

ABSTRAK

Keberadaan juru parkir liar di Kota Medan merupakan fenomena sosial yang menimbulkan berbagai persoalan hukum, khususnya terkait ketertiban umum, kepastian hukum, dan perlindungan hak masyarakat. Praktik parkir liar tidak sebatas melanggar ketentuan administratif, tetapi dalam kondisi tertentu juga mengandung unsur tindak pidana, seperti pemaksaan, pungutan liar, dan penguasaan ruang publik secara melawan hukum. Penelitian ini bertujuan untuk menganalisis pengaturan hukum terhadap aktivitas juru parkir liar berdasarkan peraturan perundang-undangan dan hukum pidana yang berlaku, pelaksanaan penertiban dan penegakan hukumnya di Kota Medan, serta peranan hukum pidana sebagai upaya preventif dan represif dalam menanggulangi praktik tersebut. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan peraturan perundang-undangan dan konseptual, yang didukung oleh analisis terhadap fakta hukum dan praktik penegakan hukum di lapangan. Hasil penelitian mengindikasikan, pengaturan hukum terhadap parkir liar masih belum memberikan kepastian hukum yang optimal, karena penegakan hukum lebih dominan menggunakan pendekatan administratif dibandingkan penerapan hukum pidana. Pelaksanaan penertiban yang belum konsisten dan terintegrasi menyebabkan praktik parkir liar terus berulang. Oleh karena itu, hukum pidana perlu ditempatkan secara proporsional sebagai instrumen ultimum remedium yang diterapkan secara tegas dan konsisten untuk menciptakan ketertiban umum dan perlindungan hukum bagi masyarakat.

Kata Kunci: juru parkir liar, hukum pidana, penegakan hukum

ABSTRACT

*The existence of illegal parking attendants in Medan City constitutes a social phenomenon that gives rise to various legal issues, particularly concerning public order, legal certainty, and the protection of community rights. Illegal parking practices not only violate administrative regulations but, under certain conditions, also contain elements of criminal acts, such as coercion, illegal levies, and unlawful control over public spaces. This study aims to analyze the legal regulation of illegal parking activities based on applicable laws and criminal law, the implementation of control and law enforcement against illegal parking attendants in Medan City, and the role of criminal law as both a preventive and repressive measure in addressing such practices. This research employs a normative legal research method with statutory and conceptual approaches, supported by an analysis of legal facts and law enforcement practices in the field. The results indicate that the legal regulation of illegal parking has not yet provided optimal legal certainty, as law enforcement predominantly relies on administrative measures rather than the application of criminal law. Inconsistent and unintegrated enforcement practices have resulted in the recurring existence of illegal parking activities. Therefore, criminal law needs to be positioned proportionally as an *ultimum remedium*, applied firmly and consistently to ensure public order and legal protection for the community.*

Keywords: *illegal parking attendants, criminal law, law enforcement.*