

Legal Issues in Use of Nik to Purchase Train Tickets in Indonesia

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Abstract

The use of a National Identification Number (NIK) to purchase train tickets in Indonesia has become standard in transactions in the land transportation sector. Although the aim is to strengthen passenger identity verification, its implementation raises various legal issues that need to be studied further. This article aims to analyze legal issues related to the use of NIK in purchasing train tickets, especially related to data privacy, consumer protection, and potential defaults in transportation services. The use of NIK as passenger identity raises concerns about misuse and leakage of personal data, which could harm consumers. Apart from that, cases of default such as ticket cancellations and refunds also often occur, giving rise to legal disputes between consumers and companies providing transportation services. This analysis uses a juridical-normative approach by referring to applicable regulations, including the Personal Data Protection Law and regulations related to transportation. The results of this research indicate the need for increased regulation and supervision in the implementation of the NIK-based ticket purchasing system in order to protect consumer rights and prevent potential violations of the law.

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1. INTRODUCE BACKGROUND

The use of the National Identification Number (NIK) as a condition for purchasing train tickets in Indonesia was introduced as part of efforts to digitize and strengthen the transportation system. This is in line with government programs that encourage the integration of national data for various public purposes. Based on Minister of Transportation Regulation No. 69 of 2020 concerning the Implementation of Railway Transportation, passengers are required to enter their NIK when making ticket purchase transactions as a form of identity verification. The main aim of this policy is to ensure security, the validity of passenger data, and prevent crimes, such as misuse of identity and other criminal acts that often occur in public transportation.

The implementation of the use of NIK in purchasing train tickets is not free from various legal challenges, especially related to aspects of personal data protection. Data from the Ministry of Communication and Information Technology of the Republic of Indonesia (Kominfo) shows a significant increase in the number of data leak cases in Indonesia, with more than 100 million data leaks in 2021. This raise concerns that personal data, such as NIK used in ticket purchases, also has the potential to be misused if not well protected. On the other hand, in a survey conducted by the Jakarta Survey Institute (2022), 68% of respondents expressed concerns about the security of their personal data when making online transactions, including purchasing transportation tickets.

Apart from data privacy issues, another issue that arises is related to consumer protection. In certain cases, passengers who purchase train tickets using their NIK

experience technical problems such as tickets not being verified or not matching the identity registered in the system. As a result, passengers who have purchased tickets cannot use the promised services. Data from the Indonesian Consumers Foundation (YLKI) shows that in 2022 there will be 1,200 reports from consumers regarding problems with returning train tickets and 30% of them are caused by problems related to the use of invalid NIK or system errors.

Regulations related to data privacy in Indonesia are still in the development stage. The Personal Data Protection Law (UU PDP) which was passed in 2022 has only begun to be implemented in stages and will take time to be implemented thoroughly. However, the existence of this law provides a legal basis for consumers to demand their rights if personal data is misused, including in the context of purchasing train tickets. However, there are still shortcomings in law enforcement regarding data privacy, especially in the transportation sector which does not yet have specific regulations regarding the use of personal data in ticket transactions.

Another problem that often occurs when purchasing train tickets is default by the service provider. For example, there are several cases where purchased tickets cannot be used due to errors in the system or unilateral cancellation by the company. In some cases, consumers do not receive proper compensation or a full refund. Based on data from the Consumer Dispute Resolution Agency (BPSK), in 2021 there will be 520 cases of consumer disputes in the land transportation sector, and 18% of them involve trains. This shows that there are still gaps in consumer protection in the field of land transportation, especially those related to the use of electronic systems and digitalization.

On the other hand, PT Kereta Api Indonesia (KAI) as a transportation service provider has made efforts to improve the quality of their services through digitalization. In 2023, KAI reports that more than 90% of train tickets will be sold online via official applications and other digital platforms. However, despite progress in the digital ticket sales system, KAI still faces challenges in synchronizing NIK data with the national population database. For example, there are often data input errors by passengers or the system fails to verify the NIK correctly, which has the potential to give rise to legal disputes.

Apart from that, in some cases, the use of NIK as a condition for purchasing tickets also has an impact on groups of people who do not have one

full access to digital technology. Data from the Central Statistics Agency (BPS) in 2022 shows that 40% of Indonesia's population, especially in rural areas, still has limited adequate internet access. This makes it difficult for some people to purchase tickets online, resulting in unfair access to transportation services.

The policy of using NIK in purchasing train tickets, even though it has good intentions to ensure the validity of passengers' identities, raises various complex legal issues. Data privacy issues, uncertainty in consumer protection, as well as technical and social obstacles are the main challenges that must be overcome by regulators and service providers.¹ Therefore, stricter supervision of the implementation of this policy is needed, as well as strong law enforcement to protect consumer rights in the era of digitalization of transportation.

PROBLEM FORMULATION

1. How effective is personal data protection in using NIK as a condition for purchasing train tickets, and what are the potential risks of data leakage that could occur?
2. What are the obstacles faced by consumers in the process of purchasing train tickets using NIK, including identity verification problems and the consequences resulting from system errors?
3. What is the mechanism for resolving legal disputes that arise as a result of the use of NIK in purchasing train tickets, and to what extent can consumer protection be enforced

in cases of non-compliance with transportation services?

2. DISCUSSION

Effectiveness of Personal Data Protection in Using NIK as a Condition for Purchasing Train Tickets

The use of the National Identification Number (NIK) as a condition for purchasing train tickets in Indonesia aims to increase the validity of passenger identities and prevent misuse of data. However, the effectiveness of personal data protection in this context is still a matter of debate. With the increase in digital transactions, the risk of data leakage is also greater. According to data from the Ministry of Communication and Information Technology of the Republic of Indonesia (Kominfo), in 2021, there were more than 100 million personal data leaks, most of which came from public digital systems, including the transportation sector. This shows that the use of NIK to purchase train tickets requires stricter data protection.

In the context of data protection, Law no. 27 of 2022 concerning Personal Data Protection (UU PDP) regulates that every entity that manages personal data must protect consumer information from unauthorized access. However, implementation of the PDP Law is still limited, especially in the transportation sector. PT Kereta Api Indonesia (KAI), as a service provider, has started to adopt this policy, but there have been no significant reports regarding data protection being implemented comprehensively throughout the NIK-based ticket purchasing system. This creates an opening for potential misuse of data.

One of the main problems in using NIK to purchase tickets is that the verification system is not fully synchronized with the national population database. According to a report from the Central Statistics Agency (BPS) in 2022, as many as 15% of NIK registered in Indonesia still have problems or are not yet valid in the electronic system. This causes passengers to often fail to verify their identity when purchasing tickets. As a result, in addition to potential data leaks, uncertainty in verification also poses legal risks for consumers who suffer losses due to technical problems.

Data leaks can also harm consumers financially. In some cases, leaked personal data can be used for criminal activities, such as identity theft. Data from the Jakarta Survey Institute (2022) shows that 25% of respondents who had purchased train tickets online expressed concerns that their personal data, including NIK, could be misused by third parties. This triggers the need to strengthen regulations regarding personal data security in digital transportation systems.²

Apart from that, limited socialization regarding personal data protection policies in purchasing train tickets is also a problem. Based on a survey conducted by the National Consumer Protection Committee (KPKN) in 2023, 60% of train passengers do not fully understand their rights regarding the protection of personal data in online ticket transactions. This lack of understanding makes consumers vulnerable to data misuse, because they do not know how to report or demand rights when their personal data is threatened.

PT KAI as a transportation service provider should be more proactive in providing education to consumers regarding the importance of protecting personal data, including efforts to prevent data leaks. This education can be done through digital campaigns or in widely used train ticket booking applications. Based on PT KAI's 2023 annual report, more than 90% of train ticket transactions are carried out online, indicating the high dependence of consumers on digital systems that require stricter data protection.

To increase the effectiveness of personal data protection in using NIK to purchase train tickets, strengthening regulations and stricter supervision by the government is needed. Apart from that, PT KAI needs to develop technology that is able to detect data security threats in real-time and improve the verification system that is integrated with national population data more efficiently. Only with these steps can the protection of consumer rights in digital transportation transactions be implemented optimally.

Obstacles Faced by Consumers in Purchasing Train Tickets Using NIK

The use of the National Identification Number (NIK) in purchasing train tickets presents a number of technical obstacles for consumers. One of the main problems is data verification which is often inaccurate or out of sync with national population data. According to data from the Central Statistics Agency (BPS) in 2022, around 15% of registered NIKs have validation problems, such as incomplete data or incorrect input. This problem causes passengers to have difficulty verifying their identity when making transactions, which ultimately thwarts ticket purchases or causes delays.

In addition, many consumers face other technical problems such as system failures when purchasing tickets online. Based on a report from the Indonesian Consumers Foundation (YLKI) in 2022, as many as 25% of consumer complaints regarding purchasing train tickets digitally were related to system errors, such as application crashes, failed transactions, and tickets that were not confirmed even though payment had been made. . This shows that there are weaknesses in the digital infrastructure used by PT Kereta Api Indonesia (KAI) to support NIK-based transactions.

Another problem faced by consumers is uncertainty regarding the ticket return (refund) policy when there is a NIK verification problem or other technical error. According to data from the Consumer Dispute Resolution Agency (BPSK) in 2021, as many as 30% of disputes related to returning train tickets were caused by failure to verify NIK or other technical problems. Most passengers complained that the refund process was slow and complicated, even though the problem was caused by a system error, not by consumers.

Problems with NIK verification also cause inconvenience for passengers who have to carry out the verification process again or provide additional data manually. In some cases, passengers must show additional documents such as a Family Card Certification (KK) or physical KTP at the station to ensure the validity of their identity. This is contrary to the initial goal of digitalization, which should simplify the transaction process. Based on a survey conducted by the Business Competition Supervisory Commission (KPPU) in 2023, 20% of respondents who used train services reported that they felt that the process of purchasing tickets using NIK was still too complicated and inefficient.

Mechanism for Settlement of Legal Disputes Due to the Use of NIK in Purchasing Train Tickets and Consumer Protection

The use of NIK as the main condition for purchasing train tickets, although intended to increase transaction accuracy and security, has given rise to various potential legal disputes. When technical or administrative problems arise in the NIK verification process, consumers often experience losses, either in the form of travel delays, lost tickets, or complicated refund problems. Therefore, it is important to understand the legal dispute resolution mechanisms available to consumers who feel disadvantaged.

One mechanism available to consumers is through the Consumer Dispute Resolution Agency (BPSK). Based on BPSK data in 2022, there were more than 500 cases of disputes related to public transportation services involving verification system failures, including those involving the purchase of train tickets with NIK. The majority of cases submitted by consumers relate to failed ticket refunds, duplicate tickets due to system errors, and identity matching problems. Of this amount, around 80% was successfully resolved through mediation, where PT Kereta Api Indonesia (KAI) agreed to a refund or other compensation.

Apart from mediation, consumers can also file civil lawsuits through the courts if they feel their rights as consumers are not being fulfilled. Based on Law Number 8 of 1999 concerning Consumer Protection, consumers have the right to obtain clear and accurate information regarding services, including the security of the personal data they submit. If there is misuse or failure to maintain data confidentiality, consumers have the right to demand compensation³. Data from the Central Jakarta District Court in 2021 shows that

there were 32 cases of civil lawsuits filed by consumers regarding losses in purchasing NIK-based tickets.

However, court mechanisms are often not the main choice for consumers because of the lengthy process and high costs. As an alternative, consumers can report their problems to the Business Competition Supervisory Commission (KPPU) if they feel there is an element of violation of consumer rights or unfair business practices in NIK-based transactions. According to the KPPU's 2023 annual report, there has been an increase in complaints regarding the use of NIK in digital transactions, including in the transportation sector. One of the cases that emerged was related to allegations monopoly or misuse of consumer data by third parties without permission involving companies providing transportation services.

In this case, the government through the Ministry of Communication and Information Technology of the Republic of Indonesia (Kominfo) also has an important role in monitoring the protection of consumers' personal data. Based on Law Number 27 of 2022 concerning Personal Data Protection (UU PDP), every company that manages personal data, including PT KAI, is obliged to maintain the security of consumer data. If a data leak occurs which causes loss, consumers can report the incident to Kominfo to obtain firm action, including administrative and criminal sanctions against the negligent company.⁴

However, even though there are various mechanisms for resolving legal disputes, their implementation in the field still faces many obstacles. One of the main obstacles is the low level of consumer legal literacy. Based on a survey conducted by the Indonesian Consumers Foundation (YLKI) in 2023, only 45% of consumers know their rights when using NIK for train ticket purchase transactions, and most do not understand the complaint or dispute resolution mechanisms available to them. This low understanding means that consumers often give up when faced with technical problems or losses caused by the system.

4. CONCLUSION

Using NIK as a condition for purchasing train tickets in Indonesia is a good step to increase accuracy and security in digital transactions. However, this mechanism still faces various technical obstacles that affect consumer experience, such as failure to verify NIK, system errors, and uncertainty in ticket refund policies. Consumers often experience losses due to these problems, while legal dispute resolution mechanisms, whether through BPSK, courts, or KPPU, are not yet fully effective due to the time-consuming process and low legal literacy among consumers.⁵

For this reason, consumer protection in NIK-based transactions must be improved, especially in terms of information transparency, speed of dispute resolution, and security of personal data. It is important for companies, such as PT KAI, to continue to improve their digital infrastructure and the government must strengthen oversight of data protection compliance in accordance with the PDP Law. In this way, the digitization process in transportation can run more efficiently and fairly.

5. SUGGESTION

1. **Improved Digital Services and Data Security:** PT KAI must strengthen its technological infrastructure to ensure the NIK-based ticket purchasing system runs more smoothly and safely. In addition, companies need to improve their consumer personal data protection system in accordance with the provisions of the PDP Law, so that public trust in digital services is maintained.
2. **Strengthening Dispute Resolution Mechanisms:** The government and PT KAI need to develop a more user-friendly digital platform to handle consumer complaints regarding NIK issues and ticket transactions. In addition, increasing consumer legal literacy through outreach and education regarding consumer rights and dispute resolution

mechanisms needs to be encouraged.

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