Sos., M.M.	Kepala Seksi Teknik Dan Pelayaran Jasa
65		Kepala Seksi Keamanan Penerbangan Dan Pelayanan Darurat
66		Kepala UPT Pelabuhan Pengumpan Regional Banyuwangi
67	LELY EVI SUSANTY, S.H., M.H.	Kepala Sub Bagian Tata Usaha
68	TRI WAHYONO, S.H.	Kepala Seksi Teknik Kepelabuhanan
69		Kepala Seksi Operasional
70	HARI YULIANTO, S.T., M.Si.	Kepala UPT Pelabuhan Pengumpan Regional Lamongan
71	NILAMSARI CAHYANTI, S.T., M.M., M.T.	Kepala Sub Bagian Tata Usaha
72	YOHANES HERI KRISWIRAWAN, S.E., M.M.	Kepala Seksi Teknik Kepelabuhanan
73		

<sup>50</sup> Ardhian Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

**B. The Role of the Transportation Office of East Java Province in Implementing the Supervision of Operational Speed Limits for Commercial Buses Based on the Provisions of Minister of Transportation Regulation Number 111 of 2015.**

**1. Legal Basis and Authority of the Transportation Agency in Supervising Operational Speed Limits for Commercial Buses**

The authority of the Transportation Agency in supervising operational speed limits for commercial buses is based on Law Number 22 of 2009 on Road Traffic and Transportation (UU LLAJ), which mandates the government to provide guidance and supervision over the implementation of traffic and road transportation. This provision is further strengthened by Minister of Transportation Regulation Number 111 of 2015 concerning Procedures for Determining Motor Vehicle Speed Limits, which regulates maximum and minimum speed limits based on road classification and vehicle type.

The explanation of Article 21 paragraph (1) of Law Number 22 of 2009 regulates motor vehicle speed limits. In its implementation, both the central and regional governments have different authorities based on the division of governmental responsibilities.<sup>51</sup> Provincial governments, through the Transportation Agency, are responsible for the guidance and supervision of passenger transportation within specific routes, such as

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<sup>51</sup> Pasal 21, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

intercity transportation between provinces (AKAP) and intercity transportation within provinces (AKDP)<sup>52</sup>.

One of the implementing regulations of Law Number 22 of 2009 is Government Regulation Number 74 of 2014 concerning Road Transportation, which provides additional provisions regarding the operation of road transport. This regulation requires transportation companies to meet safety standards, including vehicle maintenance and compliance with speed limits.<sup>53</sup>

In its implementation, the Transportation Agency of East Java Province acts as the executing institution that translates legal norms into concrete actions. The informant stated:<sup>54</sup>

*“Batas kecepatan sudah diatur sesuai kelas jalan. Di ruas tol misalnya, untuk angkutan umum ditetapkan antara 80 sampai 90 km per jam. Kalau di jalan arteri, tidak boleh lebih dari 60 km per jam. Semua itu sudah tertuang dan ditampilkan melalui rambu batas kecepatan.”*

Based on the interview results with a source from the Transportation Agency of East Java Province, it is understood that speed limit regulations in Indonesia are fundamentally determined according to road classification. Each type of road has different speed limits to reduce the risk of accidents. Speed limits on arterial roads do not exceed 60 km/h, while on certain toll roads they range between 80 and 90 km/h. Public transportation also has specific regulations aimed at reducing fatalities caused by traffic accidents.

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<sup>52</sup> Subarto, Istianto, dan Suharti Karakteristik Angkutan Umum, 22.

<sup>53</sup> Pasal 14, Peraturan Pemerintah Nomor 74 Tahun 2014 tentang Angkutan Jalan.

<sup>54</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

Furthermore, Article 106 paragraph (4) of Law Number 22 of 2009 stipulates that every driver must comply with both maximum and minimum speed limits, as well as speed limits determined according to the function and classification of the road. In addition to improving safety, order, and traffic flow, this regulation aims to reduce accidents caused by excessive speed.<sup>55</sup>

## 2. Forms of Supervision Implementation by the Transportation Agency

The forms of implementation carried out by the Transportation Agency of East Java Province can be seen from the following interview results<sup>56</sup>:

*“Secara umum terdapat kurang lebih enam bentuk implementasi yang sudah kami terapkan untuk memastikan kepatuhan terhadap batas kecepatan operasional bus komersial yaitu, Penerapan Teknologi Keselamatan pada Armada Bus (Pemasangan GPS Tracker), Pemasangan On Board Unit (OBU), Penerapan Sistem Manajemen Keselamatan (SMK), Pengawasan Lapangan melalui Razia dan Ramp Check, Pemanfaatan Sistem Pengawasan Eksternal (ETLE dan PJR) dan Pemasangan Rambu Atau Papan Batas Kecepatan Maksimal dan Minimal di Ruas Jalan Tol”.*

Based on the interview results, it was found that there are six forms of implementation applied to ensure compliance with operational speed limits for commercial buses. The findings indicate that supervising bus speed limits requires multiple approaches, including technology, management systems, and both direct and indirect supervision. This reflects the commitment of the Transportation Agency of East Java Province to improving transportation safety and reducing violations and road fatalities.

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<sup>55</sup> Pasal 106, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

<sup>56</sup> Ardhian Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

a. Implementation of Safety Technology in Bus Fleets (Installation of GPS Trackers)

The implementation of safety technology is one form of preventive supervision, namely supervision carried out before a policy is implemented in order to prevent speed limit violations and accidents before they occur. Preventive supervision conducted by the Transportation Agency of East Java Province involves the use of electronic devices to directly control and monitor vehicle speed.<sup>57</sup>

In this context, the Transportation Agency of East Java Province utilizes electronic devices in the form of GPS trackers to monitor vehicle movement and speed in real time. The obligation to install GPS trackers is regulated in Article 48 paragraph (3) of Law Number 22 of 2009 on Road Traffic and Transportation, which mandates the installation of electronic vehicle monitoring devices for passenger transportation. As part of its implementation, the Transportation Agency of East Java Province requires all commercial bus companies to install electronic monitoring devices capable of recording vehicle position, speed, and travel data (GPS trackers). In this study,

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<sup>57</sup> Sururama, dan Amalia, *Pengawasan pemerintahan*, 72.

commercial buses include intercity buses within the province (AKDP) and tourism buses operating on a paid service basis.<sup>58</sup>



**Figure 4.1 Installation of GPS Tracker**

This effort is carried out by equipping vehicles with safety-supporting devices that assist drivers in maintaining speed in accordance with regulations. These devices function as both control tools and preventive mechanisms against speed violations that could potentially lead to accidents, while also ensuring that drivers comply with established traffic regulations.

However, in practice, the installation of GPS trackers still faces various structural and cultural challenges. Based on interview results, the informant explained in detail the obstacles encountered in implementing supervision, as follows:

*“Pada dasarnya kami sudah melakukan monitoring terhadap seluruh perusahaan otobus yang beroperasi. Namun dalam pelaksanaannya, belum semua perusahaan memasang GPS tracker. Kendala yang dihadapi umumnya berkaitan dengan keterbatasan anggaran untuk pengadaan perangkat dan biaya*

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<sup>58</sup> Pasal 48, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

*operasional bulanan seperti kuota internet. Dari Dishub pun sama, kalau GPS hanya digunakan sewajarnya oleh driver sekitar 2 sampai 4 GB dalam sebulan tidak masalah, kami pernah memfasilitasi itu tetapi disalahgunakan oleh driver, kuotanya bisa habis tidak sampai satu bulan”.*

Based on the interview findings, it can be understood that implementation barriers arise not only from regulatory aspects but also from limitations in economic resources and operational management in the field. For bus companies, procuring technology-based safety devices such as GPS trackers requires relatively high costs, including recurring expenses for internet data.

b. Installation of On Board Unit (OBU)

This safety system is implemented through the installation of On Board Units (OBU), which are integrated with speed limiter features and early warning mechanisms. When a vehicle exceeds the designated speed limit, the system automatically provides notifications in the form of alarms or warning signals to the driver. This warning encourages drivers to immediately reduce speed so that potential violations can be controlled at an early stage. The installation of OBU is regulated in Article 48 paragraph (3) of Law Number 22 of 2009, <sup>59</sup> which stipulates that motor vehicle technical requirements include structure, equipment, dimensions, bodywork, technical design according to its function, and safety equipment. This provision serves as the legal basis that every

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<sup>59</sup> Pasal 48, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

motor vehicle, especially public transport, must be equipped with devices that support operational safety.



**Figure 4.2 Installation of On Board Unit (OBU)**

The use of this technology aims to minimize dependence on manual supervision and enhance the effectiveness of continuous monitoring. With automatic speed control, the risk of accidents caused by negligence or speed violations can be reduced. This approach aligns with modern supervision concepts that emphasize preventive control to reduce the likelihood of traffic accidents.

c. Implementation of Safety Management System (SMS)

The Safety Management System (SMS) is a systematic and integrated framework for managing transportation safety, covering aspects such as risk control, operational monitoring, and evaluation of vehicle and driver safety performance. In its implementation, SMS requires bus companies to install safety-supporting devices such as GPS trackers and front and rear surveillance cameras, as well as to maintain regular vehicle maintenance records.<sup>60</sup>

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<sup>60</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).



**Figure 4.3 Implementation of the Safety Management System (SMS)**

The implementation of SMS is regulated under Article 203 of Law Number 22 of 2009. SMS aims to ensure that speed limit supervision is not carried out partially, but rather as part of a comprehensive safety system. However, based on research findings, the implementation of SMS has not yet been evenly applied across all bus companies, particularly small-scale operators, resulting in suboptimal supervision of speed limits.<sup>61</sup>

#### d. Field Supervision through Inspections and Ramp Checks

Field supervision represents a form of direct oversight, carried out through on-site inspections by the East Java Provincial Transportation Agency. This direct supervision is implemented through inspection operations (*razia*) and periodic vehicle checks (*ramp checks*) on commercial buses. These activities are conducted regularly, generally once or twice a year, and take place at various strategic locations across East Java. The inspections cover vehicle roadworthiness, the physical

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<sup>61</sup> Pasal 203, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan.

condition and fitness of drivers, as well as compliance with operational regulations, including speed limits.

Inspections and ramp checks function as both repressive and corrective supervisory instruments, aimed at addressing violations that have already occurred while also preventing similar violations in the future. Additionally, field supervision serves as a means of evaluating the effectiveness of technology-based monitoring systems that have been implemented.



**Figure 4.4 Field Supervision through Inspections and Ramp Checks**

Based on interview findings with the East Java Provincial Transportation Agency, it can be understood that the agency has demonstrated its role as a policy implementer with the capacity to execute public policies effectively.

Inspections (*razia*) and ramp checks reflect the commitment and willingness of authorities to enforce compliance with speed limits directly in the field. Administrative and technical inspections of vehicles are carried out by officers, while the agency also ensures that

drivers adhere to operational regulations. The implementation of inspections and ramp checks is regulated under Article 264 of Law Number 22 of 2009 on Road Traffic and Transportation, which governs the inspection of motor vehicles on the road by Police officers in coordination with the Transportation Agency of East Java.<sup>62</sup>

e. Utilization of External Monitoring Systems (ETLE and PJR)

Another form of supervisory implementation is carried out through the utilization of external monitoring systems, such as Electronic Traffic Law Enforcement (ETLE) cameras and monitoring by Highway Patrol officers (*PJR*). ETLE functions to automatically record traffic violations, including speed limit violations, while *PJR* plays a role in direct supervision and enforcement on road segments prone to violations, particularly on toll roads and intercity routes.

The utilization of external monitoring systems (ETLE and *PJR*) is regulated under Article 260 of Law Number 22 of 2009 on Road Traffic and Transportation. This provision stipulates that the Indonesian National Police have the authority to enforce traffic violations through inspection and law enforcement processes in accordance with statutory regulations. This serves as the legal basis for law enforcement authorities to carry out supervision and enforcement, both directly in the field and through the support of electronic systems.<sup>63</sup>

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<sup>62</sup> Pasal 264, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan

<sup>63</sup> Pasal 260, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan



**Figure 4.5 External Supervision (ETLE and PJR)**

Based on supervisory theory, this falls within the category of external supervision, namely oversight that involves institutions outside the internal structure of the East Java Provincial Transportation Agency. This form of external supervision strengthens the agency's role in monitoring speed limits through synergy with law enforcement authorities. With the presence of ETLE and PJR, supervision does not solely depend on the physical presence of officers in the field, but is also supported by technology-based systems that operate continuously.

f. Installation of Maximum and Minimum Speed Limit Signs on Toll Road Sections

One form of supervisory implementation carried out by the Transportation Agency is the installation of maximum and minimum speed limit signs along toll road sections. These signs function as both traffic control instruments and a means of disseminating regulations to commercial bus drivers. Through these information boards, drivers receive direct guidance regarding the permitted operational speed limits

while traveling on toll roads, enabling them to adjust their speed in a disciplined manner in accordance with safety standards.<sup>64</sup>

The installation of maximum and minimum speed limit signs on toll road sections is regulated under Article 21 of Law Number 22 of 2009 on Road Traffic and Transportation.<sup>65</sup> This provision stipulates that every road used for public traffic must be equipped with road facilities, including traffic signs, road markings, traffic signal devices, street lighting, as well as traffic control and safety equipment.



**Figure 4.6 Installation of Maximum Speed Limit Signs on Toll Road Sections**

Based on interview findings, toll roads apply speed limits ranging from a minimum of approximately 80 km/h to a maximum of 90 km/h, while on arterial roads the speed is restricted to no more than 60 km/h. These provisions are clearly displayed on circular traffic signs indicating speed limits, which are installed at toll entrances, along main

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<sup>64</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

<sup>65</sup> Pasal 21, Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan

routes, and at accident-prone points. This placement is intended to ensure that the information is easily visible before vehicles enter specific speed zones.

These speed limit signs constitute part of the traffic infrastructure system that supports safety from the perspective of land transportation law. Their presence reflects the state's obligation to provide facilities that ensure protection in order to realize traffic security and safety.<sup>66</sup>

Based on the research conducted, the role of the East Java Provincial Transportation Agency in implementing supervision of operational speed limits for commercial buses under Minister of Transportation Regulation Number 111 of 2015 demonstrates a process of translating legal norms into concrete administrative and technical actions. The regulation governs procedures for determining speed limits, supervising the operation of public motor vehicles, and imposing obligations on transport operators to ensure road traffic and transportation safety. The East Java Provincial Transportation Agency has carried out its implementative function through six primary forms of supervision: the application of safety technology (installation of GPS trackers), installation of On-Board Units (OBU), implementation of Safety Management Systems (SMS), field supervision through inspections and ramp checks, utilization of external monitoring systems such as ETLE

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<sup>66</sup> Putri *Monograf Penegakan*, 22.

and PJR, and the installation of speed limit signs on toll and arterial roads.

Normatively, Minister of Transportation Regulation Number 111 of 2015 requires the operational control of public transport vehicles to comply with speed limits determined based on road classification. The implementation of these provisions by the East Java Provincial Transportation Agency is reflected in policies mandating the installation of speed-limiting devices and early warning systems on commercial bus fleets. These measures represent a form of preventive supervision, as articulated in the supervisory theory of Setiawan and Johannes, namely supervision conducted prior to the occurrence of violations to prevent more significant consequences. By utilizing electronic technology capable of monitoring and controlling vehicle speed in real time, supervision no longer relies solely on the physical presence of officers in the field, but is instead integrated into the operational system of the vehicles themselves.

The findings of this study are also consistent with the supervisory theory of Setiawan and Johannes, which classifies supervision into preventive and repressive, as well as internal and external forms. Preventive supervision is reflected in the installation of speed-limiting devices and speed limit signs, while repressive supervision is manifested through enforcement actions against violations in the field. Internal supervision is carried out through the obligation for bus

companies to implement Safety Management Systems, whereas external supervision is conducted through synergy with law enforcement authorities and the ETL system. Thus, supervisory practices in East Java demonstrate a comprehensive and integrated model of oversight.

Based on these findings, the researcher assumes that the effectiveness of supervising operational speed limits for commercial buses is not solely determined by the existence of legal norms, but also by the consistency of implementation, the integration of technological systems, and the readiness of bus companies as the target group of the policy. It is further assumed that if the implementation of Safety Management Systems is enforced comprehensively and monitored rigorously, the rate of speed limit violations and the risk of accidents can be significantly reduced. In addition, supervision based on accident-prone and fatigue-prone point data must be continuously updated to ensure that policies remain adaptive to the dynamic conditions of traffic.

In conclusion, the role of the East Java Provincial Transportation Agency in implementing supervision of operational speed limits for commercial buses has been carried out in accordance with normative provisions and is aligned with the supervisory theory of Setiawan and Johannes. Implementation is undertaken through an integrated preventive and repressive approach, supported by technology and

strengthened through inter-agency coordination. Although challenges remain in the uniform application of Safety Management Systems across all bus companies, overall supervision has demonstrated strong institutional commitment to enhancing transportation safety and reducing traffic accident rates in East Java Province.

### **3. Supervision of Commercial Bus Operational Speed Limits Based on Data on Accident-Prone Points and Fatigue-Prone Points in East Java**

The supervision of operational speed limits for commercial buses in East Java Province is carried out through synergy between the Transportation Agency and the Police, particularly the Traffic Directorate of the East Java Regional Police (*Ditlantas Polda Jawa Timur*). This collaboration is essential, considering that traffic safety issues are not solely related to technical aspects of transportation, but also involve law enforcement in the field. Therefore, speed limit supervision cannot be handled by a single institution; rather, it requires coordinated efforts based on accident data, mapping of high-risk areas, and evaluation of risk factors influencing driver behavior.

Based on interview findings with a source from the Transportation Agency,<sup>67</sup> it was revealed that supervision has been carried out systematically by utilizing accident-prone location data as the basis for determining supervision priorities. The informant stated that:

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<sup>67</sup> Ardhian Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

*“pengawasan batas kecepatan telah dilakukan secara detail, bahkan kami bersama pihak Kepolisian secara rutin memantau dan memperbarui data titik rawan kecelakaan untuk menentukan lokasi penempatan petugas serta kegiatan pengendalian di lapangan.”*

This statement indicates that the supervisory approach implemented is not reactive in nature, but rather prevention-based through the identification of areas with a high risk of accidents. Other specific provisions related to the supervision of commercial bus speed limits can be observed from the following interview findings<sup>68</sup> :

*“Terkait penerapan di lapangan kembali ke ruas jalan seperti Jaln tol maks 100 km dan tiak boleh dilajur kanan kalau misal ditemukan pelanggaran pasti dari pjr/ giat gabungan dari PM, polisi, pjr sama dishub melakukan penilangan di ruas tertentu masih sekitar batas provinsi. Dan yang paling rawan yaitu daerah banyuwangi paling sering terjadi kecelakaan, daerah rawanya jawa timur yaitu mulai dari daerah ngawi-madiun-mojokerto, karena lelahnya driver perjalann jika dari jakarta itu di titik tersebut. Dan di titik itulah banyak dilakukan pemeriksaan baik dari kendaraan , driver kalau dalam kondisi sudah lelah diharuskan menepi ke rest area”*

Based on interview findings, it is understood that the implementation of speed limit supervision in the field is adjusted to road classification and its characteristics. On toll roads, the maximum speed limit is set at up to 100 km/h, accompanied by lane-use regulations that restrict certain vehicles to ensure orderly traffic and reduce the risk of accidents caused by speeding or lane misuse.

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<sup>68</sup> Ardhian Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).

Enforcement of traffic violations is carried out by the Highway Patrol (*PJR*) and through joint operations involving the Military Police (*PM*), the Police, *PJR*, and the Transportation Agency. Ticketing is typically conducted at specific locations, particularly near provincial border areas, which are strategically selected for integrated supervision. This indicates that multiple institutions collaborate in enforcing traffic law.

The informant also revealed that several areas are categorized as accident-prone zones. Banyuwangi was identified as one of the locations with the highest frequency of accidents. In addition, areas within East Java—particularly the Ngawi–Madiun–Mojokerto corridor—are considered vulnerable. Factors such as excessive speed and driver fatigue significantly contribute to this vulnerability, especially among drivers undertaking long-distance trips from Jakarta. At certain times, driver fatigue becomes a critical risk factor that increases the likelihood of accidents.

As a preventive measure, officers conduct inspections of vehicles and drivers in high-risk areas. If a driver is found to be fatigued, they are instructed to pull over and rest at the nearest parking area. This policy demonstrates that supervision does not function solely in a repressive manner through ticketing, but also operates preventively by prioritizing human safety as a key element in road transportation.



**Figure 4.7 Data on Accident-Prone Points on Arterial Roads**

The data on accident-prone points along arterial roads indicate numerous locations with potential hazards due to high traffic density, the mixing of heavy and light vehicles, and road characteristics that are long and straight, which tend to encourage drivers to exceed the prescribed speed limits.

However, interview findings also reveal that the causes of accidents are not solely influenced by speed limit violations. The informant explained that<sup>69</sup>:

*“Selain kecepatan yang berlebih, faktor lain yang cukup dominan adalah kelelahan pengemudi, sehingga pengawasan dilakukan secara maksimal dengan menentukan titik lelah sebagai dasar pengendalian operasional kendaraan agar dapat memantau secara maksimal bahwa di titik-titik tersebutlah penyebab kecelakaan dapat dikatakan karena kelelahan pengemudi.”*

<sup>69</sup> Ardhan Trilaksono, Kepala Seksi Pengendalian Dan Operasional Dinas Perhubungan Provinsi Jawa Timur, wawancara, (Surabaya, 18 Desember 2025).



**Figure 4.8 Data on Fatigue-Prone Points Causing Accidents in East Java**

The mapping of fatigue-prone points in East Java indicates several arterial and intercity road segments with long travel distances and inadequate rest facilities. This condition often compels drivers to continue their journeys despite physical exhaustion in order to meet the operational time targets of commercial buses. Therefore, the identification of fatigue-prone points is incorporated as part of a preventive supervision strategy, including the establishment of service posts, inspection of driver conditions, and the regulation of rest periods.

Fatigue resulting from prolonged driving duration can significantly reduce concentration. Drivers tend to lose control of their vehicles, particularly when traveling at high speeds. In other words, violations of speed limits are often not the sole cause, but rather interact with fatigue factors that amplify the risk of accidents.

When related to traffic accident data in 2024, it becomes evident that road safety issues in East Java remain a serious concern. It can be

concluded that commercial bus accidents constitute a multidimensional phenomenon. While high speed increases the severity of accidents, factors such as driver fatigue and road characteristics serve as equally significant contributing triggers.

Thus, it can be concluded that the role of the East Java Provincial Transportation Agency in implementing supervision of operational speed limits for commercial buses has been carried out in accordance with the provisions of Minister of Transportation Regulation Number 111 of 2015. The provisions regarding speed limits based on road classification, both on toll roads and arterial roads, have been translated into technical policies through the regulation of public transport operations, the installation of speed limit signs, and the control of public motor vehicles. This implementation demonstrates that the regulation is not merely normative in nature, but has been realized through administrative actions and concrete supervision in the field.

Furthermore, various forms of implementation have been applied, such as the installation of GPS trackers, the deployment of On-Board Units (OBU), the implementation of Safety Management Systems (SMS), inspections and ramp checks, the utilization of ETLE and PJR, as well as the installation of speed limit signs. These measures reflect an integrated approach combining both preventive and repressive supervision. However, in practice, several challenges persist, particularly among private bus companies that have not yet been fully able to comply with the

obligation to install technology-based safety devices. These obstacles generally relate to budget limitations, operational costs of the devices, and technical management in the field, resulting in uneven implementation.

In addition, the role of the East Java Provincial Transportation Agency is strengthened through coordination with the Police in conducting data-based supervision. This synergy is realized through the monitoring and updating of accident-prone location data, as well as the identification of driver fatigue-prone points as the basis for determining supervisory priorities. This approach demonstrates that speed limit supervision is not solely oriented toward enforcement, but also toward prevention by taking into account risk factors such as road characteristics and driver fatigue, thereby making supervision more targeted and adaptive in reducing traffic accident rates in East Java.

### **C. The Sadd adz-Dzari'ah Perspective on the Role of the East Java Provincial Transportation Agency in Supervising Commercial Bus Speed Limits**

#### **1. Speed Monitoring as a Form of Mafsadah Prevention**

The supervision of operational speed limits for commercial buses constitutes a preventive measure aimed at minimizing the potential for traffic accidents. In its implementation, the East Java Provincial Transportation Agency applies six forms of measures to ensure compliance with operational speed limits for commercial buses, namely: the application of safety technology in bus fleets (installation of GPS

trackers), installation of On-Board Units (OBU), implementation of a Safety Management System (SMS), field supervision through inspections and ramp checks, utilization of external monitoring systems (ETLE and Highway Patrol Units/PJR), and the installation of maximum and minimum speed limit signs along toll roads. The use of these technologies demonstrates that supervision is not merely repressive or evaluative after violations occur, but is instead oriented toward early prevention before risks develop into accidents.

When analyzed from the perspective of *Sadd al-Dzari'ah*, this policy falls within the category of preventing *mafsadah* (harm before it occurs).

<sup>70</sup> The limitation and supervision of speed are viewed as efforts to block the means that may lead to danger. Excessive speed is a cause that is both rationally and empirically correlated with an increased risk of accidents; therefore, its control represents a form of closing the pathway toward *mafsadah*. This principle is consistent with the fiqh maxim stating that “preventing harm takes precedence over attaining benefit.”<sup>71</sup> This means that although increased travel speed may offer benefits in terms of time efficiency, the potential harm it generates is far greater, and therefore it must be restricted in the interest of public safety.

Speed limit supervision as a form of *mafsadah* prevention represents an implementation of preventive supervision theory, namely an oversight

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<sup>70</sup> Umi Khusnul Khotimah, *Pendekatan Fikih Dan Ushul Fikih: Kajian Sumber Sumber Hukum Islam Dan Metodologi Ijtihad*, (Iamongan: Nawa Litera Publishing, 2025) 144.

<sup>71</sup> Khotimah *Pendekatan Fikih Ushul Fikih*, 145.

approach aimed at preventing the consequences arising from an act. Actions that inherently and predictably lead to harm (*mafsadah*) must therefore be avoided.<sup>72</sup>

## **2. The Conformity of Supervisory Implementation with the Principle of Sadd al-Dzari'ah**

Sadd al-Dzari'ah is a principle in Islamic law aimed at blocking means that have the potential to lead to harm. One of its applications is the closure of pathways that may result in physical danger in order to safeguard human life and maintain social order. In the context of transportation, traffic accidents constitute a form of physical harm that directly affects the broader community. Therefore, the limitation and supervision of vehicle operational speed can be understood as a measure to block the means leading to such mafsadah.<sup>73</sup>

When compared with the theory of *Sadd al-Dzari'ah*, the implementation of speed limit supervision by the Transportation Agency fundamentally reflects a preventive approach. Speed restrictions, the installation of safety technologies, and routine inspections constitute systematic measures to control factors that may potentially lead to accidents. However, in its social practice, such supervision still encounters various structural and cultural constraints. Based on interview findings, the

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<sup>72</sup> Miswanto *Ushul Fiqh: Metode Ijtihad*, 196.

<sup>73</sup> Umi Khusnul Khotimah, *Pendekatan Fikih Dan Ushul Fikih: Kajian Sumber Sumber Hukum Islam Dan Metodologi Ijtihad*, (lamongan: Nawa Litera Publishing, 2025) 150.

informants elaborated in detail on the obstacles faced in implementing this supervision, as follows:

*“kami sudah mengusahakan untuk meminimalisir terjadinya kecelakaan tetapi kendalanya sangat banyak, dari sisi operator atau perusahaan bus yang kesulitan untuk melakukan dan menerapkan pengadaan seperti GPS, pengadaan kamera, ataupun biaya rutin bulanan seperti kuota internet yang biayanya cukup mahal dan cukup besar. Dari Dishub pun sama, kalau GPS hanya digunakan sewajarnya sekitar 2 sampai 4 GB dalam sebulan kami pernah memfasilitasi itu tetapi disalahgunakan oleh driver, kuotanya bisa habis tidak sampai satu bulan”.*

Based on interview findings, it can be understood that although various efforts have been undertaken to reduce accident rates, there are still several obstacles faced by transport operators and supervisory institutions in the process. The primary issue for bus companies lies in the lack of financial resources to procure and operate technology-based safety devices such as GPS and surveillance cameras. In addition to procurement costs, companies must also bear substantial monthly internet expenses. This situation poses a significant challenge, particularly for operators with limited financial capacity.

Meanwhile, the Transportation Agency (*Dishub*) also faces difficulties in managing and supervising the use of technological facilities. According to the source, standard GPS usage only requires approximately 2–4 GB of internet data per month. However, in practice, drivers often misuse the system, causing the data quota to be depleted before the end of the monthly usage period. This indicates that the obstacles to implementation are not

solely technical or financial in nature; human resource factors and user discipline also play a significant role.

In addition to financial factors, driver compliance remains another challenge. The informant stated:

*“Tingkat kepatuhan sangat kurang, masih di bawah 50 persen. Dari sisi perusahaan sebenarnya mendukung karena bisa mengontrol dan mengurangi risiko kecelakaan, tetapi dari sisi driver ada yang merasa terlalu dipantau terus-menerus sehingga tidak semuanya patuh terhadap sistem yang sudah dipasang.”*

This statement indicates that the obstacles to implementation are not merely technical, but also relate to safety culture and legal awareness among drivers. From the perspective of *Sadd al-Dzari'ah*, this condition implies that the pathways leading to harm have not been entirely closed. As long as there are vehicles that are not optimally monitored or drivers who disregard speed limits, the potential for *mafsadah* in the form of traffic accidents remains present within social life.

Viewed from the magnitude of the impact it generates in terms of harm (*mafsadah*), as cited in Agus Miswanto's work, Ibn Qayyim al-Jawziyyah classifies *al-Dzari'ah* into four categories, namely<sup>74</sup>:

1. A means (*wasilah*) that directly leads to harm, such as consuming alcohol, which results in intoxication (impairment of العقل/reason).
2. A means that is originally permissible (*mubah*), but is intended to lead to harm, such as a marriage contract used for *nikah muhalil*. The

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<sup>74</sup> Agus Miswanto *Ushul Fiqh: Metode Ijtihad Hukum Islam* (Magelang: UNIMMA Press, 2018), 195.

contract itself is lawful, but it is merely used as a pretext for something prohibited, ultimately resulting in harm.

3. A means that is permissible and not intended to cause harm, but generally leads to harm, where the resulting harm outweighs its benefits. For example, insulting the deities of polytheists in front of them. While rejecting such beliefs may be permissible or even part of faith, doing so openly may provoke reciprocal insults against Allah SWT, thereby resulting in greater harm.
4. A means that is permissible and may occasionally lead to harm (*mafsadah*), but its benefits outweigh the potential harm. Examples include seeing a prospective bride before marriage or conveying the truth to an unjust ruler.<sup>75</sup>

This classification is relevant for analyzing the implementation of speed limit supervision in commercial bus transportation as an effort to reduce traffic accidents.

This classification is relevant for analyzing the implementation of speed limit supervision in commercial bus transportation as an effort to reduce traffic accidents.

First, a means that directly leads to harm. Driving beyond the speed limit falls into this category because, empirically, excessive speed increases the risk of accidents, extends braking distance, and heightens the

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<sup>75</sup> Agus Miswanto *Ushul Fiqh: Metode Ijtihad Hukum Islam* (Magelang: UNIMMA Press, 2018), 196.

severity of impact in the event of a collision. In this context, policies on speed limitation and supervision represent a direct effort to block the primary cause of *mafsadah*. Therefore, speed monitoring by the Transportation Agency can be understood as an implementation of *Sadd al-Dzari'ah* in its strongest form—preventing the direct cause of harm before it results in casualties.

Second, an act that is fundamentally permissible or even good, but is used as a means leading to *mafsadah*. For instance, driving at high speed with the intention of catching a congregational prayer, while knowingly violating speed limits, falls into this category. Driving itself is permissible; however, when it is consciously used as a means to engage in dangerous behavior, it must be prevented under the theory of *Sadd al-Dzari'ah*, as the pathway to harm is deliberately utilized.

Third, a means that is essentially permissible but has the potential to cause harm if left uncontrolled. The operation of commercial buses is a permissible activity and even carries public benefit, as it fulfills societal mobility needs. However, without adequate supervision, it may lead to large-scale accidents with widespread consequences. Therefore, the installation of safety devices such as GPS, surveillance cameras, and real-time speed monitoring systems constitutes a preventive measure aimed at closing the potential for *mafsadah* that outweighs its benefits. Normatively, this policy reflects the principle of *Sadd al-Dzari'ah*, as it is oriented toward preventing risks before actual harm occurs.

Fourth, a permissible act that carries potential risks, yet its benefits outweigh the harm (*mafsadah*). Although driving inherently involves the risk of accidents, its social and economic benefits are significantly greater. Therefore, Islam does not prohibit driving, but rather regulates it to minimize risk through speed limitations and the implementation of safety standards.

In social practice, it is found that the implementation of supervision has not yet operated optimally due to structural and cultural constraints. Based on interview findings, the challenges include limited corporate budgets for procuring technological devices and the misuse of facilities by drivers. Furthermore, the level of driver compliance with supervisory systems remains relatively low. This condition indicates that although regulations and technological instruments are already in place, the pathways leading to *mafsadah* have not been fully closed. From the perspective of *Sadd al-Dzari'ah*, the closure of harmful means is not determined solely by the existence of rules, but also by social compliance and a supporting culture of safety.

These findings are consistent with the theory of *Sadd al-Dzari'ah* in Islamic law. The supervision of commercial bus speed limits carried out by the East Java Provincial Transportation Agency is not merely administrative in nature, but is oriented toward preventing accident risks before they occur. The principle of *Sadd al-Dzari'ah* emphasizes that any means with the potential to lead to harm must be blocked in order to

prevent *mafsadah*. In this context, excessive speed constitutes a rational and empirical cause of accidents; therefore, its restriction and supervision represent a concrete form of closing the pathway to harm.

Thus, the implementation of supervision through safety technologies, safety management systems, field inspections, and the utilization of ETLE and PJR constitutes a concrete manifestation of the principle *dar' al-mafsadah muqaddam 'ala jalb al-maslahah* (preventing harm takes precedence over attaining benefit). These findings affirm that the policy of speed limit supervision is conceptually and normatively aligned with the theory of *Sadd al-Dzari'ah*, as it aims to safeguard public safety by closing off the causes that may potentially lead to harm.

The findings of this study are consistent with previous research, such as Santoso (2023) on safety culture in public transportation companies, which found that the effectiveness of safety policies is strongly influenced by continuous supervision and consistent internal control systems.<sup>76</sup> The study emphasizes that preventive supervision is capable of reducing the potential for accidents before serious violations occur. This aligns with the present findings, which indicate that the implementation of OBU, GPS, and Safety Management Systems represents a form of preventive supervision aimed at minimizing the likelihood of accidents.

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<sup>76</sup> Santoso, H. S. B. (2023). Implementasi Kebijakan Program Safety Riding Dalam Meningkatkan Keselamatan Berkendara Di Satuan Lalu Lintas Polres Mojokerto Kota. *Soetomo Magister Ilmu Administrasi*, 503-514.

Nabilla (2024), in examining the influence of electronic monitoring on driver behavior, argues that technology-based monitoring systems not only enhance compliance but also gradually cultivate legal awareness.<sup>77</sup> This supports the findings of the present study, which indicate that the use of safety technology devices functions not merely as a control mechanism, but also as an instrument for shaping a safety culture. Accordingly, these studies reinforce that the findings of this research are consistent with the preventive approach embodied in the theory of *Sadd al-Dzari'ah*, as both emphasize the importance of closing pathways that may lead to *mafsadah* through integrated, risk-based, and prevention-oriented supervisory systems.

Based on this analysis, the researcher assumes that the application of the *Sadd al-Dzari'ah* principle in speed limit supervision policies is highly dependent on the consistency of implementation, the adequacy of resources, and the development of a safety culture among drivers and operators. Although regulations and supervisory instruments are already in place, if compliance remains low and supervision is not optimal, the pathways leading to *mafsadah* are not fully closed. Therefore, in addition to strengthening technological measures, it is necessary to enhance legal awareness and foster a culture of safety as part of a comprehensive prevention strategy.

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<sup>77</sup> Nabilla An, Nur Hanifah, and I Made Suraharta, "Pengaruh Penerapan ETLE Terhadap Perilaku Berkendara Masyarakat Di Kabupaten Klaten The Influence of ETLE Implementation on Community Riding" 2, no. 1 (2024): 99–106.

In conclusion, the supervision of commercial bus speed limits carried out by the East Java Provincial Transportation Agency reflects the principle of *Sadd al-Dzari'ah*, as it is oriented toward preventing harm before accidents occur. This policy holds normative legitimacy within Islamic law while also demonstrating empirical relevance in the context of modern transportation safety. However, to fully achieve the objective of closing the pathways to *mafsadah*, it is essential to strengthen implementation, improve driver compliance, and ensure adequate resource support so that the protection of human life and public safety can be realized optimally.

## **CHAPTER V**

### **CONCLUSION**

#### **A. CONCLUSION**

1. The supervision of operational speed limits for commercial buses by the Transportation Office of East Java Province has been carried out based on the authority of regional governments in the field of road traffic and transportation, and in accordance with the provisions of Minister of Transportation Regulation Number 111 of 2015. Its implementation includes several forms that have been applied, such as the installation of GPS trackers, installation of On Board Units (OBU), implementation of the Safety Management System (SMK), inspections and ramp checks, the utilization of ETL and Highway Patrol (PJR), as well as the installation of speed limit signs. These forms reflect supervision that integrates both preventive and repressive approaches. However, in practice there are still obstacles, particularly among private bus companies that have not fully been able to fulfill the obligation to install technology-based safety devices. In addition, the role of the Transportation Office of East Java Province is also strengthened through coordination with the Police in implementing data-based supervision. This synergy is realized through monitoring and updating data on accident-prone points as well as determining driver fatigue-prone points as the basis for supervision priorities.

2. From the perspective of Sadd Adz-Dzari'ah, the role of the Transportation Office of East Java Province in supervising compliance with operational speed limits for commercial buses is essentially aligned with the principle of preventing mafsadah. Speed limitation policies, the installation of safety devices such as GPS trackers, and the implementation of routine inspections represent concrete preventive efforts to close the causes that may potentially lead to traffic accidents. Within the framework of the theory of Sadd Adz-Dzari'ah, such supervision falls into the category of closing means that directly lead to harm, namely the practice of driving beyond speed limits which empirically increases the risk of accidents and fatalities. Viewed from the classification of Sadd Adz-Dzari'ah, the implementation of supervision can be analyzed in several categories. First, speed limit violations constitute a means that directly lead to mafsadah, and therefore must be prevented. Second, driving activities that are essentially permissible (mubah) may become a means of mafsadah if misused, and thus require control. Third, bus operations as an activity that contains social benefit (maslahah) still have the potential to cause harm if not adequately supervised; therefore, the installation of speed monitoring systems represents an effort to close the potential risk of accidents. Fourth, driving as a permissible activity whose benefits are more dominant still requires regulation to minimize its negative impacts. Thus, normatively, the supervision policy reflects the preventive principle in Sadd Adz-Dzari'ah. However, in social practice the implementation of supervision

has not yet been optimal. Structural obstacles such as limited company budgets for procuring safety technology devices and supporting operational costs, as well as cultural obstacles such as low driver compliance and misuse of facilities, indicate that the means leading to mafsadah have not been fully closed.

## **B. RECOMMENDATIONS**

1. For the Transportation Office of East Java Province, it is necessary to establish a mandatory standard policy to maximize the installation of safety devices, such as GPS trackers, speed limiters, and monitoring cameras, on all commercial bus fleets in order to create an equal and non-discriminatory supervision system among operators, accompanied by assistance or financing schemes for small-scale companies. Supervision should also be strengthened through the development of real-time digital monitoring systems with centralized servers or special data packages, improving driver discipline through safety training and periodic guidance, and enforcing consistent sanctions along with integrated coordination with the police through routine inspections at accident-prone locations to ensure operational compliance.
2. For future researchers, it is recommended to examine the effectiveness of speed limit supervision policies more deeply through empirical and quantitative approaches, particularly to measure the relationship between the implementation of monitoring technology, the level of driver compliance, and the reduction in accident rates.

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tentang Lalu Lintas dan Angkutan Jalan.*

## APPENDIXES

### Appendix I: Photos & Documentation



**Figure 1. Submission of the research letter**



**Figure 2. Interview with Mr. Ardhian Trilaksono, S.T., M.T., Head of the Control and Operations Section of the Transportation Office of East Java Province.**



**Figure 3. Interview with Mr. Ardhian Trilaksono, S.T., M.T., Head of the Control and Operations Section of the Transportation Office of East Java**



**Figure 4. East Java Provincial Department of Transportation.**

## Appendix II: Research Permit Letter & Letter of Acceptance of the Research Permit



Nomor : 899 /F.Sy.1/TL.01/10/2025  
Hal : Permohonan Izin Penelitian

Malang, 28 Oktober 2025

Kepada Yth.  
Kepala Dinas Perhubungan Provinsi Jawa Timur  
Jalan Ahmad Yani No. 268, Menanggal, Kecamatan Gayungan, Surabaya, Jawa Timur.

*Assalamualaikum wa Rahmatullah wa Barakatuh*

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Qurrota A'yun  
NIM : 220202110116  
Program Studi : Hukum Ekonomi Syariah

mohon diperkenankan untuk mengadakan penelitian dengan judul :  
**Pengawasan Batas Kecepatan Operasional Transportasi Bus Komersial Dalam Memitigasi Kecelakaan Pespektif Permenhub Nomor 111 Tahun 2015 Dan Sadd Adz - Dzariah (Studi Dinas Perhubungan Provinsi Jawa Timur), pada instansi yang Bapak/Ibu Pimpin.**

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

*Wassalamualaikum wa Rahmatullah wa Barakatuh*

Scan Untuk Verifikasi



a.n. Dekan  
Wakil Dekan Bidang Akademik  
  
Sudirman

Tembusan :

1. Dekan
2. Ketua Prodi Hukum Ekonomi Syariah
3. Kabag. Tata Usaha



Figure 4. Research Permit Letter



PEMERINTAH PROVINSI JAWA TIMUR  
**DINAS PERHUBUNGAN**  
 Jl. Ahmad Yani No. 268 Tlp. (031) 8292276, 8291530, Fax. (031) 8292433  
**SURABAYA**

Nomor : 000.8.3/ 6459 /113.1/2025 Surabaya, 13 November 2025  
 Sifat : Terbuka  
 Lampiran :-  
 Hal : Izin Penelitian

Yth. Wakil Dekan Bidang Akademik  
 Universitas Islam Negeri Maulana Malik  
 Ibrahim Malang

Menindaklanjuti Surat Wakil Dekan Bidang Akademik Universitas Islam Negeri Maulana Malik Ibrahim Malang Nomor:899/F.Sy.I/TL.01/10/2025 tanggal 3 November 2025 Hal Permohonan Izin Penelitian, maka bersama disampaikan bahwa Dinas Perhubungan Provinsi Jawa Timur dapat menerima penelitian Mahasiswa Universitas Islam Negeri Maulana Malik Ibrahim Malang pada tanggal 15 November 2025 sampai dengan tanggal 19 November 2025. Adapun Mahasiswa Universitas Islam Negeri Maulana Malik Ibrahim Malang yang akan melaksanakan penelitian di lingkungan Dinas Perhubungan Provinsi Jawa Timur yaitu:

Nama : QURROTA A'YUN  
 NIM : 220202110116  
 Fakultas/Prodi : Hukum Ekonomi Syariah  
 Judul Penelitian : Pengawasan Batas Kecepatan Operasional Transportasi Bus Komersial Dalam Memitigasi Kecelakaan Perspektif Permenhub Nomor 111 Tahun 2015 dan Sadd Adz-Dzariah (Studi Dinas Perhubungan Provinsi Jawa Timur)

Sehubungan dengan hal tersebut, dimohon kepada Mahasiswa dimaksud untuk wajib memberikan hasil penelitian berupa hard copy pada Kepegawaian Dinas Perhubungan Provinsi Jawa Timur.

Demikian atas perhatiannya disampaikan terima kasih.

a.n. Kepala Dinas Perhubungan Provinsi Jawa Timur  
 Plt. Sekretaris,



Joko Pitoyo, S.T., M.T.  
 Pembina Tk. I (IVb)  
 NIP 197201031998031011

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**Figure 5. Letter of Acceptance of the Research Permit.**

## CURRICULUM VITAE



Name	:	Qurrota A'yun
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Educational Background	:	MI MIPABA (2009-2015) SMP MANBA'UL QUR-AN (2015-2017) MTS DARUL HIKMAH (2017-2018) MA DARUL HIKMAH (2018-2021)