

HEALING OR HURTING: DEVELOPMENT OF HIGHWAY PUBLIC TRANSPORTATION TECHNOLOGY

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Abstract

A collaboration of information technology with public transportation has brought an impact on the improvement of public service in terms of public transportation online due to the government incapability to provide good service. This study illustrates that there is an expectation to be built by the concept of law namely through a legal approach that serves as a cure from the perceived failure resulting from the lack of law in accommodating the needs of society for providing maximum service on public transport. Meanwhile, the emergence of regulations that provide the legality of an action in fact exacerbates the wound. This paper is not intended to reject the collaboration of technology. However, it may fail to cope with human needs but not in conjunction with new technology. In conclusion, the law should easily materialize its goal of public transportation innovation and becomes a healer from previous product failures.

Keywords: technology, transportation, online, street

Abstrak

Kolaborasi teknologi informasi dengan alat transportasi umum telah memberikan dampak pada peningkatan pelayanan masyarakat dalam bentuk transportasi umum online, akibat ketidakmampuan pemerintah untuk menghadirkan sebuah bentuk pelayanan yang ideal. Kajian ini memberi gambaran bahwa terdapat sebuah harapan yang ingin dibangun oleh konsep hukum, bahwa sesungguhnya melalui pendekatan hukum maka dapat digunakan sebagai obat menyembuhkan luka dari anggapan kegagalan yang timbul akibat kekurangan hukum dalam mengakomodir kebutuhan masyarakat dalam memberikan pelayanan maksimal pada angkutan jalan, sedangkan timbulnya regulasi yang memberikan legalitas terhadap sebuah tindakan, realitasnya malah membuat sebuah luka yang semakin kronis, dan di dalam tulisan ini tidak menolak teknologi untuk berkolaborasi dengan produk konvensional, akan tetapi idealnya produk terbaru tersebut boleh saja mengalami kegagalan terhadap mengatasi kebutuhan manusia, namun seharusnya kegagalan tersebut tidak beriringan dengan hadirnya teknologi terbaru. Kesimpulan, hukum seharusnya mudah mewujudkan tujuannya pada inovasi transportasi umum dan menjadi pengobat luka yang lama tak sembuh dari kegagalan produk sebelumnya.

Kata kunci: teknologi, transportasi, online, jalanan

Introduction

Development in technology keeps providing advantages for the new ideas growth despite its double-eyed blade effect in its usage,¹ and it is open for development and solution. The making of new law in society keeps developing for the sake of creating business effectively and efficiently which sometimes cause violations.

Technology keeps developing from conventional to modern. Even nowadays public transportation such as city bus, taxi, and conventional taxi bike have transformed themselves after being collaborated with electronic system including Gojek, Grab, and Uber. By technology, public transportation becomes more precise and effective in time,² minimum busi-

¹ Flourensia Sapty Rahayu, "Cyberbullying Sebagai Dampak Negatif Penggunaan Teknologi Informasi", *Journal Of Information Systems*, Vol. 8 No. 1, April 2012, p. 22.

² Fania Darma Amajida, "Kreativitas Digital Dalam Masyarakat Risiko Perkotaan: Studi Tentang Ojek Online "Go-Jek" Di Jakarta", *Jurnal Informasi*, Vol. 46 No. 1, June 2014, p. 117

ness capital, and effective in making the supply and desirable price. In contrast, it seemingly hurts other parties in the management of public transportation in terms of clashes between on-line *driver* and conventional driver several times.

Law substance with facilities, as well as law enforcers who uphold legal supremacy, solve the traffic issues through the attempt in utilizing electronic system so the society prove the thought of a put-forward statement. Thus, it creates technology of public transportation combined with electronic system which forces the law to convergence to achieve efficiency,³ with the expectation of the supervision and the implementation of *direct reward* and *punishment* when the online drivers violate the law.

The improvement of online driver's behavior on the street and how they prioritize the passenger's safety protected by the insurance,⁴ as the guarantee of human rights to be protected.⁵ However it is worsened by the passengers who agree to break the law, such as violating the traffic law or not obeying the traffic rules.⁶ In fact, the driver as the information and digital society have passed through the recruitment process upon the driver recruitment.⁷

A profit-oriented behavior makes the online drivers 'clone' themselves which enable them to run more than one vehicle simultaneously. If an old fiction telling about keeping the candle lit to get money by stealing, this is the time where keeping the internet connected can make money by the *onrechmatigheid*, for real. The era of technology still brings about

several problems which somehow dim the law,⁸ by doing fictional obligation for the concrete right which is driver's obligation implementing passenger or things movement for real as their responsibility.⁹ However it has now become commodity for them who violate the science to get profit in every chance, that is the fulfillment of fake obligation for the sake of real right through *reward on driver*, the organizer of electronic agent¹⁰ is supposed to be responsible upon the loss of other parties.

Considering the technology impacts in social needs, this study is expected to offer solution as the answer of the problem on what potentials needed to be noted to make people aware of the new impacts in the application-based public transportation system. That it as the cure of the wound from the failure in giving maximum service that should be there in the product of public transportation, or improvement through the touch of technology as what society expect in the implementation of technology as it should be.

Discussion

The Presence of Healing Innovative Products

The presence of electronic system-based product used by many people is the actual social expectation of society to improve the efficiency¹¹ in the utilization as well as covering the existing weakness as the cause of the failure in the maximum use of product. This inno-

³ D Budhijanto, 2010, *Hukum telekomunikasi, penyiaran, dan teknologi informasi: regulasi dan konvergensi*. Bandung Refika Aditama. p. 97.

⁴ Look at Victim's Right on Regulation Number 22 Year 2009 About Traffic and Street Transport, Article 240.

⁵ Ratna Kumala Sari, Et. Al, 2018, *Pertanggungjawaban Pidana Korporasi Gojek atas Tindak Pidana Kecelakaan Lalu Lintas oleh Pelaku Driver Ojek Online Di Yogyakarta*, Thesis, Yogyakarta: Universitas Islam Indonesia, p. 84.

⁶ Denico Doly, Penegakan Hukum Terhadap Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan: Tantangan Dan Prospek. *Jurnal Kajian*, Vol. 20 No. 3, September 2015, p. 232.

⁷ Yasraf Amir Piliang, "Masyarakat Informasi dan Digital: Teknologi Informasi dan Perubahan Sosial". *Jurnal Soteknologi*, Vol. 11 No. 27, 2012, p. 148.

⁸ Nurul Qamar; Hikmawati Mustamin; Aan Aswari, "Local Wisdom Culture Of Bugis-Makassar In Legal Perspective", *Adri International Journal Of Law And Social Science*, Vol. 1 No. 1, October 2017, p. 39; Ari Sandita Murti, January 31th, 2018, *Raup Rp.600 Juta Dari Order Fiktif Tuyul Grab Dicokok Polisi*, Available on: <https://metro.sindonews.com/read/1278361/170/raup-rp600-juta-dari-order-fiktif-tuyul-grab-dicokok-polisi-1517410196> Accessed on February 27th, 2018.

⁹ Grab, *Kode Etik Mitra*, Available on website: <https://www.grab.com/id/kodeetik/>, Accessed on March 3rd, 2018; Rules of Ministry on the Implementation of Social Transport by Public Vehicle Not in Indonesian Route, regulated in PM 108 Year 2017

¹⁰ Article 1 verse (4) Governmental rule of Republik Indonesia Number 82 year 2012 about Implementation of Electronic System and Transaction.

¹¹ Manuela Manueke, Gustaaff Budi Tampi, Very Y Londa, "Persepsi Masyarakat Tentang Jasa Transportasi Berbasis Aplikasi Online Di Kota Manado (Studi Kasus Di Pt. Go-Jek)". *Jurnal Administrasi Publik*, Vol. 4 No. 51, April 2018, p. 2

vative product improves many human needs by giving satisfaction through the abstract concept of legal idea that always tries to make a favorable environment.¹² It is pioneered by technological product that is able to predict the required work time more precisely. It is the public transportation as the tools to give more time to prepare or do many things in the middle of the moving process to the destination and improve the success.¹³ It is also the same as the technology of safety in application-based public transportation.

A form of government protection from many evolving threats to keep being able in going through the existed hole at the safe condition and breaking formed system in the process of safe condition evolution is the evolution coming from the legal idea existed for human in fulfilling the needs instinctively and the will of having comfortable life in the quiet and discipline condition.¹⁴ That threat just weakens the ideal system and makes failure of a product even more because application-based public transportation consists of a circle of difficult system.¹⁵

Technology of public transportation is now offering consumer comfort,¹⁶ which prioritize consumer and driver interest. Both drivers and passengers can explore and utilize the technology facilities which then potentially avoid traffic jam, time saving, location precision, level of privacy and security, the supply of addi-

tional insurance, even flexibility for the *driver* because they still can do other things,¹⁷ and also *driver's* pattern on service innovation with other excesses that is not found in the conventional public transportation.

The improvement of discipline in traffic is the effect of electronic system which enable the user to give *feedback* in form of information so the users can choose needed action in anticipating the potential problems. As an example, the speed of vehicle from the pick-up spot to the destination can be predicted. *Driver's* and passenger's decision is more accurate to the destination because of the information system in the traffic condition on how it affects the maximum limit of vehicle's speed. Thus, the discipline is improved from the information to all parties in the moving process done by innovative public transportation model, so the solution towards the obstacles is solved by the role of technology in form of information.

Next affordability aspects include: price affordability and service affordability. The price affordability through information in the implementation on innovative public transportation provides concrete image on the reasonable price for the candidate of users. It means a prior agreement is made before giving something, doing something, or not doing something,¹⁸ the potential of the continuous agreement in the alliance is surely inevitable. It is different from the earlier public transportation where the route is limited¹⁹ and the determined price ignores the distance, for example in the taxi argo which is worked under the time in the cab, or micro buses that takes far but the price is the same, or the conventional taxi bike in which they have relatively high price.

This innovation of transportation innovation has made people feel secured legally. It

¹² Ahmad Jazuli, "Penegakan Hukum Penataan Ruang dalam Rangka Mewujudkan Pembangunan Berkelanjutan", *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, Vol. 6 No. 2, August 2017, p. 278.

¹³ Raffi Wahyu Kusuma, Et. Al., "Perancangan Sistem Informasi Waktu Operasional Mengemudi Guna Menunjang Keselamatan Berkendara Dan Mengurangi Kecelakaan Dalam Berlalu Lintas", *Semnasteknomedia Online*, Vol. 3 No. 1, 2015. p. 391.

¹⁴ Maulidi, "Paradigma Progresif dan Maqashid Syariah: Manhaj Baru Menemukan Hukum Responsif", *Asy-Syir'ah Jurnal Ilmu Syari'ah dan Hukum*, Vol. 49 No. 2, December 2015, p. 253

¹⁵ Aan Aswari, Et. Al. "Legal Security On Cellphone Trading Through Electronic Media In Indonesia". *Jurnal Dinamika Hukum*, Vol. 17 No. 2, May 2017, p.184

¹⁶ Wiratri Anindhita, Melisa Arisanty, Devie Rahmawati. "Analisis Penerapan Teknologi Komunikasi Tepat Guna pada Bisnis Transportasi Ojek Online (Studi pada Bisnis Gojek dan Grab Bike dalam Penggunaan Teknologi Komunikasi Tepat Guna untuk Mengembangkan Bisnis Transportasi)." *Prosiding Seminar Nasional Indocompac*. May 2016, p.728

¹⁷ Noor Rahamah Haji Abu Bakar, "Masa Kerja Fleksibel dalam Sektor Formal di Bandar: Mengimbangi Kerjaya dan Tanggungjawab Keluarga (Flexible Working Hours in the Urban Formal Sector: Balancing Career and Family Responsibilities)", *Akademika, Universiti Kebangsaan Malaysia*, Vol. 83 No. 1, 2013, p. 78.

¹⁸ See Article 1234 Code of Civil Law Book III of Engagement

¹⁹ See Article 140 and Article 143 Law No. 22 Year 2009 of Traffic and Public Transport

means the community is closer to legal certainty as one of the objectives of law. Starting from the evidence development, it develops into the tools that humans use in their daily activity needs. It is where the paradigm related to electronic evidence can be used as an acceptable proof by law enforcers²⁰ and people in their daily life in doing contractual relations.

Legal certainty is actualized by tracking data contained in the data center to prove the dispute between passengers, drivers and service providers. Thus the application of sanctions due to such errors can be implemented as a reflection of the legal certainty. In relation to the application of witnesses to application-based public transportation, it is initiated by data sources obtained from electronic information²¹ which tend to be judged to provide objective information rather than information from the parties solely related to the dispute resolution.

Legality given by law to the implementation of product from technology impact in public transportation raises the image²² of work and opens up job vacancy widely to reduce number of unemployment significantly.²³ The image of a job goes from the base and has a low rating in community's perspective. It takes effort to increase people interest by offering a variety of typical programs to be worthy. Since something valuable tends to have high value and vice versa, something of high value is not necessarily valuable.²⁴ The image of *ojek* (motorcycle public transportation) is now a job opportunity that can be utilized by various levels of society by

using their free time to earn money which comes from various levels of society and finally makes a form of equal value of work which is considered by the community to be of the same quality as the work that was once considered prestigious. Some people still consider this low but it seems ambiguous because in the digital information era many forms of multiple personalities are found.²⁵

Law accommodates all kinds of community interests and accommodates the development of people needs in the implementation of online transportation which can be seen from the various facilities offered by this technology. This easiness makes many people prefer to use it and feel accommodating in present. Therefore, the regulations that are formed to legalize these activities will become healers of the weaknesses found in conventional public transportation. The things stated above can be seen from the diagram description below which shows the existence of the community's wealth accommodated in a renewable product.

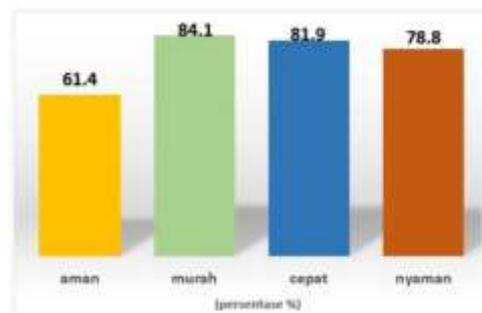


Diagram 1. Reasons Why Consumers Choose Online Transportation.²⁶

The law encourages the efforts to provide protection and law enforcement for the community. This innovative product is an effort to stimulate legal products that support the implementation of public transportation models and always accommodate all people interest over

²⁰ Aradhya Sethia, "Rethinking admissibility of electronic evidence. *International Journal of Law and Information Technology*", Vol. 24 No. 3, September 2016, p. 229-250.

²¹ See Article 1 Number 1 Law No. 19 Year 2016, Change on Law Number 11 Year 2008 of Electronic Information and Transaction

²² Aan Aswari, Et. Al., "Harmonisasi Hukum Hak untuk Dilupakan bagi Koran Digital terhadap Calon Mahasiswa di Makassar", *Kanun: Jurnal Ilmu Hukum*, Vol. 20 No. 1, April 2018, p. 43.

²³ Geistiar Yoga Pratama, Et. Al., "Perlindungan Hukum Terhadap Data Pribadi Pengguna Jasa Transportasi Online Dari Tindakan Penyalahgunaan Pihak Penyedia Jasa Berdasarkan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen", *Diponegoro Law Journal*, Vol. 5 No. 3, June 2016, p. 3.

²⁴ Nurul Qamar, Et. Al, 2018. *Menguak Nilai Kearifan Lokal Bugis Makassar, Perspektif Hukum Dan Pemerintahan*. Makassar, Cv.Social Politic Genius (Sign), p. 16

²⁵ Rini Fidiyani, Dewi Sulistianingsih, Pujiono Pujiono. "Law and Ethics of Communication in Social Media." *Jurnal Dinamika Hukum* Vol. 17 No. 3, September 2017, p. 262

²⁶ Researcher team of YLKI, July 2018, *Warta Konsumen Transportasi Online Kawan Atau Lawan*, Available on: <https://ylki.or.id/2017/07/warta-konsumen-transportasi-online-kawan-atau-lawan/>, Accessed on March 14th, 2018.

time.²⁷ It is a solution expected by the community as a cure of legal failure wounds in manipulating humans to improve their quality through the development of advanced products and quality laws.

Legal Unpreparedness of Innovative Products Remains Hurting

The emergence of application-based public transportation services is a form of response from the government's inability to present a form of appropriate public transportation. The impacts in Indonesia are several service companies that open services to the public in presenting people dreams in the form of application-based public transportation, such as a description of consumer perceptions towards transportation services below. Yet its presence actually creates new problems that go hand in hand with an innovative product previously expected to solve the problem of community needs and can actually treat old wound for a while.

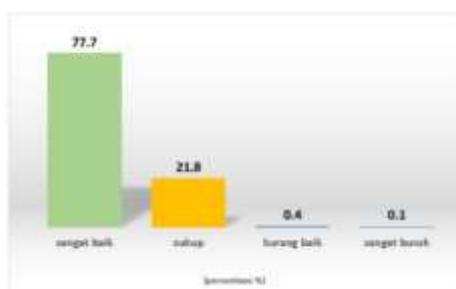


Diagram 2. Consumer Perception Towards Online Transportation Services.²⁸

Perception based on the above data shows that a new power was born and begins to disturb the ideal situation that have been previously enjoyed by the community that have mastered and carried out the public transportation system. The strength of the new community brings the concept of services that should be continuously improved by the organizers of con-

ventional public transportation systems, but the new community seems to be successful in collaborating with these services with the touch of desirable information technology today.

Public transportation transformation²⁹ sparks clashes between online drivers and conventional drivers. The reality raises new conflicts since the existence of technology in public transportation causes problems at the empirical level. The response of the conventional public transportation providers hardly accept the reality³⁰ of the presence of technology widely used by digital natives.³¹ It is seen that the new community try to shift the old which potentially raises clashes even though it is necessary for the community to realize that the era of utilizing this technology improved market quality. Yet, the efficiency that supported market quality is reduced due to excessive government regulations and lack of competition market.³²

The clashes are initiated by two groups: the conventional public transportation providers, and the application-based public transport providers. The first group speaks up about the legality of the system run by those who use the application, and the second group speaks up their feasibility to serve the public interest that must continue to innovate through the presence of products that can be utilized by more people.

Legality of actions rises from these innovative products. It becomes a gap considered inappropriate by *online drivers* because they do not have regulations related to their implementation, where their responsibilities have not been regulated in various laws and regulations that disrupt the given law. The confusion caused by this imperfect arrangement often occurs in every innovative product that seems to try to get rid of those who have enjoyed the benefits for a long time, even though in fact there is a

²⁷ Lucchi, N., IHH, R.o.R., Högskolan i Jönköping & Internationella Handelshögskolan, "Internet content governance and human rights", *Vanderbilt Journal of Entertainment and Technology Law*, Vol. 16 No. 4, June 2014, p. 809.

²⁸ Researchers Team of YLKI, *op.cit*

²⁹ Aan Aswari, Et. Al. 2018, *op, cit*, p. 45.

³⁰ Manuela Manueke, Gustaaf Budi Tampi, Londa, Very, *Op.Cit*, April 2018, p. 5.

³¹ Eri Maryani. "Peningkatan Kualitas Pelayanan Perpustakaan Untuk Digital Native Generation (Perspektif Perubahan Karakter Pemustaka di Era Digital)." *Prosiding Komunikasi* Vol.1 No. 1. 2016, p. 214.

³² Elizabeth Spahn. "Nobody gets hurt." *Geo. J. Int'l L.* 41, 2009, p. 865.

role of the smart system in public transportation. Yet, the regulation seems to be less responsive to immediately improve reality like transportation conventional has been clearly regulated about rights and obligations.

The feasibility offered by the renewable model really has advantages that can be used compared to the previous ones. It is often voiced in demonstrations initiated by the community of application-based public transport users. However it can also be used as a threat to modern human, including: Making a gap between the two communities, Violating the signposts, Increasing defaults, and Stimulating scientific abuse accommodated by electronic agent providers.

Affordability in the area of public transportation (accessibility)³³ should be able to be fully achieved through development, but it becomes a problem in accessibility when there are often limitations in entering certain routes by application-based public transport when entering the area restricted by conventional public transport users, for example has long been used by the motorcycle taxi base community. Disputes often occur when it is known that the driver has entered the conventional community area,³⁴ by which it can be seen that the actual affordability of the innovative system only makes minimal accessibility.

An area of public facilities held by both government and private sectors also become a contested area to be controlled by both communities such as airport, terminal, mall, tourist attraction etc. The assertion of certain areas of power makes one community feel pressured and focuses on maintaining the territory by ignoring the optimal service from public transportation that must be given to the public as users to expand the coverage area, as well as the develop-

ment of patterns that need to be improved, so as to make this community more competitively healthy through innovative findings in gaining passenger interest through quality service.³⁵ The pattern of maintaining territories is often resolved illegally, enriching and illegal access.

This technology product is an example that in fact there is a new weakness as a failure of the form of the human product of in its development to meet the human needs today. Apparently, this clarifies the weaknesses in conventional systems that are deemed necessary to be renewed so as to heal wounds and even in the new system it appears to open new wounds too, where actually the failure is supposed to not be felt immediately, when the role of visionary legal products and quality technology products is present to accommodate community interests. The picture shows just a form of innovation that is applied without a long consideration, both in legal products that are always expected to be hobbled to follow the changing times, as well as human products that are applied but have a fairly high level of vulnerability. It becomes the author question, whether the product from the study of science is only formed without considering the humanism in its formation by ignoring the legal study as a whole.

The information community are required to improve the use of technology, but often not accompanied by improvements in quality as what is seen in the reality of driving based on the recruitment problem of drivers as human beings who are expected to bring goodness in the implementation of this online transportation technology product. Although it is known that it no longer uses a high speed and scrambles to find passengers, it still does not adhere to traffic regulations, which is known that one of the causes of accidents is traffic rules violation. Still, it is often seen that there are similarities between online drivers and conventional drivers

³³ Dian Maria Andriani, Nany Yuliasuti, "Penilaian Sistem Transportasi yang Mengarah Pada Green Transportasi Di Kota Surakarta, *Jurnal Pembangunan Wilayah & Kota*, Vol. 9 No. 2, June 2013, p.185

³⁴ Ya'cob Billiocta, Padmasari, SI, September 29th 2017, Sopir Konvensional Di Makassar Tebar Ancaman Hingga Bakar Atribut Ojek Online, Available on: <https://www.merdeka.com/peristiwa/sopir-konvensional-di-makassar-tebar-ancaman-hingga-bakar-atribut-ojek-online.html>, Accessed on January 8th, 2018.

³⁵ Mamang Etta Sangaji. Sopiah, 2013, *Perilaku Konsumen; Pendekatan Praktis disertai Himpunan Jurnal Penelitian*. Yogyakarta: Penerbit Andi, p. 100; Stepanus S, Salonten S, & Supiyan S, "Analisis Persepsi Masyarakat Terhadap Tingkat Pelayanan Angkutan Umum Kota Palangka Raya (Studi Kasus Angkot Pada Jalan G Obos Dan Jalan Rajawali)". *PROTEKSI journal (Proyeksi Teknik Sipil)*, Vol. 1 No. 2, July 2015, p. 201.

which should have significant differences, this shows that the technology must be supported by its human resources.

The given regulations have accommodated the use of technology in public transportation,³⁶ but failure after failure continues to accompany this renewable product from practical business held by venture capital owners in an effort to avoid its interests hindered by regulations through bribery. It makes government officials accept bribes return the favor by reducing the barriers to conventional public transportation that come from the regulation through its authority to make policies or maintain existence by building strength through the formation of strict rules and complicated procedures. This bribery effort is like eliminating garbage carrying health problems in human life and not wanting to see it again.

The situation is increasingly ironic when people assume that the potential of work can be carried out easily. Moreover, open large-scale employment opportunities looks very promising and considered to improve welfare levels.³⁷ Yet, since this application is used, there are many defaults occurring in various sectors of financial institutions, and neglect of traffic regulations until the threat of life safety³⁸ shows the poor system that is considered promising, which finally forces people who have a higher level of knowledge to find a way to achieve a variety of financing institutions, in general both with legal patterns and vice versa. There are so many failures that occur, the hope of the people to reach their ideals is difficult to materialize and this finding in a new product with this technology is not ultimately considered as the best solution in realizing the government's goal in encouraging the improvement of the people welfare.

Threats appear to be increasingly large opened and make wounds in renewable products when the problems in conventional public

transportation are almost resolved. Yet the presence of new products actually opens up a great opportunity for some people to misuse their knowledge in achieving great profits. Now, fictitious orders adorn the journey of improving public transportation, as if they have carried out their obligations but demand their rights perfectly. This condition significantly ignores the orientation towards customers to develop their long-term relationship in the form of the existence of technology public transportation products that are expected to provide maximum service when this is for people who can sustain profits.³⁹ The presented data for the government shows an increase in the workforce of the community, but the actual fictional data of the community are in a stagnant state. Fictitious information presented by fictitious electronic data has the potential to produce policies that are not on target.

Despite the consequences of a form of change, it cannot be proceeded since the law is believed to always be able to provide strength in solving the arising problems and as a driving force to realize the legal ideal of society.⁴⁰ If the fictional story that candles are used as a source of information to steal others property, then it should be used as an inspiration to accommodate the problem of maintaining an internet connection to be able to produce a level of welfare in an illegal way, which is to carry out fictitious orders.

Fictitious orders can be detrimental to many parties impacting on determining government policies that miss the target which encourage undesirable acts as a result of collaborative information technology and conventional products. It would suffice when Indonesia is blacklisted in world trade for the online transactions before the 2000s in the misuse of credit cards. This experience can be used as a reference to anticipate the existence of new unlaw-

³⁶ PM 108 Year 2017, *op.cit.*

³⁷ Agung Hadi Pranoto. Siasat Manipulatif Dalam Kompetisi Pengemudi Gojek di Kota Surabaya. *Jurnal Thesis Departemen Antropologi, FISIP Universitas Airlangga*, December 13th 2017, p. 2.

³⁸ Denico Doly. *op.cit.*, September 2015, p. 231.

³⁹ Leslier M. Valenzuela, Jay P. Mulki, and Jorge Fernando Jaramillo. "Impact of customer orientation, inducements and ethics on loyalty to the firm: Customers' perspective." *Journal of Business Ethics* Vol. 93 No. 2, May 2010, p. 282.

⁴⁰ Nainggolan, 2015, *Energi hukum sebagai faktor pendorong efektivitas hukum*, Bandung: Refika Aditama, p. 170.

ful acts on new products born to the maximum utilization of information technology.

Conclusion

The evolution of ideal conditions initiated by legal objectives is often along with the evolution of threats to keep trying to maintain legal failure to achieve legal objectives. Through efforts to produce a concrete picture of the legal objectives in the implementation of an online public transportation system, the touch of technology in terms of innovative products has given rise to many forms of service from the development of accessibility, so that smooth information can influence the decision making. Indeed, information technology provides a lot of convenience for the law in realizing its purpose in this public transportation innovation so that it becomes a long-time wound healing which does not recover from previous product failures, due to its limitations which are actually constructed by humans themselves. Now, failures due to previous limitations can be cured by the touch of information technology as a result of human work and felt by the majority of the community. Yet in fact it is predictable that in the future there will be legal limitations and innovative products when the existing technology starts to be obsolete. If now the improvement of accessibility is initiated by the concept of borderless world, then in practice there is now a widening gap that limits territory in finding passengers for both communities, apparently borderless world still has not been accepted by all people who use technological tools in their daily lives.

Suggestion

Conventional public transportation should be attached to the system run by the tools used by the application-based public transportation for optimal performance to avoid clash between online and conventional providers in running a good system. It suggests that these two communities can collaborate well so that there is no need to make rules that explicitly separate the two. By doing so, there are no new failures that are seen as incurable old wounds when impro-

vements are made in the form of evolution in conventional public transportation.

References

- Amajida, Fania Darma. "Kreativitas Digital dalam Masyarakat Risiko Perkotaan: Studi tentang Ojek Online "Go-Jek" di Jakarta". *Jurnal Informasi*, 2014, Vol. 46 No. 1. June 2014: Pp. 115-128. DOI: 10.21831/Informasi.V46i1.9657;
- Andriani, Dian Maria; Nany Yuliasuti. "Penilaian Sistem Transportasi yang Mengarah pada Green Transportasi di Kota Surakarta". *Jurnal Pembangunan Wilayah & Kota*. Vol. 9 No. 2. June 2013 Pp. 183-193. DOI: 10.14710/pwk.v9i2.6535;
- Anindhita, Wiratri. Melisa Arisanty. Devie Rahmawati. "Analisis Penerapan Teknologi Komunikasi Tepat Guna pada Bisnis Transportasi Ojek Online (Studi pada Bisnis Gojek dan Grab Bike dalam Penggunaan Teknologi Komunikasi Tepat Guna untuk Mengembangkan Bisnis Transportasi)." *Prosiding Seminar Nasional Indocompac*. May 2016, Pp. 712-729;
- Aswari, Aan. Et. Al. "Legal Security On Cellphone Trading Through Electronic Media In Indonesia". *Jurnal Dinamika Hukum*, Vol. 17. No. 2. May 2017. Pp. 181-187. DOI: 10.20884/1.jdh.2017.17.2.800;
- Aswari, Aan. Et. Al. "Harmonisasi Hukum Hak untuk Dilupakan bagi Koran Digital terhadap Calon Mahasiswa di Makassar". *Kanun: Jurnal Ilmu Hukum*. Vol. 20 No. 1. April 2018, Pp.39-62. DOI: 10.24815/kanun.v20i1.9828;
- Bakar, Noor Rahamah Hj Abu. "Masa Kerja Fleksibel dalam Sektor Formal di Bandar: Mengimbangi Kerjaya dan Tanggungjawab Keluarga (Flexible Working Hours in the Urban Formal Sector: Balancing Career and Family Responsibilities)". *Akademika*, Vol. 83 No. 1. 2013. Pp. 77-80;
- Billiocta, Ya'cob. Padmasari Si. September 29th 2017. *Sopir Konvensional Di Makassar Tebar Ancaman Hingga Bakar Atribut Ojek Online*. Available on website: <https://www.merdeka.com/peristiwa/sopir-konvensional-di-makassar-tebar-ancaman-hingga-bakar-atribut-ojek-online.html>. Accessed on January 8th, 2018.
- Budhijanto, D. 2010. Hukum telekomunikasi, penyiaran, dan teknologi informasi: regu-

- lasi dan konvergensi. Bandung: Refika Aditama;
- Doly, Denico. "Penegakan Hukum Terhadap Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan: Tantangan Dan Prospek". *Jurnal Kajian*, Vol. 20 No. 3. September 2015. Pp. 219-240;
- Fidiyani, Rini, Dewi Sulistianingsih and Pujiono. "Law and Ethics of Communication in Social Media." *Jurnal Dinamika Hukum*. Vol. 17 No. 3. September 2017. Pp. 258-265. DOI: 10.20884/1.jdh.2017.17.3.1665;
- Grab, *Kode Etik Mitra*, Available on website: <https://www.grab.com/id/kodeetik/>, accessed on March 3rd, 2018;
- Jazuli, Ahmad. "Penegakan Hukum Penataan Ruang Dalam Rangka Mewujudkan Pembangunan Berkelanjutan". *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, Vol. 6 No. 2. August 2017. Pp. 263-282;
- Kusuma, Raffi Wahyu. Et. Al. "Perancangan Sistem Informasi Waktu Operasional Mengemudi Guna Menunjang Keselamatan Berkendara Dan Mengurangi Kecelakaan Dalam Berlalu Lintas". *Semnasteknomedia Online*. Vol. 3 No. 1. 2015. Pp. 391-396;
- Lucchi, N., IHH, R.o.R., Höskolan i Jönköping & Internationella Handelshögskolan, "Internet content governance and human rights", *Vanderbilt Journal of Entertainment and Technology Law*. Vol. 16 No. 4 June 2014. Pp. 809;
- Manueke, Manuela, Gustaaf Budi Tampi, Very Londa. "Persepsi Masyarakat Tentang Jasa Transportasi Berbasis Aplikasi Online Di Kota Manado (Studi Kasus Di Pt. Go-Jek)". *Jurnal Administrasi Publik*. Vol. 4 No. 51. April 2018. Pp. 1-6;
- Manueke, Manuela; Tampi, Gustaaf Budi; Londa, Very. "Persepsi Masyarakat Tentang Jasa Transportasi Berbasis Aplikasi Online Di Kota Manado (Studi Kasus Di Pt. Go-Jek)". *Jurnal Administrasi Publik*, Vol. 4 No. 51. 2018. Pp 1-6;
- Maryani, Eri. "Peningkatan Kualitas Pelayanan Perpustakaan Untuk Digital Native Generation (Perspektif Perubahan Karakter Pemustaka di Era Digital)." *Prosiding Komunitas*. Vol. 1 No. 1. 2016. Pp. 212-220;
- Maulidi, Maulidi. "Paradigma Progresif dan Maqashid Syariah: Manhaj Baru Menemukan Hukum Responsif". *Asy-Syir'ah Jurnal Ilmu Syari'ah dan Hukum*, Vol 49 No. 2. December 2015. Pp. 251-264. DOI: 10.14421/asy-syir'ah.2015.%25x;
- Murti, Ari Sandita. Januari 31th. 2018. Raup Rp. 600 Juta dari Order Fiktif. 'Tuyul' Grab Dicotok Polisi. Available on <https://metro.sindonews.com/read/1278361/170/raup-rp600-juta-dari-order-fiktif-tuyul-grab-dicotok-polisi-1517410196>. accessed on February 27th. 2018;
- Nainggolan, J. 2015. *Energi Hukum Sebagai Faktor Pendorong Efektivitas Hukum*. Bandung: Refika Aditama;
- Pilliang, Yasraf Amir. "Masyarakat Informasi dan Digital: Teknologi Informasi dan Perubahan Sosial". *Jurnal Socioteknologi*, Vol. 11 No. 27. 2012, Pp. 143-155;
- Pranoto, Agung Hadi. "Siasat Manipulatif Dalam Kompetisi Pengemudi Gojek di Kota Surabaya". *Jurnal Thesis Departemen Antropologi*. December 13th 2017. Pp. 1-10;
- Pratama, Geistiar Yoga, Et. Al. "Perlindungan Hukum terhadap Data Pribadi Pengguna Jasa Transportasi Online dari Tindakan Penyalahgunaan Pihak Penyedia Jasa Berdasarkan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen". *Diponegoro Law Journal*. Vol. 5 No. 3. 2016. Pp.1-19;
- Qamar, Nurul et al, 2018. *Menguak Nilai Kearifan Lokal Bugis Makassar, Perspektif Hukum Dan Pemerintahan*. Makassar: Social Politic Genius Sign;
- Qamar, Nurul. Hikmawati Mustamin. Aan Aswari. "Local Wisdom Culture Of Bugis-Makassar In Legal Perspective". *Adri International Journal Of Law And Social Science*. Vol. 1 No. 1. October 2017. Pp. 35-41;
- Rahayu, Flourensia Spty. "Cyberbullying Sebagai Dampak Negatif Penggunaan Teknologi Informasi". *Journal Of Information Systems*. Vol. 8 No. 1. April 2012. Pp. 22-31. DOI: 10.21609/Jsi.V8i1.321
- Sangaji, Mamang Etta. Sopiah. 2013 *Perilaku Konsumen; Pendekatan Praktis disertai Himpunan Jurnal Penelitian*. Yogyakarta: Penerbit Andi;
- Sari, Ratna Kumala. Et. Al. 2018. *Pertanggungjawaban Pidana Korporasi Gojek Atas Tindak Pidana Kecelakaan Lalu Lintas Oleh Pelaku Driver Ojek Online Di Yogyakarta*. Skripsi. Yogyakarta: University of Islam Indonesia;
- Sethia, A. 2016. "Rethinking admissibility of electronic evidence". *International Jour-*

- nal of Law and Information Technology*. Vol. 24 No. 3. September 2016. Pp. 229-250. DOI: 10.1093/ijlit/eaw005;
- Spahn, Elizabeth. "Nobody gets hurt." *Geo. J. Int'l L.* No. 41. 2009. Pp. 861-1043;
- Stepanus, S. S Salonten. & S Supiyan. "Analisis Persepsi Masyarakat Terhadap Tingkat Pelayanan Angkutan Umum Kota Palangka Raya (Studi Kasus Angkot Pada Jalan G Obos Dan Jalan Rajawali)". *Jurnal PRO-TEKSI (Proyeksi Teknik Sipil)*. Vol. 1 No. 2. July 2015. Pp. 198-206;
- Tim Peneliti YLKI, Juli 2017, Available on website: <https://ylki.or.id/2017/07/warta-konsumen-transportasi-online-kawan-atau-lawan/>, accessed on March 14th, 2018
- Valenzuela, Leslier M. Mulki Jay P and Jorge Fernando Jaramillo. "Impact of customer orientation, inducements and ethics on loyalty to the firm: Customers' perspective." *Journal of Business Ethics* Vol. 93 No. 2. May 2010. Pp. 277-291.