

CHAPTER FIVE

CONCLUSIONS AND RECOMENDATIONS

A. Conclusions

Based on the analysis that has been explained in Chapter Four on this research, the conclusion can be generated as follow:

1. The Supreme Court revoked the application object namely 18 articles in The Regulation of Minister of Transportation No. 26/2017 because the application objects are contrary with the higher legislation and contrary with this regulation formulation which discourage online taxi service providers and it only beneficial for conventional taxi service providers.
2. These 18 articles of The Regulation of Minister of Transportation No. 26/2017 also violate the business competition law. Addressing this matter, then The Minister of Transportation revises this regulation becomes The Regulation of Minister of Transportation No. 108/2017. However, as a result, these articles contain several repetition articles of The Regulation of Minister of Transportation No. 26/2017 that do not resolved the legal issues between conventional taxi service provider and online taxi provider. There are several articles of The Regulation of Minister of Transportation No. 108/2017 that are considered to have followed the recommendation of The Business Competition Supervisory Commission which resolved several legal issues. This matter resulted that there has been no regulation yet as legal protection which equitable for online taxi in Indonesia.

B. Recommendations

Based on the conclusion that has been generated, the researcher recommends several suggestions as follows:

1. In order to realize the legal certainty against the aspects of safety; security; convenience; equality; affordability; and regularity also accommodate the development of people needs in implementation of the people transportation by public transportation which not in route, the Ministry of Transportation needs to revise the articles that are considered contrary with the higher legislation and it violates the business competition law.
2. Determination of 18 articles in The Regulation of Minister of Transportation No. 26/2017 only commit favors to the conventional taxi service providers so the drafting of the regulation in the technology-based transportation sector should be enhanced based on the principle of deliberation that involves the entire stakeholder in transportation services sector. This matter is possible to commit in order to grow and develop the business economics of micro, small, and medium enterprises together without leaving the familial principle.