

## **The Effectiveness of Legal Protection for Consumers Regarding Motorcycle Damage**

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**Abstrak:** Penelitian ini bertujuan untuk menganalisis efektivitas perlindungan hukum konsumen atas kerusakan sepeda motor dan menganalisis faktor yang memengaruhi efektivitas perlindungan hukum konsumen atas kerusakan sepeda motor pada bengkel resmi Honda di Kota Makassar. Penelitian ini menerapkan metode penelitian hukum empiris dengan pendekatan perundang-undangan dan pendekatan kasus. Data primer dikumpulkan melalui kegiatan wawancara terhadap konsumen yang mengalami kerusakan sepeda motor, sedangkan data sekunder dihimpun dengan menggunakan peraturan perundang-undangan, literatur hukum, dan bahan pustaka yang signifikan dengan perlindungan konsumen. Hasil penelitian menunjukkan bahwa perlindungan hukum terhadap konsumen atas kerusakan sepeda motor, secara normatif telah diatur dalam Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, namun dalam praktik pelaksanaannya belum sepenuhnya efektif karena masih terdapat konsumen yang mengalami kerugian akibat penanganan kerusakan sepeda motor yang belum optimal. Hal tersebut dipengaruhi oleh beberapa faktor, yaitu faktor hukum terkait kejelasan pengaturan garansi, faktor petugas teknisi dalam penanganan perbaikan, faktor sarana dan fasilitas bengkel, faktor masyarakat yang berkaitan dengan pemahaman konsumen terhadap kondisi kendaraan, serta faktor kebudayaan yang memengaruhi sikap dan kepercayaan konsumen. Rekomendasi penelitian ini yaitu perlunya peningkatan kesadaran konsumen terhadap hak dan kewajibannya dalam menggunakan sepeda motor serta meningkatkan kualitas pengerjaan teknisi sebagai pihak yang secara langsung menangani perbaikan sepeda motor milik konsumen, agar perlindungan hukum konsumen dapat berjalan lebih efektif.

**Kata Kunci:** Efektivitas, Konsumen, Kerusakan Sepeda Motor.

**Abstract:** This study aims to analyze the effectiveness of consumer legal protection regarding motorcycle damage and to identify the factors influencing the effectiveness of consumer legal protection regarding motorcycle damage at official Honda service centers in Makassar. This study employs an empirical legal research method using a statutory approach and a case study approach. Primary data was collected through interviews with consumers who experienced motorcycle damage, while secondary data was gathered using legislation, legal literature, and relevant reference materials on consumer protection. The research results indicate that legal protection for consumers regarding motorcycle damage is normatively regulated under Law No. 8 of 1999 on Consumer Protection; however, its implementation has not been fully effective in practice, as there are still consumers who suffer losses due to suboptimal handling of motorcycle



*damage. This is influenced by several factors, namely legal factors related to the clarity of warranty regulations, factors related to technicians in handling repairs, factors related to workshop facilities and equipment, societal factors related to consumers' understanding of vehicle conditions, as well as cultural factors that influence consumers' attitudes and trust. The recommendations of this study are the need to increase consumer awareness of their rights and obligations regarding motorcycle use, as well as to improve the quality of work performed by technicians who directly handle repairs to consumers' motorcycles so that consumer legal protection can be implemented more effectively.*

**Keywords:** *Effectiveness, Consumers, Motorcycle Damage.*

## **INTRODUCTION**

Indonesia is a state based on law, as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia [1]. A person is considered legally responsible for a particular act if they can be subject to sanctions for actions that violate the law [2]The Consumer Protection Law stipulates that every effort providing legal guarantees to protect consumers must be carried out. Consumer protection is a necessity because it is directly related to efforts to improve public welfare, especially amid the rapid development of trade transactions in the modern era today [3].

Consumer protection covers various aspects of life, including the rapidly growing transportation sector. Along with the progress of time, traditional transportation systems have transformed into more modern ones in terms of function, capacity, design, and energy sources that influence speed. This development has made transportation a vital tool in supporting public services and has stimulated the growth of the transportation industry. Increased mobility has made distribution processes more efficient, shortened the time needed for handling goods, and enhanced productivity. This movement is also driven by the high use of personal transportation, such as cars and motorcycles, to support various business activities and daily needs. [4].

With the increasing use of private vehicles, the automotive sector—especially motorcycles—has grown rapidly due to the need for efficient and practical transportation. This development is influenced by technological advancements as well as social and economic changes that affect the demand for and production of motorcycles [5]. Technological innovations continue to emerge to improve the quality, comfort, and safety of products, as well as to enhance protection for consumers. [6]. Legal protection for consumers is essential to build a healthy business ecosystem without hindering the activities of industry players. The relationship between producers and consumers is continuous and governed by legal regulations. [7]. Article 1365 of the Civil Code states that any unlawful act that causes harm to another party must be compensated. This obligation applies when a business actor fails to provide goods or services that are appropriate and safe. Consumer protection is regulated under Article 4 letters (a) and (b) of Law Number 8

of 1999, which include the right to comfort, security, and safety in consuming goods and services, as well as the right to choose and obtain goods or services in accordance with their value and guarantees. Article 7 letters (a) and (c) stipulate the obligations of business actors to act in good faith and to serve consumers honestly and without discrimination.

However, cases at an Authorized Honda Service Center in Makassar City indicate that consumer legal protection still needs to be improved. One consumer experienced an issue with the radiator fan that was not properly resolved, resulting in their right to adequate repair not being fulfilled. Another consumer suffered worsening engine damage due to incorrect oil recommendations, reflecting a lack of professional responsibility on the part of the workshop. Damage to motorcycles not only causes material losses but also creates inconvenience and potential danger for riders. Consumers must bear high repair costs and lose valuable time. This situation shows a gap between the legal protections stipulated in Law Number 8 of 1999 and the actual service practices at authorized workshops. [8].

In the automotive industry, vehicle manufacturers typically provide after-sales services through authorized workshops, which are designed to ensure that vehicles receive proper maintenance and repairs in accordance with standards established by the company. These workshops play a critical role not only in maintaining the functionality and safety of vehicles but also in serving as the official point of contact for consumers to submit warranty claims if a vehicle experiences defects or malfunctions within a specified period following purchase. The presence of authorized workshops is intended to guarantee consistent service quality, promote consumer trust, and provide legal and practical protection by ensuring that repairs and maintenance are performed by trained professionals using approved parts and procedures.

Despite these intentions, the actual experiences of consumers often reveal significant gaps between the expected level of service and the reality of service delivery. In many cases, consumers report dissatisfaction with the outcomes of repairs, experience delays or complications when filing warranty claims, or encounter other service-related challenges that undermine the reliability and convenience promised by the manufacturer. These issues may stem from insufficient training of workshop personnel, miscommunication between the service center and consumers, or inadequate monitoring and enforcement of corporate service standards. Such experiences highlight the persistent challenges in effectively implementing consumer legal protections within the automotive sector. They also suggest that while laws and corporate policies exist to safeguard consumer rights, the practical application of these protections often falls short, leaving consumers vulnerable to material losses, wasted time, and additional risks associated with unresolved vehicle problems. This situation underscores the critical need for not only stricter regulatory oversight but also a stronger emphasis on professional accountability and

service quality within authorized workshops to bridge the gap between legal mandates and consumer expectations.

Based on the explanation above, this study aims to comprehensively analyze the effectiveness of legal protection for consumers in cases of motorcycle damage handled by authorized workshops, as well as to identify and examine the various factors that influence the implementation of such protection. Specifically, the study seeks to investigate how consumer rights are upheld when motorcycles experience mechanical or functional issues, how authorized workshops respond to claims, and the extent to which existing legal frameworks are applied in practice. The research also intends to explore the challenges and obstacles that may hinder the effective enforcement of consumer protection laws, including procedural gaps, miscommunication between consumers and service providers, and inconsistencies in service quality. By conducting this study, the author aims to gain a deeper understanding of the practical realities of consumer protection in the automotive sector, particularly in relation to the responsibilities of authorized workshops in ensuring that repairs and maintenance meet both legal and professional standards.

Through preliminary observations, the author has identified that numerous problems persist in the implementation of consumer protection within the automotive industry. Consumers frequently encounter situations where repair results do not meet expectations, warranty claims are not processed efficiently, and there is a general lack of accountability on the part of service providers. These issues demonstrate a significant gap between the legal protections stipulated under Law Number 8 of 1999 and the actual experiences of consumers. Therefore, this study focuses on examining the effectiveness of consumer legal protection at the Authorized Honda Workshop in Makassar, aiming to provide a detailed assessment of both the strengths and weaknesses of current practices.

The outcomes of this study are expected to offer substantial contributions both theoretically and practically. From a theoretical perspective, the research aims to enrich the field of legal studies, particularly in consumer protection law, by providing empirical insights and critical analyses that can support the development of more robust legal frameworks. Practically, the findings are anticipated to serve as valuable guidance for business actors, especially authorized workshops, in enhancing service quality, improving responsiveness to consumer complaints, and ensuring that legal protections are effectively upheld. Ultimately, the study aspires to foster a more equitable and reliable automotive service environment, where consumers receive the protection, transparency, and quality of service they are legally entitled to, thereby strengthening public trust and supporting the broader goal of consumer welfare in the motor vehicle sector.

## **RESEARCH METHOD**

This study employs an empirical legal research method aimed at understanding the application of consumer legal protection in the practical services of authorized workshops. The research was conducted as a case study at the Authorized Honda Workshop in Makassar City, focusing on the experiences of consumers who encountered motorcycle damage and the responsibilities of business actors in addressing these issues. This approach was chosen to provide a direct depiction of the conditions of consumer legal protection in after-sales service practices within the automotive sector.

The research subjects consisted of Honda motorcycle consumers who had experienced vehicle damage. Informants were selected using a purposive sampling technique, based on the criteria of having experienced motorcycle damage and having received service at an authorized workshop. The research sample included 10 consumers. Data collection was carried out through direct interviews with consumers to obtain information regarding the handling of vehicle damage and the legal protection provided to them.

In addition, the researcher conducted a literature study by reviewing relevant legislation, particularly Law Number 8 of 1999 concerning Consumer Protection, as well as various related legal literature. The collected data were then analyzed qualitatively by processing the results of the interviews and literature review to identify consumer legal protection practices and the factors influencing the effectiveness of their implementation.

## **RESULT AND DISCUSSION**

### **1. The Effectiveness of Legal Protection for Consumers Regarding Damage to Purchased Motorcycles**

The effectiveness of legal protection is assessed not only based on the existence of legal norms but also on their implementation and the benefits experienced by the protected parties. Effectiveness reflects the capacity of the law to achieve its objectives, such as certainty, justice, and advantages for society. [9] In consumer protection, this is manifested in the fulfillment of consumer rights and the responsibilities of business actors. Legal protection for motorcycle damage is regulated under Law Number 8 of 1999, which includes consumer rights and the obligation of business actors to provide compensation. [10]. However, its effectiveness is influenced by industrial development and the policies of business actors. As a developing country, Indonesia still lags behind advanced nations in terms of consumer protection [11]. Consumer protection in developing countries remains less effective because governments often prioritize industrial interests. To understand the legal protection provided

to motorcycle consumers at AHASS authorized workshops, the author conducted interviews with 10 consumers who experienced issues before and after repairs.

The case experienced by consumer Fadia Alfiana serves as a clear illustration of the challenges and limitations that can arise in the practical application of consumer protection laws. In this instance, her warranty claim for damage to the motorcycle frame could not be processed because the vehicle did not meet certain administrative requirements, specifically the obligation to undergo routine servicing at an authorized workshop. Consequently, Fadia Alfiana was forced to seek repairs at a general service shop, bearing the costs entirely out of her own pocket. This scenario underscores a critical gap between the legal protections promised under the Consumer Protection Law and their actual enforcement in real-world situations.

From a consumer protection perspective, this case demonstrates that while laws may formally guarantee the right to compensation for defective goods, procedural and contractual requirements imposed by manufacturers can effectively limit the ability of consumers to exercise these rights. Although companies may justify such requirements as part of contractual agreements or quality assurance measures, many consumers perceive them as barriers that restrict access to the legal protections they are entitled to. The situation also highlights a broader issue in the automotive industry, where consumers often face difficulties navigating warranty processes and understanding the conditions under which claims can be made. As a result, even when legal frameworks exist to safeguard consumer interests, their effectiveness is contingent upon clear, accessible procedures and a willingness on the part of service providers to honor these rights without unnecessary obstacles. This case, therefore, not only reflects the personal inconvenience and financial burden borne by the consumer but also serves as an example of the broader challenges in ensuring that legal protections translate into meaningful and practical benefits for consumers in the automotive sector.

In addition, the experiences of consumers Lubna Bachmid and Ahmad Basri indicate that repairs carried out by the authorized workshop have not fully resolved the issues with their vehicles. Lubna Bachmid heard noises from the motorcycle frame even after it had been repaired twice, yet the problem persisted, forcing her to have the vehicle repaired elsewhere at an additional cost. Meanwhile, Ahmad Basri experienced a malfunctioning radiator fan that continued to operate improperly despite being inspected twice by the authorized workshop. These situations suggest that the effectiveness of authorized workshop services still has weaknesses in providing the best solutions to customer complaints.

Conversely, there are several cases that demonstrate that legal protection for consumers can operate effectively. For example, Nasrullah experienced damage to the bearing of his motorcycle, and the authorized workshop promptly carried out the repair while providing adequate service facilities to ensure that the consumer did not suffer any losses. Similar situations occurred with issues such as shock absorbers, headlights, double stands, and brake pads, which the workshop was able to manage efficiently through inspection and replacement of vehicle parts.

Based on these findings, it can be concluded that legal protection for consumers regarding motorcycle damage at the Authorized Honda Workshop in Makassar City has generally been implemented; however, the level of effectiveness still varies. This indicates that although regulations regarding consumer protection are clearly established, their implementation in practice is still influenced by various factors, such as workshop service procedures, the quality of technicians, and consumers' understanding of their rights and obligations.

## **2. Factors Affecting the Effectiveness of Legal Protection for Consumers Regarding Damage to Purchased Motorcycles**

The existence of legislation is not the sole determinant of the effectiveness of consumer legal protection; it is also influenced by various interrelated factors [12]. In this study, the analysis of factors affecting the effectiveness of legal protection for consumers refers to Soerjono Soekanto's theory of legal effectiveness, which states that the effectiveness of law is influenced by five elements: the legal norms themselves, law enforcers, facilities or infrastructure, society, and culture.[13]

The first factor is the legal aspect, which refers to the existence of legislation regulating consumer protection. In this study, consumers' legal rights are explicitly defined in Law Number 8 of 1999 concerning Consumer Protection. This law guarantees that consumers are entitled to comfort, security, safety, and the right to compensation if they suffer losses resulting from the use of goods or services. However, in practice, the implementation of these legal provisions is often influenced by internal company policies, such as the specific requirements that consumers must meet to submit a warranty claim.

The second factor is the law enforcement entity, or the parties responsible for implementing the legal regulations. In the context of this study, the parties responsible for providing consumer protection are authorized workshops, which function as representatives of the manufacturer in delivering after-sales services. The service standards of technicians and workshop management have a significant impact on the effectiveness of consumer

protection. If technicians possess strong expertise and can properly repair vehicle damage, the potential losses faced by consumers can be minimized. [14].

The third factor is the aspect of infrastructure and equipment. The availability of proper tools, genuine spare parts, and an efficient service system greatly affects the success of vehicle repairs. Authorized workshops typically provide more comprehensive facilities compared to general repair shops, such as customer waiting areas, vehicle diagnostic equipment, and access to genuine parts directly from the manufacturer. These facilities can improve the quality of service and provide a sense of security and confidence for consumers.

The fourth factor is the social factor, which refers to the level of consumer knowledge and awareness regarding their rights and obligations. In several cases identified in this study, some consumers did not carry out regular maintenance at authorized workshops, and therefore did not meet the requirements to submit a warranty claim. This situation indicates that a number of consumers are still not fully aware of the importance of following vehicle maintenance procedures in accordance with the manufacturer's guidelines.

The final factor is the cultural aspect, which refers to the norms and traditions that develop within a community. In practice, many consumers often choose general repair shops because they are more affordable compared to authorized workshops. This behavior can influence the legal relationship between consumers and business actors, especially when consumers wish to submit a warranty claim for vehicle damage.

Therefore, it can be concluded that the effectiveness of legal protection for consumers regarding motorcycle damage depends not only on the existence of regulations but is also influenced by factors such as the actions of business actors, the facilities of the workshop, the level of consumer awareness, and societal behavior in utilizing vehicle repair services.

## **CONCLUSION**

The results and discussion regarding the effectiveness of legal protection for consumers concerning motorcycle damage at the Authorized Honda Workshop in Makassar City indicate that legal protection has been implemented in accordance with applicable regulations, particularly those stipulated in Law Number 8 of 1999 concerning Consumer Protection. This is reflected in the workshop's efforts to provide vehicle repair services, inspect components, and replace parts when damage is detected.

However, in practice, this legal protection has not been fully effective, as some consumers remain dissatisfied with the outcomes of vehicle repairs, and in some cases, they have had to pay

for repairs at other workshops at their own expense. Additionally, obstacles exist in the warranty claim process when claims cannot be processed because consumers do not meet the requirements set by the company.

The effectiveness of legal protection for consumers regarding motorcycle damage is influenced by various factors, including legal factors, the role of business actors or workshop technicians, the availability of infrastructure and facilities at the workshop, consumer awareness, and societal habits in maintaining vehicles. Therefore, although there are clear normative regulations concerning consumer legal protection, their implementation in practice still requires improvement to ensure legal certainty and provide better protection for consumers.

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