IMPLEMENTATION OF URBAN TRANSPORTATION POLICY BASED ON LAW NO. 22 YEAR 2009 ON ROAD TRAFFIC AND TRANSPORTATION

Alwi
Faculty of Social & Political Sciences,
Hasanuddin University, Makassar
alwiazis_63@yahoo.com

Abstract

Problem of urban transportation is acrucial issue in thesocio-economicof urban society in Indonesia. These problems such as congestionan dtrafficclutter of urban transportation which raises economic lossesusers' society are not few in number. This problem still appears, but government policies and derivatives regulations which followed been implemented. In addition, the delegation of authority on urban transportation to Local Government has been done, as regulated in Law 22 of 2009, which is aconcrete manifestation of the policy of regional autonomy but this issue not yetresolved with effectively.Therefore, the required development and law enforcement in the implementation of urban transport policy in Indonesia.

Key word: public transportation, urban transportation, public service

Abstrak

Masalah angkutan kota merupakan masalah krusial dalam kehidupan social ekonomi masyarakat kota di Indonesia. Masalah ini seperti kemacetan dan kesemrawutan lalu lintas angkutan kota yang menimbulkan kerugian ekonomi masyarakat pengguna yang tidak sedikit jumlahnya. Masalah ini tetap saja muncul namun kebijakan pemerintah dan berbagai peraturan deripatif yang mengikutinya telah diimplementasikan. Di samping itu, pendelegasian kewenangan angkutan kota ke Pemerintah Daerah telah dilakukan, sebagaimana diatur dalam UU No. 22 Tahun 2009, yang merupakan wujud nyata dari kebijakan otonomi daerah, tetapi masalah ini belum terselesaikan dengan efektif. Oleh karena itu, diperlukan pembinaan danpenegakan hokum dalam implementasi kebijakan angkutan kota di Indonesia.

Kata Kunci: angkutan publik. Angkutan kota, pelayanan publik

A. Introduction

The main objective inorganizingroad traffic and transportation is the presence of security, safety andregularity of transportation and traffic system. However, the objective of theimplementation seems still far from expectations. This is evidenced from the reports of various media which indicate many incident in the field of transportation, such as the sinking of ships at sea, air crash, rail crash, and traffic accidents which are difficult to quantify how much the losses suffered by the user community services and claimed hundreds of people's lives. This phenomenon shows how bad the public service in the field of transportation and also shows the weakness of the implementation of transportation policy in Indonesia.

Implementation of road and traffic transportationpolicyhas become the authority of Local Government as the form of Law No.32 year 2004 on Local Government, in which the law implied the Government's efforts in the implementation of public services effectively and efficiently, including the implementation of urban transportationservices. In

this case, local governments have been given the authority to take strategic steps to facilitate the mobility of people and goods that can accelerate the local economy.

The strategic step of local government in this case is protected by Law no. 14 of 1992 on Road Traffic and Transportationthan replaced by Law No. 22 of 2009 on Road Traffic and Transportation. Implementation of the policy is based on the objectivesas follows: a. Realization of road traffic and Transportation servicesthatare secure, safe, regularity, and integrated with other transport modes to stimulate the national economy, promote the general welfare, strengthen national unity, and ableto uphold the dignity of the nation; b. realization of traffic ethics and culture; and c. Establishment the legal enforcement and legal certainty for the community. (Article 3 of Law No. 22 of 2009).

Based on the Law no. 22 of 2009, there are some characteristics of the goals to be achieved from the implementation of road transportation which are required attention on the chapter, that are concerning aspects: safety, network integrity, reliability, equity, and affordable.

To be able to evaluate the condition of the operating of public transport in urban areas required a minimum service standards which must be held as a benchmark assessment, whether the current conditions of service is adequate or not. In this case, the Minimum Service Standards (MSS) in the fields of Transportation, as stated in Minister of Transportation's circular letter SE No. 11 of 2000. In the Circular, Minimum Service Standarts relating to the operation of urban public transport which is as follows, concerning the responsibilities of the District/urbanin: Provision of permissionof urban Transport route, General Planning of networktransportation Secondary Roads, and Determination of City route network. However, there has been no minimum service standarts relating to problems regarding the service quality of public transportation to the community as end-user.

The existence of various regulations in the operation of transportation suggests that the importance of public services in the fields of transportation, since the implementation of road transport that accommodates approximately 96% of passenger trips, using either private vehicles or public transportation. Based on research result's Lubis et.al [1] regarding public transportation in Bandung, about 65% of trips using public transportation. The same thing happens in big cities in Indonesia so that it can be said that the public transportation is the most important passenger transportation system. Visibly, this can be proved, as occurs of mass stoppageof public transport operators, it is certain that the wheels of the economy in the big cities in Indonesia was completely paralyzed.

The condition of urban transportation service can now be said to be still far from ideal conditions expected, it can be seen from the emergence variety of criticism from various parties sporadically through various mass media. Comprehensive research on user perceptions about the level of public transportation services had ever undertaken by Lubis and Isnaeny.[2] Based on these studies revealed that approximately 47% passengers stated thaturban transportationservice is uncomfortable because it's too crowded especially in peak hours morning and evening, 42% stated thatthe less courteous of drivers in driving the public transportation. These Problems happen in big cities and metropolitan cities in Indonesia.

In big cities in Indonesia almost all roads to a standstill at rush hours, especially morning and evening. With the difficulty of the road network development in the city due to the use of land has been solid, it is very reasonable that urban public transportation is expected to become the foundation for solving transportation problems in large cities. Public transportation / mass transit which relatively have significantly more carrying capacity than private

1. Lubis, H.A.S., Isnaeni, M., dan Frazila, R.B. 2000, *PreparingaCompetitiveTatarBandungthroughTransportand BusinessNetworking, One Day Seminarfor EffortsTowardsanIntegratedTransportSysteminBandungand SurroundingAreas*,Departmen of Civil Technique, Unjani-FSTPT- Bandung Regency, Mei, 6, 2000.
2. Lubis, H danIsnaeni, M, 1999,*Pooling of Urban Transport Service Condition in Bandung*,Final Report. Bandung: LPM-ITB.

vehicles, are expected to provide transport services more efficiently with a minimum burden to the road network. unfortunately,current route network of public transport in major cities are very unstructured, with a fleet dominated by public transportation, and also the lack of available facilities and infrastructure such as road signs, etc. Compounded by the lack of diciplines of the drivers in driving, it suggests that the public transportation becamea common source of problems, rather than a solution in overcoming the problem of road network congestion.

Based on the Department of Transportation[3] there have been several major cities in Indonesia with the operation road networks has begun critically with an average speed of drive is almost below 20 miles per hour and V / C maximum at rush hour has almost reached 0.85. Major of the big cities in Indonesia have almost close to the critical point in which the speed of the vehicle about 22 miles per hour and P / C maximum ranges around 0.74 during peak hours. Similarly, there is high accessibility and low mobility of vehicles in major cities in Indonesia. This suggests that in large cities and metropolitan cities in Indonesia, many of which are on the verge of a tipping point congestion.

B. Discussion

1. Policy Implementation of Public TransportationinIndonesia

Primary basis in the operation of urban transport in Indonesia is Law no. 22 of 2009 on Road Traffic and Transportation. This law shows that transportation is a very important and strategic role in accelerating wheels of the economy, strengthening the unity and integrity as well as affecting all aspects of life of the nation and state. The importance of transportation is reflected in the increasing demand for transportation services for the mobility of people and goods to and from all corners of the country, and even from abroad.

In connection with the above, that the transportation-related or regulate the public interest in the field of trip, so the transportation is controlled by the state and organized by the government, as mentioned in article 4 paragraph 1 of this Law. The objectives, stated in article 3, which is the road traffic and Transportation held with the aim of: a) Realization of road traffic and Transportation services that are secure, safe, regularity, and integrated with other transport modes to stimulate the national economy, promote the general welfare, strengthen national unity, and able to uphold the dignity of the nation; b. realization of traffic ethics and culture; and c. Establishment the legal enforcement and legal certainty for the community.

To achieve these goals, then the development held by it done by central Government and local government as a form of regional autonomy. The development of the road trafficand transportationorganized by the agency in accordance with the duties and functions which include: a. government affairs in the field of road, by the government ministry in charge of the Road; b. government affairs in the field of facilities and Infrastructure of the road trafficand transportation, by the government ministry in charge of facilities and infrastructure roadtraffic and Transportation; c. government affairs in the field of industrial development of the road traffic and Transportation, by the government ministry responsible for the industry; d. government affairs in the field of technology development of road trafficand transportation, by the government ministry responsible for technology development, and e. government affairs in the field of Registration and Identification of Motor Vehicles and Drivers, Law Enforcement, Operational Management and Traffic Engineering, as well as traffic education, by the Police Department Republic of Indonesia.

The provincial government affairs in conducting coaching Road Traffic and Transportation include: a. Setting objectives and policy direction of system Traffic and Road Transportation in provincial and district /urbanwith networks beyond the district/ urban; b. providing guidance: training, certification, and permits to public transportation companies in the

3. Department of Transportation, 2005, *Profile of Urban Transport*

province; and c. supervising the implementation of Traffic and Road Transportation in provinces.

Local government affairs in conducting coaching Road Traffic and Transportation include: a. setting objectives and policy direction of system Traffic and Road Transportation in district / municipal with networksin the district / city; b. providing guidance, training, certification, and permits to public transportation companies in the district / city; and c. supervising the implementation of road ttraffic and ttransportationin district / city.

2. RouteNetwork of Urban PublicTransportation

After enactment of the Law no. 14 year 1992 which was replaced by Law no. 22 of 2009 on Road Traffic and Transport, the Minister of Transport issued a circular SE No. 7 of 2000 which states the authority of the City/ District Government in the field of road Traffic and Transportation (LLAJ), are the details of the Act, as follows:

a. Arrangement and Establishment General Plans of secondary road Transportation Network (RUJTJ);
b. Arrangement and establishmentroad class on the Regency / City's road
c. Establishment of type-C terminal location;
d. Operates passenger and freight terminals;
e. Establishmentfreight terminal location;
f. Implementation testing for motor vehicles;
g. Implementation the inspection for motor vehicles on the road;
h. Provision general permission to conduct CBA workshop;
i. Arrangement route network to urban and region transport
j. Provision route permission to urban and region transportation.
k. Provision business permission for passenger and freight transportation;
l. Provision of taxi operating licenses and transport rental business licence;
m. Establishment urban transport fares in economy class;
n. Establishment location of the facility LLAJ;
o. Procurement and installation facilities LLAJ;
p. Establishment the location and operation of parking facilities for the public;
q. The implementation of traffic management and enginering in National and Provincial roads that are within the Capital District / Regional Municipality;
r. Prevention and control of traffic accidents;
s. Provision permission to use the road;
t. Provision of training driving licenses.

Based on the minister of transportation's circular SE No. 7 year 2000 is set forth clearly that the authority to arrange Secondary RUJTJ and establishment of urban transportation route, including the route license and urban's public transportation business licence in the district/city. Classification of the city route as stated in paragraph (3) in the goverment regulations (PP) No. 41 Year 1993 are as follows:

a. The Main Routeis held with the characteristics of service as follows:
   (1) has a fixed schedule;
   (2) Serve the main areas, between the main areas and the support areas with the characteristics of the shuttle travels regularly with rail mass transit;
   (3) Served by public buses;
   (4) Fast and/or slow services:
   (5) A short distances;
   (6) Through the areas specified only for put up and down the passengers.
b. The Branch Routes is held with the characteristics of service as follows:
   (1) has a fixed schedule;
   (2) Serve between the main areas and the support areas and also residential areas;
   (3) Served by public buses;
   (4) Fast and/or slow services;
   (5) a short distance;
   (6) Through the areas specified only for put up and down the passengers.
c. The Post Route held with the characteristics of service as follows:

(1) Serving transportation in residential areas;
(2) Served by public buses and / or publicpassenger cars;
(3) Slow Services;
(4) a short distances;
(5) Through the areas specified only for put up and down the passengers.

d. Route directly held by the characteristics of service:
(1) has a fixed schedule;
(2) Servingmass and directly transportation between areas regularly;
(3) Served by public bus;
(4) Fast services;
(5) a short distance;
(6) Through the areas specified only for put up and down the passengers.

Idealization of public transportation route network's configuration as recommended in the decision of the Director-General of Land TransportationNo.274/HK.105/DRJD/96 concerning Technical Guidelines for public transportation operational in Urban Areas on Permanent and Regular Route as presented in Table 1. The Table idealizes that the provision of public transportation systems in Bandung city (with population more than 2.3 million people) consists of various types of public transportation in accordance with the route based on the service hierarchy. This implies that there is required the transformation in public transportation system that exist today in the city or metropolitan of Bandung as a whole.

Configuratively, the idealization in the operation of the route network urban transportation can be visualized as presented in Figure. Directly route as the routes which have relatively free hierarchy to function as a mass transportation system that connects directly between points in the surrounding residential areas with activities centers areas (CBD = Central Business District) in the Center of the City. This route is expected to be the backbone of urban transportation systems.

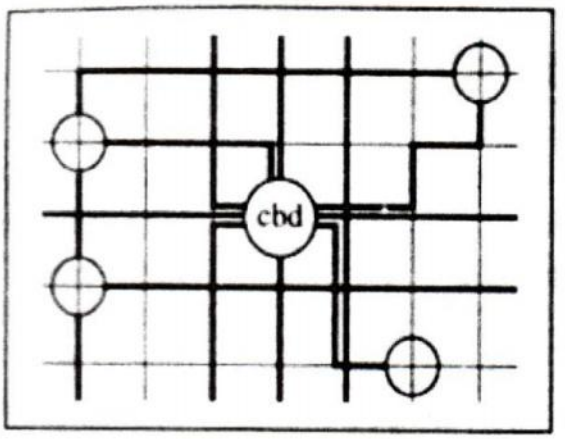
Table 1
Classification of route, city size, and vehicles size

		City size (population)			
Route classification	Route service areas	Very Large city (> 1million)	Large city (500 thousand to 1 million)	Moderate city (250 thousand to 500 thousand)	Small city (< 250 thousand)
Main route	In the Main areas and between main areas and supporting areas	Train, large buses	Large buses	Large buses/ moderate buses	Moderate buses
Branch route	In the Supporting areas and between supporting areas and residential areas	Moderate buses	Moderate buses	Moderate buses/ small buses	Small buses
Post route	In the residential areas	Moderate bus/ small buses	Small buses	Public passenger cars	Public passenger cars
Direct route	In the permanent and directly areas	Large buses	Large buses	Moderate buses	Moderate buses

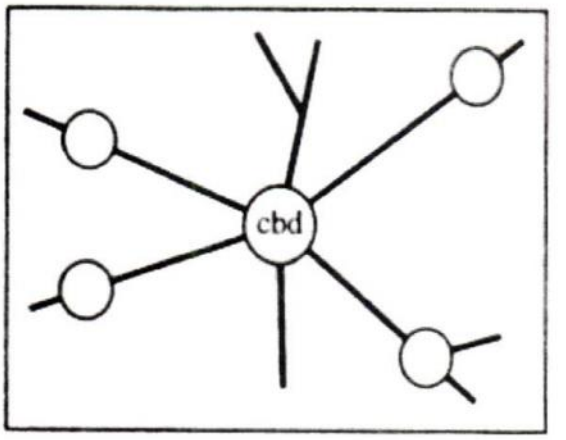
Source : modified from the desicion of the directorate-general of land transportation No. 274/HK.105/DRJD/96

The theoretical studies can be obtained several recommendations idealization of the structure of public transportation networks that are adapted to the pattern of land use and the presence of the existing road network system. For example in Figure 1 presented the pattern of public transport routes by Khristy and Lall[4], namely: (a) grid pattern, (b) a radial pattern, (c) modified radial pattern, and (d) territorial pattern. Suitability application route network pattern as presented in Table 2.

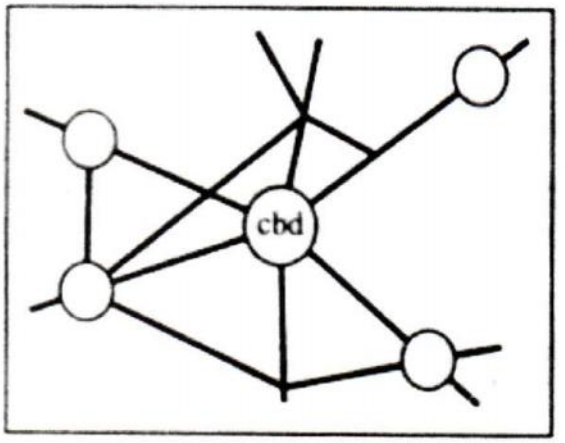
Figure 1
Route System/Pattern



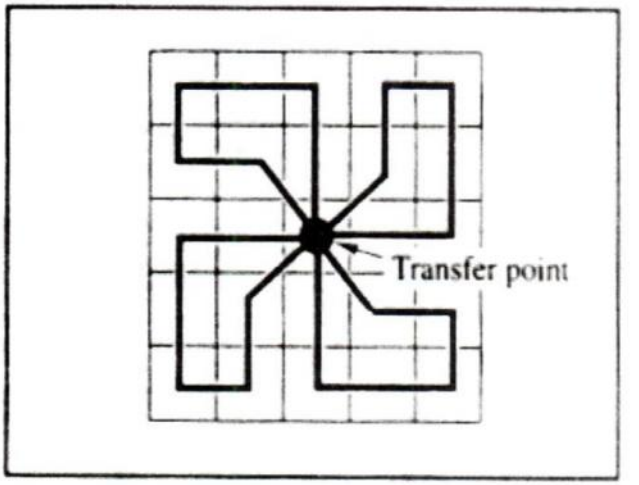
a. Grid pattern



b. Radial pattern



c. Modified radial pattern



d. Teriterial pattern

4. Khristy, C. J. and Lall, B. K, 1990, *Transportation Engineering: An Introduction.* New Jersey, USA: Prentice Hall, Inc.

Type	Characteristic	Application compatibility	Advantages	Losses
Grid	Trajectory Routeparallellyfollow theroadfrom theedge of citytothe otheredgepasses through the downtown	The road network has been formed grid at the cent er of the crowded cities through the sub-urban towards the downtown.	- easy to remember and understand by the user. - Distributed service coverage area	- The movementofeachorigindestinationcann ot bepassed with a singletrajectory. - Required a lots of transfer area (terminals and bus stops)
Radial	Trajectory route radially oriented to downtown	The town expanding into sub - urban in evolutive.	- Trip through the downtown can be passed in single trajectory - Easy transfer in the downtown	- Required large terminal at the downtown. - Required trans sub-urban trip transfers - Traffic load in the large downtown.
Teriterial	Service areas divided into a number of areas served by one trajectory route which intersect at the same point or road segment	Small town or sub -urban areas, in dependent city, or low density areas.	- Easy transfer process - Penetration of the service areas evenly	- Required large transfer location (focal point) - Transfer locations have congestion
Modified radial	Radial form coupled by circular trajectory connectting t he sub - center and downtown activities	The town expanding with an evenly distributed pattern of activity	- The users can move from anywhere to everywhere	- Users need to transer many times - Required a lot of transfer facilities

Source : Karsaman et al (1999)

3. Implementation of the Urban Transportation Policy: Development and Law Enforcement Efforts

In the policy process, policy implementation is an urgent step to the success of a policy. This suggests, policy implementation is very influential towards the policy impact[5], since the implementation become an early stage from the applied policy based on the establish regulations. The Urgency can be seen at the people's dependence of transport and not least of their income absorbed in this field. Based on data from the Department of Transportation Republic of Indonesia[6], transportation expenses to total revenue ranged an average of 20 percent. The largest expenditure for the transportation sector are on the private car, which is an average over 500 thousand dollars per month. As a comparison, expenses on private car users in the city of Makassar is Rp. 730,000 per month, while in the city of Medan, expenditures for private car users as much as Rp. 800,000 per month. The survey was conducted by the Department of Transportation RI[7] after the risingof fuels price (BBM). Then, expenditure for public transportation users and motorcycleranged on average aroundRp. 150-250 thousand per month. Similarly, household expenditures for transportation ranged between 17 to 25.33 per cent in Metropolitan Cities in Indonesia. The lowest Household expenditures are in the city of Palembang, which was 17 percent, while household expendituresare highest in the city of Makassar, as much as 25.33 percent. This indicates that transport costs for households are sizeable.

Various problems which have been mentioned in the introduction above are generally caused by the less effective of the development and inforcement. Development and law enforcement in road transport sector is still a *"homework"* that has not been completed until nowadays by the agencies responsible in this regard. The fact that so many road traffic accidents that occur as a result of the less of developmentand law enforcement and also the lack of discipline by the rider. This incident was missed from the objectives of the road transportation implementation that can provide safety and comfort for the rider or the user of road traffic and transportation service.

The development is the task of the government with reference to the Law No. 22 of 2009 article 5 paragraph 1, as follows: the State is responsible for Road Traffic and Transportation and developed by the Government. The development adapted to the spirit of regional autonomy, so that there is a decentralization of development at the provincial and district and city. Affairs of province, district and city have been established in the Law on Road Traffic and Transportation, as mentioned above.

Development contains two aspectsthat are the government as thedeveloper and the society as the service users as the nurtured objects. The central government as a developer requires an adequate ability and commitment in this regard, as well as urban transport operators need to realize the importance of the development. Negligence in this case would be fatal to the survival of this service's users. Similarly, it can threaten the safety of other road users. Magnitude of the negative impacts as a result of the negligence of the driver, so their requireguidance and law enforcement in this regard.

The scope of the guidance may include requirements and feasibility for someone to get a driving license, feasibility for public transportation vehicles, direct assistance in the field, and facilitate the guidance of transportation organizations, like Organization of Land Transportation (ORGANDA). Guidance through the transport organization, until now there has been much noticed by the government. Whereas according to the author, guidancelike this would be able to eliminate the road transportation problems, including congestion and road traffic accidents, and ultimately reduce the routine tasks of

5. Hudson, John, and Lowe, Stuart, 2004, *Understanding the Policy Process, Analyzing Welfare Policy and Practice*, UK: The Policy Press and the Social Policy Association.
6. Department of Transportation, 2005,*Profile of Urban Transport*
7. Ibid

government in this sector as well as the objectives of road transport implementation can be achieved. This is the dream of the reformers of public service, which is providing public services effectively and efficiently.

In urban transportation policy, there are 5 important steps to consider in organizing a public transportation system[8], as follows:

a. *Prepare a coherent statement of urban transport policy, and outline strategies to implement them.*
   The main basis of development and law enforcement in the field of road traffic and transportation is the existence of a clearlycommitmentof transportation policy in the area of the city that determines the principles, objectives, and priorities for the use of roads and also public and private transportation modes. This commitment includes the use of pedestrians and non-motorized vehicles. This is a major guidelines or directions for implementing the policy in carrying out the policyeffectively. Without a clear strategy in a policy is likely to experience failure in the implementation of the policy.
b. *Install an effective planning process*
   By the presence of the policy implementation strategy, the city government as developer need to do a comprehensive urban transportation planning by involving all stakeholders in this field. Besides, the city government should have the ability to monitor the transportation system, analyze the data to predict trends, and to formulate effective measures so that policy objectives can be achieved.
c. *Specify an appropriate and manageable structure and composition of the public transport industry*
   Inmanybig cities inIndonesia, composition ofpublictransporthas not beenmanagedeffectively, so that the transportationservice in this cityhas not beeneffective as well. Therefore, the city government needs to determine the composition of the vehicle or public transportation operating in a city. this composition need to pay attention to the classification of routes, city size, and size of the vehicle, but in many cases the composition is not easily changed becauseof many of the interests plays and be in thestatusquo.
d. *Develop an appropriate regulatory regime*
   As anoperationalbasein the field, the citygovernmentneeds to makea regulation that determines thepowers, responsibilityandfreedomsofthe operators. The regulationsare madeto be comply together nottobe violated, so that the regulations required legal certainty.
e. *Establish an effective planning and regulatory institution*
   The city government required to form an institutional of planning and organizing andthis institutionalis able to arrange planning and regulation procedures.

To runthe transportation systemeffectively andefficiently, city government required tohave strategy,[9] as follows:

a. *Establishing priorities for the allocation of road space between the competing demands of utilities, frontages, pedestrians, non-motorized vehicles, public transport vehicles and stops, parked vehicles and moving vehicles;*
b. *Improving road capacity by traffic management and enforcement measures to improve the average bus speeds to a target of 15 – 18 km/h, achieving this by bus priority measure where warranted;*
c. *Building more effective institutions to implement policies and plans;*
d. *Containing and reducing the role of Para transit modes to a target level, by confining them to secondary routes by a progressive strategy of creating competing and imposing restrictions, and consolidating fragmented ownership into companies or cooperatives to facilitate control;*
e. *Revising the road traffic and transport legislation and the licensing system to create appropriate*

8. GTZ, 2002, *Resources for Policy-Makers*, (Module 6), Germany: GTZ.
9. ibid

powers;

f. *Ensuring that public transport service provide comprehensive, safe, adequate coverage of the city, and that they provide a full range of quality, including premium services (air-conditioned, all-seated);*
g. *Ensuring the provision of adequate bus infrastructure including stops, shelters, bus bays, terminal and turn around facilities;*
h. *Giving priority to pedestrian routes accessing bus stops and terminals.*

C. Conclusion

1. Based on the contributions and the severalof traffic problems in many major cities in Indonesia, then the public transportation in urban areas is the pulse of the economy in urban areas. Therefore, it requiredof guidance and legal certainty as the demands of the law of road traffic and transportation.
2. The development of road traffic transportation is the responsibility of Government. The development referred hereinclude the determination of strategy, planning an effective traffic, setting rule or regulation, and the existence of institutions that guarantee the implementation of policies in accordance with the rules.

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