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ARRANGEMENT OF EMPLOYEE AND PUBLIC TRANSPORT BUS STOPS IN WEST KUTAI REGENCY, EAST KALIMANTAN, INDONESIA

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ABSTRACT

Bus stops are one of the transportation facilities provided by the government as a support in realizing an effective and efficient transportation system. In addition to being used for bus stops for company employees, this stop will also be intended for student public vehicles. Although the bus stop was built by the company, its use is also intended for the general public with arrangements agreed between the company and the Kubar Regency Government. As described in the background above, the identification of the problem is what problems are faced in the Regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency and why arrangements are needed in the form of regulations on the Regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency as a basis for solving these problems. Based on the research that has been conducted and the discussion as follows the problems faced in the Regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency with the absence of terminals, can be handled by providing stops that can be used by coal companies to transport down their employees. Regional Regulations regarding the Regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency need to be determined immediately. The urgency of the establishment of Regional Regulations on the Regulation of Bus Stops for Employee Transport and Public Transportation is to ensure legal certainty and protection.

KEYWORDS:

Bus Stop, Employee and Public Transport, Arrangement.



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INTRODUCTION

Bus stops are one of the transportation facilities provided by the Government as a support in realizing an effective and efficient transportation system [1]. Bus stops are designated as public transport routes and must go through designated places to pick up and drop off passengers so that passenger movement is easier and disruption to traffic can be minimized. But in reality, the use of bus stops is not as desired. Passengers prefer to wait and get off at any place not to get off or get on at the bus stop, making the bus stop abandoned and unused by passengers, even misused by irresponsible people such as being used for trading places, as parking lots for public vehicles and even used beds by beggars. This condition makes the bus stop dirty and unmaintained.

Currently, the West Kutai Regency Government (Kubar) is working with several companies operating in Kubar, building a company employee shuttle bus stop in West Kutai. The bus stop was built by the Company, but after the bus stop is built, the management will be handed over to the Kubar Regency Government [2]. To bring orders to bus stops that pick up and drop off company employees. Because there has been no special place for company buses for decades, which serves as a place for the ups and downs of the company's employees. From the plan of 8 bus stops to be built, currently, there is 1 stop that has been completed. The bus stop is located at Jalan Moh Yamin, Simpang Raya Village, Barong Tongkok District, precisely in the SMPN 2 Sendawar area. With this stop, it is hoped that it can better regulate traffic because employee transport buses no longer stop at any place. In addition to being used for bus stops for company employees, this stop will also be intended for student public vehicles. In addition, in the bus stop area, a canteen and vehicle storage parking lot will also be built, which will be managed by the school.

Thus, the existence of this bus stop can also affect economic development. The arrangement of bus stops for employees of coal mining companies is very important to be carried out immediately with the right juridical foundation. Considering that the company's fleet often stops at any place when picking up or dropping off passengers to disrupt general traffic. With the construction of the Bus Stop, not only does it provide a well-organized place for employees and the general public to hop on and off the bus, but it is hoped that complaints from the surrounding community about congestion caused by company buses will no longer occur.

Because, although the bus stop was built by the company, its use is also intended for the general public with arrangements agreed between the company and the Kubar Regency Government. For this reason, an academic paper was prepared so that there is a definite arrangement on the regulation of employee transportation bus stops and public transportation in West Kutai Regency, which will begin by submitting a proposal for a draft Regional Regulation in the Regional Regulation Establishment Program (Propemperda) of the West Kutai Regency DPRD in 2020 concerning the Regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency.

Based on described in the background above, the identification of the problem is as follows: (1) what problems are faced in the arrangement of bus stops for employee transportation and public transportation in West Kutai Regency?, and (2) Why is it necessary to regulate in the form of regulations on the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency as a basis for solving these problems?

The research aims to identify the problems faced in arranging employee transport stops and public transport, and Review the Regulations regarding Arrangements for Employee Transport Stops and Public Transport in West Kutai Regency as a basis for resolving these problems.

THEORETICAL STUDIES

1. Understanding Public Transportation

Public transportation is any motor vehicle provided for public use for a fee. Public transport has developed into the basic needs of a city, ranging from one small town to a metropolitan class city [3].

Public transportation is one of the driving forces of the economy both directly and indirectly, because it is related to many elements of the economy [3]. Smooth public transportation will make the wheels of the economy turn faster because it has a share in the speed and accuracy of delivery. Delivery does not mean product delivery, but also speed and accuracy in presenting the economic actor. This delivery lag often creates a series of delays in the production chain, with the result that production quality will decrease. Public transportation also directly affects the quality of connoisseurs of its services, and users of public transportation. Poor public transportation services usually affect the productivity of humans who are experiencing the production process.

The main objective of transport systems engineering is to find and determine the most optimal combination of means of transport and methods for their operation in a particular area. The problems faced by transportation are more complicated, namely involving a wider area with various types of cargo or passengers. There are three main characteristics of traffic, including: (1) Flow, which is the number of vehicles passing through a point on a path of motion per unit of time, and therefore usually measured in units of vehicles per unit of time; (2) Density, which is the average number of vehicles per unit length of motion at any given moment in time; and (3). Speed, which is the distance traveled by the vehicle per unit time. This speed consists of three main components.

2. Definition of Special Transport

The basic problem of transportation is actually simple, namely too great a need for movement compared to the available transportation infrastructure [4]. Public transportation stops are needed along public transportation routes and public transportation must go through a designated place to pick up and drop off passengers so that passenger movements become easier and disruption to traffic can be minimized, therefore public transportation stops must be arranged for placement to suit needs. The stopping place can also be said to be a city spatial policy that is very closely related to transportation policy. The definition of a stop is a location where passengers can get on and off public transportation and a location where public transportation can stop to pick up and drop off passengers, according to operational arrangements or drop off passengers [5].

3. Definition of Bus Stop

As a developing country, Indonesia with a population of around 249 million people (in 2013) experienced a high economic growth rate. To support the interests of the community with various activities, transportation facilities, and infrastructure are needed to support the needs of the people in Indonesia. Most people prefer to use private vehicles rather than public transportation that is available because it is considered faster and saves time. However, the large number of people who use private vehicles will cause transportation problems. Among them are delays and queues from a large number of vehicles without being balanced by adequate advice [6].

Building a bus stop requires a bus stop design that is studied from several aspects, both from transportation, environmental, economic, and social aspects as well as from architectural and building footprint aspects, which are expected to optimize the function of the stop. Because in architecture, the beautiful and beautiful physical form of a building object is not the only main goal, but the level of

usefulness or usefulness is also an inseparable goal [7]. The level of this benefit can be known, among others, by observing the user's response which is reflected in the pattern of behavior towards the physical architectural object. The bus stop is considered a simple element, but when viewed as part of the composition of the architectural physical environment, the bus stop weights complex problems. The existence of bus stops has a dual function, namely practical and aesthetic functions.

4. Local Government Authority

In the provisions of Article 1 number 2 of Law Number 23 of 2014 concerning Regional Government, as last amended by Law Number 11 of 2020 concerning Job Creation, it is stated that regional government is the implementation of government affairs by local governments and Regional People's Representative Councils according to the principle of autonomy and assistance duties with the principle of the widest autonomy in the system and principles of the Unitary State of the Republic of Indonesia as referred to in Constitution of the Republic of Indonesia Year 1945 (Article 1 Number 2 of Law Number 23 of 2014 concerning Regional Government of 2014).

The division of power in a unitary state, such as Indonesia, is basically that all power in the state is in the hands of the central government. However, this does not mean that all power is in the hands of the central government because there is a possibility of deconcentration of power to other regions and this is not provided for in the constitution. This is different from a unitary state with a decentralized system. In the country's constitution there is a provision regarding the distribution of these powers (decentralization) [8].

In the history of government, Indonesia was once known as autonomous regions, which are now known as regional governments. The central general government in the region during independence was called Pamong Praja, the Dutch period was called Binnenlandsbestuur, Bestuurdiant, Pangreh Government, Praja. The central special government in the regions is called the central office or service in the regions or vertical services. So, local government is not the same as local government. Local government includes civil service, vertical office, and local government. Law Number 23 of 2014 defines local governments as elements of local government administration that lead the implementation of government affairs that become the authority of autonomous regions, where autonomous regions according to this law are legal community units that have territorial boundaries that are authorized to regulate and manage government affairs and local community interests according to their initiatives based on community aspirations in the Unitary Republic State system Indonesian.

RESEARCH METHODS

1. Types of Research

The preparation of this research is a research activity so a preparation method based on legal research methods and other research is used. Legal research can be carried out with Empirical Juridical methods and Normative Juridical methods [9].

With this, legal rules both in the form of legislation and in the form of habits in the regulation of Employee Transport and Public Transportation Bus Stops in West Kutai Regency become a reference and regulation of Employee Transport and Public Transportation Bus Stops. This method is based on the theory that good law is a law based on existing reality, not merely the will of the ruler. Systematically the preparation of this Academic Manuscript goes through several stages that are coherent and regular. These stages are:

- a. Identification of problems faced by the Regional Government and Regional Officials related to the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency;
- b. Inventory of legal materials required related to the Arrangement of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency.

2. Research Data Sources

In this study, the data used are secondary, namely data from library materials which include library materials such as books, literature, journals, and archives by what was studied [10]. Research in this study uses secondary data sourced from legal materials.

3. Legal Material Analysis

The series of stages begins with the identification of the problems faced in the Arrangement of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency. Identification of Bus Stop Arrangements for Employee Transport and Public Transportation in West Kutai Regency involving West Kutai Regency Regional Officials, Faculty of Law lecturers, and Researchers. Furthermore, an inventory of legal materials needed related to the regulation of bus stops, employee transportation, and relevant public transportation in the form of primary and secondary legal materials is carried out. The legal material is in the form of legislation related to the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency. The next step is to systemize the entire existing legal material. This systemization process applies to principles, theories, and concepts along with all other reference materials. The series is intended to facilitate the study of the problems faced in the arrangement of bus stops, employee transportation, and public transportation. Through this stage, it is expected to provide recommendations needed in the preparation of draft regional regulations on the Regulation of Bus Stops, Employee Transport, and Public Transportation in West Kutai Regency.

RESULTS AND DISCUSSION

1. Existing Conditions And Problems Faced By The Community

West Kutai Regency is one of the regions in East Kalimantan that has the potential for natural, human, and physical resources. The area of West Kutai Regency is 16,313.70 km² divided into 16 sub-districts and 194 villages/kelurahan. In addition, West Kutai Regency has considerable human resources. The population of West Kutai Regency in 2013 reached 144,018 people (Central Bureau of Statistics West Kutai Regency [2]). Natural, human, and physical resources are inputs necessary for every form of economic activity. To improve the community's economy, transportation facilities, and infrastructure must certainly be supported. Therefore, the construction of bus stops at several points or places will greatly support community mobility to accelerate the economy. Indeed, currently, the Kubar Regency Government with several companies has collaborated to build stops that will later be used as special transportation stops for company employees or public transportation. By the plan that has been agreed between the Kubar Regency Government in this case the regional apparatus in charge of transportation and transportation affairs, as many as 8 (eight). Of the 8 (eight) bus stops planned to be built, currently, only 1 (one) is built by PT. Gunung Bara Utama. The 8 (eight) bus stop points built are based on:

1. The company's agreement approval letter in 2020 has been set coordinate points and issued;
2. Letter of appointment of the location of the bus stop construction from the Regent of West Kutai;
3. Planning Advice / Spatial Information from the Public Works Office.

The locations of these stops are:

a. Barong Tongkok District

- 1) Depan GOR Desnan
- 2) Front Housing of the Neheri Sendawar Prosecutor's Office
- 3) Front of SMPN 2 Sendawar

b. Sekolaq Darat District

- 1) Depan RSU Harapan Insan Sendawar
- 2) Front Office of Source Bangun Officials
- 3) Front of the Old Transportation Office

c. Melak District

- 1) Front of SMPN 1 Sendawar
- 2) Front TK Builder

The bus stop has not been fully built due to several obstacles including the Covid-19 Pandemic which is still ongoing today. However, in November 2021, PT. TSA has contacted the Department of Transportation to conduct a joint survey with the Department of Transportation.

The location survey of the construction of the bus stop in front of Harapan Insan Sendawar Hospital (HIS), is expected to be built shortly. Although the bus stop was built by the company, the transportation agency facilitates the use of the stop. This is because the existence of the bus stop can be used as a waiting place for the general public who travel using public transportation, considering that West Kutai does not yet have a Terminal. Thus, the arrangement regarding this bus stop is very necessary for West Kutai Regency. Arrangements and arrangements regarding public transportation stops and employee transportation are very necessary because the sub-districts of Melak, Barong Tongkok, and Sekolaq Darat a dense access for residential employees, automatically the level of flow up and down transportation is high. Both those who will go to work, and return from the work site, while with no employee transportation stop, the workers go up and down on the roadside according to the closest gathering point to the employee's residential area.

Along with the development of West Kutai Regency, it is necessary to have a Regional Regulation on the Regulation of Employee Transport Bus Stops and Public Transportation. Especially from the Department of Transportation strongly agrees and supports the existence of the Regional Regulation. The existence of the Regional Regulation will be the basis for the Department of Transportation in regulating the operation of bus stops. As for input from the Department of Transportation on the material that must be regulated in the Regional Regulation, at least it must contain: (1) Layout; (2) Development Design; (3) Building Synchronization with Road Network, Telkom and PDAM; (4) Traffic engineering management; (5) Timing of employee transportation; and (6) Management of Bus Stop Facility Management.

2. The Implementation of the New System that Will Be Regulated In Regional Regulations on Aspects of People's Lives and Their Impact on Aspects of State Financial Burdens

The study of the implications of implementing the new system that will be regulated in Regional Regulations will have implications, both for aspects of people's lives, as well as on aspects of state financial burdens.

a. Aspects of community life

The community with the arrangement of Bus Stop Arrangements, Employee Transport, and Public Transport will benefit in the long run. Because it is a guarantee that the economy that concentrates all activities of subjects and objects and interests and resources is supported by the people. The potential use of bus stops that can be explored deeper and more optimally which is guaranteed and protected by laws and regulations can bring more investment to West Kutai Regency in particular. The increasing potential of non-natural resources in West Kutai Regency will improve the welfare of the community economically more evenly. Regulations in the form of regional legal products regarding the arrangement of bus stops will change the pattern of the community to prosper and improve the standard of living of families, which was originally very difficult to access transportation facilities in West Kutai Regency can finally very easily and good transportation access. Local Governments will also benefit from the regulation because it will be more guaranteed that the implementation of programs aimed at optimizing the Arrangement of Bus Stops for Employee Transport and Public Transportation is easier to run. The existence of legal guarantees for its implementation will certainly be one of the bases for budgeting in the West Kutai Regency Regional Revenue and Expenditure Budget.

b. Aspects of the financial burden of the state

As is well understood, the implementation of the new system, especially related to the enactment of a law in the form of a regional legal product regulating the Regulation of Public Transport Bus Stops and Employee Transportation, will certainly have an impact on aspects of regional financial burdens. However, in this case, the obligation of regional administrators, especially those who sit in the Legislative and Executive, must try their best to regulate people's lives, to achieve an orderly, safe, and peaceful society, as well as prosperity. Aspects of the state financial burden issued from the Regional Budget (ABD), starting from the preparation of Academic Studies, Academic Manuscripts, and Draft Regional Regulations on the Regulation of Employee Transport Bus Stops and Public Transportation involve many parties as stakeholders. Then continued with discussions between the people's representatives in the West Kutai Regency DPRD and the West Kutai Regency Government, which of course requires funds, the proposer firmly believes that the financial burden of this region is very insignificant with the benefits that will be obtained if the regulation on the Regulation of Employee Transport Bus Stops and Public Transportation is set to become a Regional Regulation.

3. Range, Direction of Regulation, and Scope of Local Regulation Content

- a. Coverage, in the Draft Regional Regulation on the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency includes:
 1. Bus Stop Layout;
 2. Bus Stop Construction Design;
 3. Synchronization with other Networks;
 4. Traffic Engineering Management;
 5. Management of Bus Stop Facility Management; and\
 6. Transport Time.
- b. Direction of Arrangement, Arrangements regarding the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency specifically to companies that use bus stops for employee carriers, however, in general, the arrangements are also related to the general public who also use the same facilities even with the stipulated time arrangements. In addition, this

arrangement is also related to the Regional Government of West Kutai Regency as having the authority to exercise its authority both through the Transportation Office, as well as other related instruments in the government that can strengthen efforts made in the context of regulating Bus Stops, Employee Transport and Public Transportation. No less important arrangements that will be contained in the draft Regional Regulation on the use of bus stops for other things that bring more benefits to local governments and the community at large; Arrangements regarding the design and layout of bus stops, as well as traffic engineering management and management of bus stop facilities by the West Kutai Regency Government will also be regulated in the draft of this Regional Regulation.

The regulatory direction of this draft Regional Regulation is expected to also lead to increasing the accessibility of the people of West Kutai Regency to public transportation facilities. Thus, it is hoped that with binding arrangements for the community, the Company, the Local Government, and other related parties, an optimal result will be obtained for the rights of the community to public facilities and infrastructure, especially transportation that continues to grow in West Kutai Regency.

- c. In his dissertation, A. Hamid, SA complained that there is no tradition in Indonesia to respect creation in the scientific field compared to developed countries. According to him, in the Netherlands, any author who cites something of another author's scientific copyright (usually a term or word or phrase that contains a certain meaning), is always mentioned usually in a footnote who created the term or word. By A. Hamid, SA in his dissertation quoted various terms coined by Dutch jurists and legislation, for example van der Hoeven with the term "pseudowetgeving", Mannoury with the term "spiegelrecht", T.Koopmans with the term "modificatie" in his kalimal "de wetgever streeft niet meer primair naar codificatie maar naar modificatie". Based on the teachings of A. Hamid SA regarding "cargo material" and based on the provisions of Article 10 of Law Number 12 of 2011, the issue of Regulation of Bus Stops for Employee Transport and Public Transportation is one of the content materials of this law.

CONCLUSION

1. The problems faced in the Arrangement of Employee Transport Bus Stops and Public Transportation in West Kutai Regency with no terminal can be handled by providing stops that can be used by coal companies to transport their employees, as well as can be used by the general public for those who will use public transportation facilities.
2. Regional Regulations regarding the Regulation of Bus Stops for Employee Transport and Public Transportation in West Kutai Regency need to be established immediately. The urgency of the establishment of Regional Regulations on the Regulation of Employee Transport Bus Stops and Public Transportation is to ensure legal certainty and legal protection, as well as a legal umbrella for the construction, management, regulation, arrangement, and operation of the bus stops in West Kutai Regency.

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Regulations

Law Number 12 of 2011

Law Number 23 of 2014 concerning Regional Government