

ABSTRACT

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“JUDICIAL REVIEW ABOUT THE REGULATION OF OJEK *ONLINE* IN INDONESIA”

(ix + 104 pages)

Ojek has been in Indonesia for a long time. There were no problem regarding their existence in Indonesia because the people need them for their daily activities as a transportation, until one day there is something call *ojek online*. Since *ojek online* appeared, many have questioned the legality of a motorcycle that is used for the public transportation. Because according to the Law motorcycle is not categorized as public transportation. The purpose of this study is to determine how public transportation and *Ojek Online* is regulated in Indonesia. The methodology of this research is descriptive analytic. The problem is that the drivers of *Ojek Online* have sued the provisions of article 47 paragraph 3 Law of Transportation, which does not categorize motorcycles as public transportation but this has been rejected by the Constitutional Court in case number 41/PUU-XVI/2018. Then The Ministry of Transportation issued regulations on motorcycles used for the benefit of the people based on discretion. But with the issuance of these regulations indirectly categorize motorcycles as public transportation which is contrary to the Law of Transportation in Indonesia. The result of this study is not to prohibit the operation of *Ojek Online* because with the existence of *Ojek Online*, the number of unemployed people in Indonesia is reduced. And the Government should not have issued a regulation about motorbikes used for the benefit of the people but instead revising Article 47 paragraph 3 of UULLAJ by categorizing motorcycles as public transportation without forgetting the security and safety aspects. Because in order to categorize motorcycle as public transportation legally there must be safety and security for both drivers and consumers. By revising the article into categorizing motorcycles as public transportation, the Government indirectly provides legal protection for *Ojek Online* driver.

References: 27 (1984-2018)

Keywords: Public Transportation, *Ojek Online* in Indonesia.