

## **Juridical Analysis of the Impact of Online Application-Based Public Transportation of Motorcycle Taxis Regulation Policies (Case Study in Tangerang and surrounding areas)**

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### **Abstract**

*It has been more than 14 years since motorized two-wheeled vehicles have been operating on the roads, through the "GOJEK" app, which can be downloaded from the Playstore. This has proven that this type of passenger and goods transportation can be an alternative solution for the community to become a primary source of income, thus improving family economies. It is now time for the government to provide a space for this new type of transportation to enter as a special transportation category with a "yellow" plate. The introduction of this new transportation system has created job opportunities for the wider community. From its establishment in 2010, starting with 10 people, it has grown to over 2 million people in 2024 who are now partners in the company. This system was also tested during the COVID-19 pandemic, which affected almost the entire world. Specifically in Indonesia, this type of transportation has proven to be very helpful. Operationally, this type of transport is relatively cheaper and highly affordable for its partners. One can imagine how many millions of people would lose their jobs if the government insists on not recognizing this type of transportation as a special transport fleet. It is referred to as special because: This type of fleet does not have a fixed base (such as a terminal) and usually operates from wherever, but currently, due to partner awareness, they gather at a specific point, becoming a gathering place for online motorcycle taxi partners. This type of fleet is similar to the commonly used vehicles on the road, with divided and separate routes. This type of fleet can go anywhere, which has become a point of contention for other vehicles that operate according to their designated routes. However, the presence of this type of fleet is already highly needed, and it is clearly proven that this type of transportation is more accessible to serve the community. Therefore, passengers do not need to walk far to use this transportation service. It is hoped that by officially recognizing this special transport service, it can improve safety and enhance the welfare of online motorcycle taxi partners across the country.*

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## **1. INTRODUCTION**

Transportation has an important and vital role in the progress of a country because transportation is the basis for economic development, resulting in economic development

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of society and industrialization. Apart from being able to establish connectivity between regions, transportation is also a driver of a country's economy. Meanwhile, from a political perspective, transportation can be a vehicle for unifying the nation in the Republic of Indonesia and supporting government activities at the center and regions. In transportation, human needs and other humans are met, thus reflecting humans as social humans. Apart from that, the function of transportation in development is very crucial, especially in economic development, because transportation is not only found on land, sea and also by air, and this is solely related to the distribution of goods, and people or services, but there are opportunities for labor in it. Therefore, transportation services play an important role in facilitating the movement of goods and people, as well as supporting efficiency and effectiveness in procurement of production goods, creating jobs and reducing disparities between regions. In general, public transportation in big cities in Indonesia relies on city transportation called *angkot*. This public transportation has its own route and has been institutionalized for a long time. This reliance on public transportation based on city transportation still has various problems ranging from time efficiency, route schedules, number of public transportations, city transportation routes to licensing costs that must be incurred. All of this is still not resolved comprehensively, even land transportation modes in Jakarta and its surroundings which are supported by the MRT, KRL, Transjakarta buses and feeder buses also still have various problems. In addition, increasing per capita income and development growth are the main goals, and transportation makes a positive contribution to the economy and social welfare. This type of transportation that uses motorbikes or the term motorbike taxi, is quite well known in society, but its existence is still isolated and does not use an application, so this type of transportation is not paid attention to by the community, because it cannot improve the family's economy. However, with the improvement and advancement of computer technology and communication technology, the existence of this type of motorbike taxi transportation has now become an alternative solution for society, especially for middle class and lower class people, to become a mainstay for improving the family economy by joining as a Gojek partner, where the requirements for becoming a Gojek partner are not too difficult and not too burdensome, that is the positive aspect of the existence of online Gojek. Technology, the internet, has made communication and information easier in various fields, especially in businesses that face global competition. The internet is now the main tool for business people to market and develop their businesses. With the existence of online Gojek or those that use internet applications, this type of transportation fleet can reach everywhere, even throughout Indonesia in the application, because the application can be made per region based on the number and NIK of the Gojek partner, so that each online Gojek partner does not take each other. passengers, except When they are in another zone, they (gojek partners) report their whereabouts. With this application, its existence is quite significant and even now it can be used as a mainstay for the community, which aims to improve the family economy. Online transportation offers convenience such as practical ordering, low costs, time efficiency, security, and freedom from parking problems. A clear example of this service is Gojek, which started its operations in 2010 with a motorbike taxi ordering service via a call-center. Gojek aims to make life easier through technology with a focus on speed, innovation and social impact. However, at the beginning of the operation of this online transportation, it was not supported by the Government through the Minister of Transportation until on November 9 2015, the Minister of Transportation, Mr. online application, because this type of transport is not listed in existing legislation. Then, on May 1 2019, Regulation of the Minister of Transportation Number 12 of 2019 concerning Protection of the Safety of

Motorcycle Users and Decree of the Minister of Transportation Number KP 348 of 2019 concerning Fees for Motorcycle Use Services began to be implemented (Communication and Public Information Bureau, 2019). Which was then issued again KP No. 564 of 2022 which regulates tariffs, this regulation sets new tariffs for online motorcycle taxis, with Gojek and Grab adjusting their tariffs according to these regulations. Which then gave rise to a demonstration by online motorcycle taxis with the following demands:

1. Demand revisions and additions to articles Minister of Communication and Information Regulation No. 1 of 2012 concerning postal service tariff formulas commercial for motorcycle taxi and online courier partners.
2. Demand that Kominfo evaluate and monitor all forms of business activities and Applicator programs that are deemed to contain elements of injustice towards driver partners and online couriers in Indonesia.
3. Demand the abolition of the Low-Cost Service Program for the delivery of goods and food to all applicants assessed inhumane and does not give a sense of injustice to motorcycle taxi Driver Partners and Online Couriers.
4. Rejects Applicator Promotions charged to Driver Partner income.
5. Demanding to legalize online motorcycle taxis in Indonesia by making several Joint Decree (SKB). ministry which oversees online motorcycle taxis as special rental transportation.

Since the launch of the online motorcycle taxi application in 2010 until 2024, we have more than 2 million driver partners spread across 203 cities and districts throughout Indonesia. Whether in Jakarta, Bogor, Depok, Tangerang, Bekasi, or other cities. Most of the online motorcycle taxi partners are young individuals. And after this ban, the President of the Republic of Indonesia, Joko Widodo, asked the Ministry of Transportation not to obstruct operations because this was a source of employment for the people who joined as online motorcycle taxi partners, which at that time numbered 200 people. Currently, the ride-hailing company from Indonesia, Gojek, has been operating for 14 years. Within a decade, the company experienced many significant changes and growth, including growth in the number of partners. According to Gojek Co-CEO, Andre Soelistyo, at the age of 10, Gojek has more than 2 million partners spread across 203 cities and districts throughout Indonesia. This figure exceeds expectations. In the beginning, Gojek only had 20 partners in Jakarta and has now developed into a super application operating in four countries in Southeast Asia with more than 20 services..Additional application features other than GoRide are: Gocar, Gobluebird, Gofood, GoMart, Gopay, Gotix, Goplay, Gogames, Gosend, Gobox, Gosure, Gomed, Goshop, and some of those who have joined as working partners are Gobiz, Gostore, even the company itself. open up opportunities as a merchant partner. Based on the official website of [www.gojek.com](http://www.gojek.com) It has been recorded that more than 190 million Gojek applications have been downloaded by the public, and have more than 2 million drivers partner, 900 thousand Gofood merchants, apart from that, the largest e-commerce company Tokopedia has joined the company (<https://www.gojek.com/id-id/goride>).

Economically, the existence of the Gojek or online motorcycle taxi application really helps the community. Not only in providing access to income, but the majority of partners also feel the impact of the Gojek ecosystem in facilitating wider access to quality education and better housing. This is reflected in the fact that 90% of Gojek partners are confident that they will be able to support their families properly after partnering with Gojek. said. This income is much higher than base motorcycle taxis which only rely on customers coming in

person. Online motorcycle taxi drivers sometimes get up to 20 calls in one day depending on the capabilities of the online motorcycle taxi partner

Users of ride-sharing platforms have encouraged the young workforce to join as driver partners. Previous research conducted by Anita Ratnasari Rakhmatulloh, Wido Prananing Tyas, Muhammad Hendar Subianto (2018) showed that online transportation drivers are dominated by the young age group between 20-30 years, which is related to their ability to use gadgets. Many drivers choose this profession because of the flexibility of working hours, looking for additional income, and large income potential. Most drivers have an educational background at the high school/vocational school level, but there are also those who have diploma, bachelor's and master's degrees.

This is what is interesting and needs to be researched, due to the development of an increase in Gojek partners, more from young people, and to provide views:

1. The need for support from the Government for the existence of online motorcycle taxis, where this type of transportation uses 2-wheeled vehicles and does not have routes as in general.
2. There is a need for government intervention in the regulation of the existence of online motorcycle taxis, so that Correct – you can be enjoyed by online motorcycle taxi partners, and online motorcycle taxi partners can get legal protection
3. What happens if this type of transportation does not find a place as a special type of transportation, and the existence of this type of transportation ends up being in conflict and eliminated because it is considered to violate the rules as transportation public transportation.

## **2. RESEARCH METHOD**

This research methodology uses a library research approach with qualitative data analysis, which explores the role of the Government through the policies it issues regarding online motorcycle taxis. By providing policies it is hoped that it will be able to provide welfare and protection for the community who are members as Partners, this indirectly supports social economic growth. Data was collected through a literature review related to the Indonesian economy, government policies, and socio-economic dynamics, including the challenges faced in efforts to achieve economic growth targets in the future.

This research examines various secondary sources such as journals, books, government reports, and related publications, with a focus on enforcement permission operational and approval for the new type of special transport is entered into the policy ministry who supervises it. Analysis is carried out by identifying and categorizing existing information to understand how the policies and strategies provided are appropriate and appropriate in supporting the people's economy inside this new transportation sector, so that these partners will have a special platform that will indirectly protect the online motorcycle taxi partners.

## **3. RESULTS AND DISCUSSION**

Indeed, there should be a way out or solution for society in overcoming unemployment in Indonesia, through the use of computer technology, communications and the development of digital technology, creating a solution that provides people with employment opportunities as Partners, is indeed still a matter of debate, but nevertheless we must realize that this quite brilliant idea must be maintained in continuity, and It is hoped that there will be a policy that can make the existence of a new type of transportation that utilizes applications and the Internet network a phenomenal breakthrough. From the data we obtained and analyzed, from its inception in 2010, starting with only 20 partners joining, in

2024 it will reach more than 2 million and is dominated by young people or what we call Gen Z. Gen Z plays an important role in encouraging the progress of the creative economy in Indonesia. The presence of the online motorcycle taxi method is proof of their creativity and innovation, which is able to be a pioneer in creating a breakthrough in overcoming unemployment in Indonesia.

The beginning of the online motorcycle taxi journey experienced several obstacles, namely over time coordinated Go-Jek/GrabBike violates traffic rules when using motorbikes. "Motorcycles and private vehicles which are used as public transport means of transportation have not yet been dealt with firmly by law enforcement officials," excerpts from a written statement from the Ministry of Transportation.

There are several policies issued by the Ministry of Transportation regarding online motorcycle taxis, including:

1. Article 138 Law no. 22 of 2009 Public Transportation is implemented in an effort to meet the need for safe, secure, comfortable and affordable transportation; Public transportation and/or goods are only carried out by public motorized vehicles;
2. PM Number 23 of 2018 concerning
3. The Ministry of Transportation (Kemenhub) first issued regulations regarding online motorcycle taxis on March 11 2019 with Minister of Transportation Regulation (Permenhub) No. 12 of 2019. This regulation regulates safety, partnerships, suspension of driver partners, and online motorcycle taxi rates.

Apart from that, Gen Z can also contribute to the development of new technology to support the downstream process, by creating more efficient and sustainable innovation. The entrepreneurial spirit possessed by this generation has the potential to give birth to new startups that focus on the development of downstream industries. That is why there is a need for good steps aimed at developing the younger generation, where the ideas put forward can continue to be implemented by providing space bureaucratically, legally and legally. provide an umbrella of protection by including this special type of transportation which is the biggest opportunity to improve the economy, so that unemployment does not occur mass, where this will be detrimental to the Government, with a large level of unemployment there will be upheavals in society or legal actions to meet the economic needs of society, and this needs to be realized by stakeholders.

The need to strengthen the 3 SKB (Joint Decree) from several ministries Which supervise directly or indirectly from the operation of this special type of transportation.

#### **4. CONCLUSION AND SUGGESTIONS**

The need for breakthroughs and very bright ideas from generation Z, as an effort to improve the people's economy, and the need for the Government as the holder of power to provide opportunities and places for ideas and innovations that can provide a breakthrough in improvement economy and reduction of the number of unemployed/non-working population.

There is a need for a policy or policies that are not only in favor of the Government, but also the Company as the manager and also the Community who are members as partners, as means should be formed inside The management is a representative of the partners, so inside Decision making such as promotions and policies are also discussed so that the results obtained become meaningful policy which is good and can be accepted by all parties.

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