Ensuring Accessibility: Safeguarding Disabled Consumers on Transjakarta Routes in East Jakarta

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Abstract. This paper aims to test whether the facilities for accessibility of public services for consumers with disabilities on Transjakarta public transportation in the East Jakarta City area are by the DKI Jakarta Regional Regulations and the Law on Persons with Disabilities. The non-availability of adequate facilities at many Transjakarta stops and terminals by business actors, in this case, PT Transportation Jakarta, for consumers with disabilities is a violation of consumer rights, in which consumers should have the right to receive safe and comfortable services by Law Number 8 of 1999 concerning Consumer Protection. PT Transportation Jakarta, which operates Transjakarta, must pay attention to providing accessibility facilities for people with disabilities because there are regulations from Law Number 25 of 2009, Minister of Transportation Regulation Number 98 of 2017, and PUPR Ministerial Regulation Number 14 of 2017 which require the development of accessibility for people with disabilities as consumers so that consumer rights are fulfilled. Namely, the right to comfort, security, and safety. Apart from that, the functionality that has been made by Transjakarta in the form of Transcares services can be further improved so that it is easier for consumers to use Transcares services. To the Regional Government for providing adequate accommodation for persons with disabilities, namely in accessibility to and from public vehicles, priority seats, guide tiles, instructions and information in audio and visual form, priority in queues, smooth ticket purchasing places, and guide officers.

Keywords: Persons with Disabilities, Consumer Protection, Public Transportation.

1 Introduction

Most people often rely on public transportation facilities to carry out their daily routines, because the majority of the population in Indonesia still believes that public transportation facilities are vital as an option for those who do not have private vehicles. This phenomenon has led to a significant increase in demand for transportation services, encouraging transportation service providers to continue improving the quality of safe, comfortable, and affordable services. This increase in demand has also contributed to the escalation of public demands for the transportation sector. Therefore, managing traffic and improving public transportation facilities is a very strategic aspect and is needed by society1.

In general, mass transportation facilities are divided into three based on transportation routes, namely land, sea, and air. An interesting type of transportation to pay attention to is land transportation, one of which is public bus transportation. In the DKI Jakarta area, one of the public bus transportation that operates is Transjakarta which is managed by PT Transportation Jakarta. Every level of society can use Transjakarta bus services, as well as people with disabilities. People with disabilities in society are often seen as second-class citizens due to their limitations and shortcomings2. According to the Social Service in the DKI Jakarta area, there are a total of 44,456 people with disabilities and the area with the highest number of people with disabilities is the East Jakarta Administrative City area with a total of 11,365 people with disabilities3.

People with disabilities often encounter obstacles in accessing Transjakarta bus transportation, because there are several Transjakarta stops that do not have ramps or wheelchair ramps for the disabled and guiding blocks for the blind. Meanwhile, it is regulated in Article 28H paragraph (2) of the 1945 Constitution (hereinafter

[1] Pratiwi Puspitho Andini, "Perlindungan Hukum Konsumen Penyandang Disabilitas Dalam Angkutan Umum Bus Antar Kota," *Riau Law Journal* 1, no. 1 (20226), https://doi.org/http://dx.doi.org/10.30652/rlj.v6i1.7934.
[2] Ahmad Syahrus Sikti, *Altruisme Hukum: Kepedulian Terhadap Penyandang Disabilitas* (UII Press, 2019).
[3] Berita Jakarta, "Jaktim Lakukan Pemutakhiran Data Penyandang Disabilitas," Berita Jakarta, 2022, https://www.beritajakarta.id/read/93463/sudin-sosial-jaktim-lakukan-pemutakhiran-data-penyandang-disabilitas.

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abbreviated to the 1945 Constitution) which states that every person has the right to receive special facilities and treatment to obtain the same opportunities and benefits to achieve equality and justice. The contents of this article explain that every position in society, including people with disabilities, has the right to receive the same treatment and opportunities as citizens of the Republic of Indonesia. This includes obtaining adequate facilities and accessibility in accessing public transportation.

Consumers with disabilities are an inseparable part who have the right to obtain their full rights without discrimination in public transportation services so that the principles of justice and security are fulfilled as regulated in Article 2 and Article 4 letter g of Law Number 8 of 1999 concerning Protection. Consumer. The principle of justice is intended so that the participation of all people can be realized optimally and provides opportunities for consumers and business actors to exercise their rights and carry out their obligations fairly and the principle of consumer security and safety is intended to provide guarantees for security and safety to consumers in the use of goods or services consumed or used4. Therefore, Law Number 8 of 1999 concerning Consumer Protection is obliged to be a means of protection for them.

A bus stop building or public transportation terminal is required to meet accessibility for people with disabilities, this has been regulated in Article 22 of the DKI Jakarta Provincial Regulation Number 5 of 2014 which states that every terminal needs plan must pay attention to the accessibility of Road Transport service users, which in this case includes for people with disabilities. However, there are still many bus stops and terminals in the East Jakarta City area that still do not have adequate accessibility facilities for people with disabilities, even though this is required in DKI Jakarta Provincial Regulation Number 5 of 2014.

PT Transportation Jakarta as a business provider providing public transportation services, namely Transjakarta, is one of the public transportation used by all levels of society, including people with disabilities. However, groups of people with disabilities still find it difficult to access Transjakarta bus services, because according to media reports in 2022, of the 222 stops in DKI Jakarta, only 71 stops will be included in the disability-friendly category5. PT Transportation Jakarta as a business actor is obliged to comply with applicable laws and regulations to fulfil consumer rights properly and correctly, but since the enactment of DKI Jakarta Provincial Regulation Number 5 of 2014 until the year this research was written, PT Transportation Jakarta has still not complied. This regulation states that every terminal facility and/or bus stop must pay attention to the accessibility of Road Transport service users, which in this case includes people with disabilities.

The non-availability of adequate facilities at many Transjakarta stops and/or terminals by business actors, in this case, PT Transportation Jakarta, for consumers with disabilities is a violation of consumer rights, in which consumers should have the right to receive safe and comfortable services by Law Number 8 of 1999 concerning Consumer Protection. This violation of consumer rights can cause material and immaterial losses, where the unavailability of accessibility facilities for consumers with disabilities6, such as rams for the disabled and guideways for the visually impaired, can endanger their safety, and also they will not feel comfortable7 because they can only go up and down or transit at certain stops that have adequate facilities for people with disabilities. In addition, these limitations lead to discriminatory services, considering that they cannot properly utilize Transjakarta services for which they have paid in full. Based on the description of the background to the problem above, the problems that will be discussed in this research can be formulated as follows: 1) Are the facilities for accessibility of public services for consumers with disabilities on Transjakarta public transportation in the East Jakarta City area by the DKI Jakarta Regional Regulations and the Law? -Invite Persons with Disabilities? 2) What are the legal consequences of not implementing the development of accessibility of Transjakarta public transportation services in the East Jakarta city area?

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[4] Samina Kanwal, Faiz Ul Muram, and Muhammad Atif Javed, "Systematic Review on Contract-Based Safety Assurance and Guidance for Future Research," *Journal of Systems Architecture* 146 (January 2024): 103036, https://doi.org/10.1016/j.sysarc.2023.103036.

[5]Kompas, "Penyandang Disabilitas Masih Kesulitan Mengakses Sejumlah Halte Transjakarta," kompas.com, 2022, https://www.kompas.id/baca/metro/2022/11/20/penyandang-disabilitas-masih-kesulitan-akses-sejumlah-halte transjakarta?status=sukses_login&status_login=login.

[6] Amanda Apgar, *The Disabled Child: Memoirs of a Normal Future* (University of Michigan Press, 2023).

[7] Vasanthi Suresh and Lata Dyaram, "Diversity in Disability: Leaders' Accounts on Inclusive Employment in the Indian Context," *Equality, Diversity and Inclusion: An International Journal* 41, no. 3 (April 20, 2022): 454–73, https://doi.org/10.1108/EDI-05-2020-0133.

2 Research Method

The type of research used by the author is normative legal research. Normative legal research is the study of documents, which uses sources in the form of statutory regulations, court decisions/decisions, contracts/agreements, and legal theory, along with the opinions of scholars. The normative research studied by the author comes from applicable laws and regulations regarding the regulation of consumer protection as stated in Law Number 8 of 1999 concerning Consumer Protection. The data used in this research are primary data and secondary data. The primary legal materials used for research are Law Number 8 of 1999 concerning Consumer Protection, Law (UU) Number 8 of 2016 concerning Persons with Disabilities, PUPR Ministerial Decree Number 14 of 2017 concerning Building Convenience Requirements, and Provincial Regional Regulations (PERDA). Special Capital Region of Jakarta Number 4 of 2022 concerning Implementation of Respect, Protection and Fulfillment of the Rights of Persons with Disabilities, Regional Regulation (PERDA) of the Special Capital Region of Jakarta Province Number 5 of 2014 concerning Transportation, Government Regulation Number 42 of 2020 concerning Accessibility to Settlements, Public Services, and Protection from Disasters for Persons with Disabilities, as well as literature discussing Consumer Protection for Persons with Disabilities regarding access to public transportation services based on the United Nation Guidelines for Consumer Protection.

3 Results and Discussion

3.1 Accessibility and Barriers to Consumer Protection for Disabled Transjakarta Users in The East Jakarta City Area

author The author, in obtaining data on consumers with disabilities who often use Transjakarta for daily mobility, collaborated with the Jakarta Barrier Free Tourism (JBFT) Community, which is a community that focuses on the accessibility of public transportation for disabled people. JBFT is often invited by the government to take part in the accessibility experiments that have been built. In collaboration between the author and JBFT, a total of 10 people with disabilities who were blind and 10 people with disabilities who used Transjakarta as their daily mobilization were gathered.

Figure 1 JBFT Community

Resource: JBFT, 2023

The total of 10 physically disabled consumers, all of them are active Transjakarta users in the East Jakarta area and are used to mobilizing independently. Mobilization carried out independently is not only carried out because they trust the accessibility infrastructure that has been provided because consumers themselves do not

feel confident or comfortable[8] when accessing the public service[9] infrastructure provided by Transjakarta but because they feel that one of the most accessible modes of transportation is Transjakarta.

Figure 2 Paved sidewalks in the Cakung area

Resource: Catur Respondent, 2023

Based on data from physically disabled consumers, public service infrastructure in mobilizing to departure points does not make it very easy for consumers to reach Transjakarta stops. This is because, in the area around where consumers live, there has not been even development, such as there are not yet adequate sidewalks with no sidewalk with rams or pegged sidewalks which make it impossible for wheelchair users to pass, however in certain areas such as Kramat Jati. It is felt that the sidewalks built to the Transjakarta bus stops are quite convenient. The accessibility of public services built at Transjakarta bus stops in the East Jakarta area has not been felt to make things easier for physically disabled consumers. Consumers experienced several incidents that were more or less similar, namely incidents where rams were not provided or rams whose slopes were too steep and door gates that were too narrow.

Figure 3 Gate that does not fit the width of a wheelchair

Resource: Arifudin Respondent, 2022

Brother Arifudin, a consumer respondent who often uses Transjakarta at the Kramat Jati Market Bus Stop, faces difficulties in accessing the gate to tap his card because his physical condition is quite large, so the wheelchair he uses is also large. However, at the Kramat Jati Market bus stop gate, there is only room for access for 1 person who taps the card while standing. So to access the gate, Mr Arifudin had to get out of his wheelchair with the help of another person, and then his wheelchair also had to be folded to get through the gate. Mr. Arifudin often experiences this incident, which causes uncomfortable feelings when accessing Transjakarta's public service infrastructure.

[8] Ahmad Juwaini et al., "The Role of Customer E-Trust, Customer e-Service Quality and Customer e-Satisfaction on Customer e-Loyalty," *International Journal of Data and Network Science* 6, no. 2 (2022): 477–86, https://doi.org/10.5267/j.ijdns.2021.12.006.

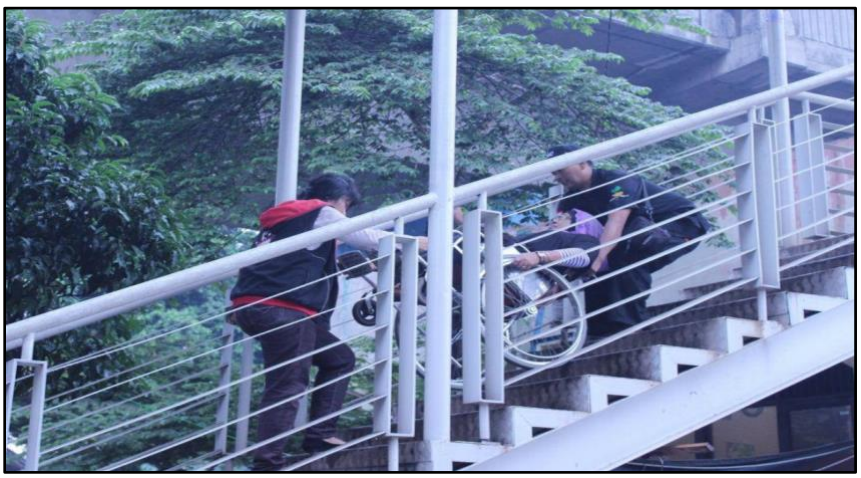
[9] Anh Thi Van Nguyen, Robert McClelland, and Nguyen Hoang Thuan, "Exploring Customer Experience during Channel Switching in Omnichannel Retailing Context: A Qualitative Assessment," *Journal of Retailing and Consumer Services* 64 (January 2022): 102803, https://doi.org/10.1016/j.jretconser.2021.102803.

Figure 4 Klender bus stop that does not provide RAM

Resource: Catur Respondent, 2023

Another consumer who feels disadvantaged by the inadequate accessibility of public services is Mr. Catur, who himself goes to work every day using the Transjakarta service to get to the office of the Minister of Transportation. He often accesses the Klender bus stop which does not provide a ramp or lift, the only construction carried out is the construction of a walking staircase. So every time he accesses the bus stop, Mr Catur needs to be helped by the officers at the bus stop so he can go down or up to the bus stop, which usually means he has to be carried or lifted along with his wheelchair, which is quite risky because some officers don't understand. or not receiving education to help consumers with disabilities can be seen from the officers who were confused about lifting the wheelchair used by Mr Catur.

Figure 5 Cempaka Putih bus stop, which does not provide RAM



Resource: Subhan Respondent, 2023

A similar incident was also experienced by the respondent, Subhan when he accessed the Cempaka Putih bus stop, which did not have a RAM for going up or down when accessing the JPO connected to the Transjakarta bus stop. He also said that during access, the officers did not understand how to lift a wheelchair properly, and there was an incident where the wheelchair he was using was unbalanced, and he almost fell while being helped to get off a bus stop. According to Mr Subhan's statement, explained that the regulations used in PUPR Ministerial Regulation Number 14 of 2017 concerning Requirements for Building Ease of Building and Minister of Transportation Regulation Number 98 of 2017 are obvious and very good to be used as guidelines during construction, bearing in mind that this development is also supported with the Regional Regulation (PERDA) of the Province of the Special Capital Region of Jakarta Number 4 of 2022 concerning the Implementation of Respect, Protection, and Fulfillment of the Rights of Persons with Disabilities so that persons with disabilities receive adequate access to public services. However, there is no consistency between the applicable regulations and existing development10.

[10] Dewa Gede Sudika Mangku, Ni Putu Rai Yuliartini, and I Wayan Lasmawan, "Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory," *Unnes Law Journal* 8, no. 2 (October 19, 2022): 245–62, https://doi.org/10.15294/ulj.v8i2.52406.

Figure 6 Bus stops that do not provide portable RAM

Resource: Reta Respondent, 2023

Respondent's sister Reta experienced another obstacle regarding the complaint, she usually accesses the Raya Bogor Flyover bus stop, but when accessing the bus stop there was no portable RAM when she wanted to get off the Transjakarta bus to the Raya Bogor Flyover Bus Stop for transit. Mrs. Reta often gets off in a position that is almost out of the transit gate. Sometimes, the officers working are insensitive or lack human resources, so they don't see her in a dangerous situation where she almost falls out of the Transjakarta bus transit gate. Mrs Reta herself considers that fulfilling accessibility and service by officers at each Transjakarta bus stop is very meaningful and helps if these two things are consistently well developed. According to him, what helps apart from RAM infrastructure are officers who understand when helping consumers with disabilities access Transjakarta. Based on 10 other Blind consumers. 8 of them usually mobilize independently and are not accompanied by other people. Transjakarta is also a public transportation system that they can use to mobilize for work daily. Even though there are many obstacles for blind consumers when accessing the sidewalks used to get to the bus stop they want to go to.

Most interviewees made the same complaint, namely regarding the construction of sidewalks, which were built haphazardly and did not comply with the provisions of the laws and regulations. This discrepancy is usually due to the construction of the guideway colliding with trees which causes the Blind to be hit by trees when accessing the sidewalk. Not only did they collide with trees but also with poles or plunged into drains because inappropriate development creates discomfort and feelings of insecurity because of this.

The guideway is an infrastructure provided for blind people to know the direction of the road using the installed tile texture media. The existence of this guideway makes it easier for blind consumers to access public transportation, but only in the East Jakarta area. The guideways built are inconsistent because many bus stops do not have guideways built. One example is the Kramat Jati Market Bus Stop, where a guideway was not built. One of the respondents, sister Cheta, explained that several bad experiences occurred due to the guideway not being installed, namely when walking at the bus stop, she crashed into and went out of the transit gate. The officers were also not responsive enough to help blind consumers get off the Transjakarta bus so they had to step on the wrong foot and fall between the bus and the transit gate.

He said that the incident caused minor injuries to him, although the impact did not interfere with Mrs Cheta's daily activities. Even so, Mrs. Cheta had to endure uncomfortable pain during her activities. This incident also made Mrs. Cheta feel that her security and comfort while accessing Transjakarta had been lost and she tended to be more alert when she wanted to leave because the role of the officers was not that big and tended to be passive; the passive behaviour explained by her was the lack of knowledge of the officers to identify consumers with disabilities, blind and ignorant to serve blind people with disabilities. One of Mrs. Cheta's own experiences regarding the uncomfortable service of the officers was that the officers who guided her tended to walk quickly and Mrs. Cheta was forced to follow at a fast pace and felt like she was being dragged. However, according to him, this can be improved and hopes that accessibility developments can be built so that they are suitable for blind people with disabilities. The next resource person who shared his experience was Mr. Aduy who was a worker who used Transjakarta as his mobilization to work in the West Jakarta area. He usually accesses Transjakarta at 6 am to start his activities as a worker at a cafe.

The experience described by the respondent, Brother Aduy, is relatively similar to that described by Mrs. Cheta. He said that the obstacles that are often felt when accessing Transjakarta stops are: When he accessed the Transjakarta Utan Kayu bus stop, the bus stop did not have a guideway installed, making it difficult for Mr Aduy to step because there was no guideway to help him to step, making him feel that he did not have comfort and security when accessing the bus stop. Moreover, officers do not understand how to serve or help blind people with disabilities. Mr Aduy also shared his experience that the sidewalk he accessed was built with a guideway, even though he had a bad experience of falling into a ditch because the guideway was built haphazardly and made him take the wrong step when accessing the sidewalk. Apart from that, many traders who use carts to trade think that the guideway is the limit so they can sell, which is why they usually even get hit by the carts used for selling.

The transportation service is an extension of the Minister of Transportation which has the task of implementing applicable regulations from the Minister of Transportation and DKI Jakarta Regional Regulations. Complaint services regarding public service infrastructure in the field of transportation are usually received by the Department of Transportation through the Jakarta Kini (JAKI) system which can be contacted to make complaints regarding transportation infrastructure and facilities, whether the complaint is in terms of security, comfort, safety, and availability of infrastructure, then the complaint will be connected with the transportation department.

The author contacted the Transportation Department to interview the accessibility of public services in Transjakarta because it is based on the duties and functions described above. The Transportation Service is closely involved in monitoring and implementing the accessibility of public services used by consumers with disabilities. Based on an interview with resource person Fathia, she explained that up to now many of the Transjakarta bus stops cannot be considered disability-friendly, because Transjakarta itself has been operating since 2004, while the Minister of Transportation Regulation which regulates the accessibility of public services was only passed in 2017. However, In 2021, bus stop revitalization has begun to be carried out to achieve disability-friendly bus stops. For the revitalization itself, the stages are also quite long because revitalization can be carried out once a governor's decree has been issued.

The infrastructure development plan has been planned and funds have been provided in the APBD. Transjakarta itself is also making efforts by implementing the Transjakarta Cares program, which is one of the positive initiatives launched by the rapid transit bus service in Jakarta, which aims to provide special attention and services for passengers with disabilities. This program is designed to improve transportation accessibility and comfort for those with special needs, helping them have a more inclusive and safe travel experience. One of the main aspects of Transjakarta Cares is the provision of accessibility facilities at bus stops. This includes special ramps and stairs, flat sidewalks, and waiting areas designed to make it easier for disabled passengers to get on and off the bus comfortably. This facility aims to eliminate physical obstacles that disabled passengers may face during travel.

In addition, the buses involved in the Transjakarta Cares program are equipped with special facilities, such as seats designed to make it easier for passengers with disabilities, as well as adequate space for wheelchairs. This creates a friendlier and more supportive environment for all passengers, reflecting Transjakarta's commitment to inclusivity in its transportation services. The team of officers at Transjakarta Cares is also specially trained to assist disabled passengers. They can assist with the bus boarding and disembarkation process, provide information, and ensure that each disabled passenger's special needs are met during the trip. This creates a friendly and helpful atmosphere for those who may need additional assistance. This program may also include outreach campaigns to increase public awareness about the needs and rights of passengers with disabilities. In this way, Transjakarta Cares not only creates supportive physical infrastructure but also strives to form an inclusive culture around its transportation services.

The National Commission for Disabilities (KND) is an agency that was recently passed on December 1, 2021, and was born from the mandate of Law Number 8 of 2016, specifically in Article 132, which requires the existence of an institution that carries out its functions. In general, there are 3 tasks of the KND, namely monitoring, evaluating, and advocating related to the implementation of respecting, protecting, and fulfilling the rights of persons with disabilities. Meanwhile, if we look at its function, the KND has the function of preparing KND activity plans to implement respect for the fulfilment, protection, and fulfilment of the rights of persons with disabilities, monitoring, and evaluation, advocating for the implementation of respect for the fulfilment, protection, and fulfilment of the rights of persons with disabilities and collaborating with various stakeholders related to fulfilment of the rights of persons with disabilities who have related interests.

With this information, the author contacted KND to submit an interview request, and in the end, the author interviewed Mr. Alboin Samosir as a representative from KND. The resource person, Alboin, provided information that KND itself was open to receiving complaints by calling the number 0811-1388-143, known as DITA 143. He shared that KND had received complaints regarding violations of the rights of people with disabilities regarding public services on land transportation. Where people with disabilities receive poor service at bus stops with officers who ignore them when they want to get off the bus stop where the people with disabilities want to transit. Based on the complaint, KND will process it by writing to the relevant parties based on the complaint, then an attempt will be made to discuss solutions and solutions that can be taken to handle the complaint. Apart from that, KND collaborates with several parties to continue improving the implementation of respecting, protecting, and fulfilling the rights of persons with disabilities.

3.2 Conformity Of Facilities For Accessibility Of Public Services For Consumers With Disabilities On Transjakarta Public Transportation With Legislative Regulations

Accessibility of public services in Transjakarta which was built in the City of East Jakarta is considered not to meet the standards that have been determined based on data obtained from sources with disabilities, both blind and physically impaired, who often access Transjakarta stops in the City of East Jakarta, as well as the suitability of public service accessibility facilities, with statutory regulations.

3.2.1 Provincial Regulation for the Special Capital Region of Jakarta Number 4 of 2022 concerning Implementation of Respect, Protection, and Fulfillment of the Rights of Persons with Disabilities

DKI Regional Regulation No. 4 of 2022 regulates the rights that persons with disabilities must have to respect, protect and fulfil their rights. Article 5 regulates the rights of persons with disabilities. In this research, the author focuses research on accessibility and public services that must be provided by business actors and the government, where Article 5 letters m and n state that persons with disabilities have the right to have or receive accessibility and public services. Apart from that, there is a clause in DKI PERDA No. 4 of 2022 that explains the obligation to provide public services that must be accessible to people with disabilities. This is regulated in Article 80 of DKI Regional Regulation No. 4 of 2022 which explains the following:

a. provide Public Services that are easily accessible to Persons with Disabilities;
b. disseminate and promote easily accessible Public Services to Persons with Disabilities and the community, and
c. provide a Public Service guide that is easily accessible to Persons with Disabilities.

With the explanation of Article 80, it can be interpreted that public services are required by law to be well-built so that they are easily accessible to people with disabilities, not only by providing them but also by socializing and providing guidance regarding these public services. However, it is based on data obtained by the author from sources with disabilities. In reality, on the ground, both on the sidewalk leading to the Transjakarta bus stop and in Transjakarta itself, the public services that have been built or implemented have not made it easier for people with disabilities to access Transjakarta stops in the East Jakarta city area. Apart from not making it easier for people with disabilities to access Transjakarta bus stops, many bus stops in the East Jakarta area have not even built public service accessibility so no public service accessibility should be installed or built by business actors or transportation organizers.

3.2.2 Provincial Regulation of the Special Capital Region of Jakarta Number 5 of 2014 concerning Transportation

DKI Regional Regulation No. 5 of 2014 regulates the transportation system that must be implemented by business actors or parties who are transportation organizers who are required to follow. The provisions of DKI Regional Regulation No. 5 of 2014 also require that accessibility be installed both on sidewalks and at bus stops or terminals. This is explained in Article 41 and Article 42 of PERDA DKI No. 5 of 2014 which states that special facilities for people with disabilities and the elderly must be built at bus stops and on public roads, where construction must refer to the provisions of applicable legislation. The provisions of the statutory regulations in question are regulations that regulate the standardization of accessibility development, namely in PUPR Ministerial Decree No. 14/PRT/M/2017 of 2017 concerning Building Convenience Requirements.

The standardization referred to is contained in Article 17 paragraph (2) PUPR Ministerial Regulation No. 14/PRT/M/2017 of 2017 For bus stops and terminal buildings which are included in the category of vertical connection buildings or 2 or more building levels, a minimum of:

a. ladder;
b. RAM;
c. elevator;
d. stair lifts;
e. walking stairs/escalators; and/or;
f. walking floor (moving walk).

The design and provision of construction of facilities in the construction of bus stops or terminals with vertical connections between floors must pay attention to several things, including safety, comfort, ease of use, ease of access and placement in easily visible locations, completeness of clear and informative markings, degree of / level of slope and surface texture of the ram that is easy to use and not dangerous, and separation of ram for Building Users and ram for goods. For bus stops or terminals that have horizontal connections between buildings of 2 or more levels, it is explained in Article 10 of PUPR Ministerial Decree No. 14/PRT/M/2017 of 2017 which also explains the standardization of infrastructure that must be built, namely:

a. door;
b. breezeway;
c. corridor;
d. pedestrian path;
e. guideway; and/or
f. bridge connecting space/between buildings

With this standardization, standards can be ensured that there are minimum obligations in building accessibility of public services and supporting infrastructure to and from Transjakarta stops. Even though the standards that must be built have been explained, they still have to follow the standardization details set out in the attachment to PUPR Ministerial Decree Number 14 of 2017, such as accessible gates with appropriate widths so that wheelchair users can access bus stops, where the gate tapping must be no less than 92 cm, and Another door measures 60 cm when the gate is open. Apart from tapping gates, rams and guidelines must also follow standardization details, for rams which must not be less than 95 cm without a safety edge and 120 cm with a safety edge and must have a slope of 5 degrees or a ratio between height and slope of 1:12.

The description above shows that there are already quite detailed laws and regulations that are useful for users, especially people with disabilities. However, the fact is that currently, many people with disabilities are blind and physically impaired and have difficulty accessing Transjakarta stops because of the limited and undeveloped facilities in the form of supporting facilities and infrastructure in public areas. This discrepancy can be seen from the Transjakarta bus stops which are not yet disabled-friendly by not having a guiding block built or the guideway being built haphazardly, thus confusing when walking for the blind.

This often causes inconvenience and even harm for people with disabilities, especially the blind, because it will cause accessibility problems. For the physically disabled, tapping gates and rams are very important for them to access; Meanwhile, in the field, the tapping gate was not built according to standards, the width of which can only be accessed by one person in a standing position, resulting in it being inaccessible to wheelchair users. Another thing is that a ram was not built, but what was built was a ladder that was inaccessible to the disabled. Apart from that, the angle of the ram that has been built is too steep, so it does not provide comfort and can even endanger disabled consumers, especially wheelchair users.

3.2.3 Law Number 8 of 2016 concerning Persons with Disabilities

Article 2 of Law Number 8 of 2016 clearly explains that there must be implementation and fulfilment of the rights of persons with disabilities who are not treated in a discriminatory manner, have equal opportunities in any case, equality, accessible accessibility, and special treatment and more protection for them. Apart from that, Law Number 8 of 2016 makes it mandatory for all business actors and the government to implement and fulfil the rights of persons with disabilities. Facilities for people with disabilities are regulated by Law Number 8 of 2016 article 19 paragraph (1), which mandates the provision of appropriate accommodation in public services optimally, fairly, with dignity, and without discrimination, and Article 19 paragraph (2) which emphasizes assistance, translation, and easily accessible facilities at public service locations without additional costs.

However, the rights of persons with disabilities[11] that they should have obtained have not been fully fulfilled as stated in Article 5 Paragraph (1) of Law Number 8 of 2016. In this context, the rights of persons with disabilities

[11] Emma M. Smith et al., "Assistive Technologies Are Central to the Realization of the Convention on the Rights of Persons with Disabilities," *Disability and Rehabilitation: Assistive Technology* 19, no. 2 (February 17, 2024): 486–91, https://doi.org/10.1080/17483107.2022.2099987.

are by Article 5 Paragraph (1) letter d), letter m), and letter n) emphasize that they have the right to justice and legal protection[12], accessibility, and public services. The difficulties faced by people with disabilities in participating and interacting with society require attention and legal protection by the government[13]. This protection is directed at their rights and freedoms, by the legal objectives of realizing justice, usefulness, and legal certainty as a form of implementation of universal values in the legal system[14].

Apart from that, accessibility development regulations are also regulated in Article 99 of Law Number 8 of 2016, where the government has the responsibility to integrate requirements related to the availability of facilities that are easily accessible to Persons with Disabilities in the building construction permit application process.[15]Furthermore, the government is required to conduct an audit of the availability of accessibility facilities and examine the function and suitability of existing facilities. Based on the provisions of Article 97 of Law Number 8 of 2016, the Government is required to ensure the existence of infrastructure that can be easily accessed by Persons with Disabilities. Apart from that, Article 99 paragraph (2) also imposes responsibility on the government to carry out audits of the availability of accessibility facilities for Persons with Disabilities in each building structure. By paragraph (3) of this article, accessibility is the main requirement in the process of issuing and extending a certificate of functional fitness for a building. Therefore, Transjakarta stops should be required to make adjustments to this regulation.

By regulating justice and legal protection for people with disabilities, it can be ensured that they can live their lives with the justice and legal protection that has been mandated16. Regional government obligations by Law Number 8 of 2016 in the context of access to justice and legal protection for people with disabilities involve efforts to provide legal assistance and outreach. The rights of persons with disabilities also include the right to accessibility, which is defined as the convenience provided for them to realize equal opportunities, for example having the same opportunity to be able to access bus stops with a feeling of safety and comfort as the general public[17]. In its implementation, accessibility for people with disabilities must be met to support the fulfilment of their rights in carrying out daily activities and using public facilities and infrastructure. It assumes that every person with a disability deserves equal access and comfort in their lives.

Accessibility regulations in Government Regulation Number 43 of 1998 which have been revoked and replaced by Government Regulation Number 52 of 2019 cover two crucial aspects, namely Article 21 which regulates that there is physical and non-physical accessibility. Physical accessibility is applied to public facilities and infrastructure such as public buildings, roads, parks, public cemeteries, and public transportation. Meanwhile, non-physical accessibility is related to information services and special services.

As stated previously, the urgency of accessibility for people with disabilities lies in the success of ensuring their independence and participation in various aspects of social life. The means of transportation in question include modes of transportation such as motorized vehicles, trains, ships, and aeroplanes. Meanwhile, transportation infrastructure refers to the facilities used for getting on and off people and/or goods at departure or destination locations, such as terminals, stations, ports, and airports, which in this research focuses on Transjakarta stops. All of this falls within the scope of physical accessibility. On the other hand, non-physical aspects of accessibility are related to the information, communication, and technology needed to ensure equality for people with disabilities[18].

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[12] Ika Rahmawati and Hanifah Febriani, "Implementation of Access to Justice for Vulnerable Groups in the Surakarta State Court," *YURISDIKSI : Jurnal Wacana Hukum Dan Sains* 19, no. 3 (December 25, 2023): 408–22, https://doi.org/10.55173/yurisdiksi.v19i3.214.

[13] Deirdre Nally, Sean S. Moore, and Rosemary Joan Gowran, "How Governments Manage Personal Assistance Schemes in Response to the United Nations Convention on the Rights of Persons with Disabilities: A Scoping Review," *Disability & Society* 37, no. 10 (November 26, 2022): 1728–51, https://doi.org/10.1080/09687599.2021.1877114.

[14] S H Nurul Qamar, *Hak Asasi Manusia Dalam Negara Hukum Demokrasi: Human Rights In Democratiche Rechtsstaat* (Sinar Grafika, 2022).

[15] James H Rimmer et al., "Physical Activity Participation among Persons with Disabilities," *American Journal of Preventive Medicine* 26, no. 5 (June 2004): 419–25, https://doi.org/10.1016/j.amepre.2004.02.002.

[16] Claire Spivakovsky and Linda Roslyn Steele, "Disability Law in a Pandemic: The Temporal Folds of Medico-Legal Violence," *Social & Legal Studies* 31, no. 2 (April 10, 2022): 175–96, https://doi.org/10.1177/09646639211022795.

[17] Anastasia Loukaitou-Sideris, "Fear and Safety in Transit Environments from the Women's Perspective," *Security Journal* 27, no. 2 (April 24, 2014): 242–56, https://doi.org/10.1057/sj.2014.9.

[18] Ismet Hadi et al., "The Urgency of Disability Accessibility in Gorontalo District Government Agencies," *Journal La Sociale* 1, no. 3 (September 9, 2020): 24–33, https://doi.org/10.37899/journal-la-sociale.v1i3.130.

This explanation is correlated with the testimony of resource persons from consumers with disabilities who believe that their rights as persons with disabilities are not being fulfilled.[19]. Firstly, consumers with disabilities still often experience discriminatory actions and inequality because they feel they do not have the same convenience as other people in accessing Transjakarta transportation. This is also related to the accessibility rights that consumers with disabilities must obtain. Because the ease of accessibility in Transjakarta makes mobilization for the disabled and blind easier and more efficient. Accessibility that is well-built will create comfort and security for blind and physically impaired people to access Transjakarta without fear or worry about their security and safety.

3.2.4 Law Number 8 of 1999 concerning Consumer Protection

Providing accessibility in the transportation environment is also supported by the principles contained in Article 2 UUPK, where business actors bear the responsibility to ensure the safety and security of consumers, and to reduce the potential risk of harm or loss that may befall consumers. Apart from that, the Principle of Justice is also recognized as a foundation that aims to ensure the participation of every party[20], including consumers and business actors, in implementing their rights and obligations with full fairness. The existence of this principle of justice is the key to creating a fair situation for all parties involved, especially for consumers who have disabilities[21], so that their rights are recognized and implemented as fairly as possible.

Although in its implementation UUPK does not explicitly regulate the rights of consumers with disabilities. To ensure that the principles of justice are upheld[22], Article 64 of the UUPK is relevant, where provisions that are not specifically regulated in the UUPK remain valid, as long as these provisions do not conflict with the provisions contained in the UUPK and are not specifically regulated in the UUPK.

Persons with disabilities are citizens who are direct users of goods/services provided by the government and/or business actors. Therefore, they are consumers who need to get guaranteed consumer protection by Article 4, Articles 6 and 7, as well as Article 8 paragraph (1) letter concerning actions that are prohibited by business actors. If the provisions that have been regulated are not carried out by business actors, and resulting in losses that are felt by consumers, there will be a dispute, then the legal consequences that can be imposed on business actors are in the form of criminal sanctions as regulated in Article 62 paragraph (1) UUPK, namely criminal threats. 5 years imprisonment or a fine of Rp. 2,000,000,000.00 (two billion rupiah) or provide compensation or compensation to consumers.

Based on the rights and obligations of business actors, if business actors do not fulfill their obligations, resulting in consumer rights not being fulfilled, then business actors are responsible for this. The responsibilities of business actors are regulated in UUPK from Article 19 to Article 28, which states that business actors are responsible for providing compensation if they are proven to have caused harm to consumers. In Consumer Protection Law, the principle of product liability is known, namely the responsibility of an individual or an entity that produces a product[23], which in this case includes the construction of public facilities in the form of facilities and infrastructure for people with disabilities, if linked to the principle of absolute responsibility (strict liability) which states that business actors have a legal obligation for losses arising from the activities or products they produce[24], regardless of whether there were errors or omissions in carrying out these activities. This concept is based on the understanding

[19] Upik Dyah Eka Noviyanti and Ismet Hadi, "Accessibility of Surabaya Museum for Visitors with Physical Disabilities," in *Proceedings of the International Academic Conference on Tourism (INTACT) "Post Pandemic Tourism: Trends and Future Directions" (INTACT 2022)* (Paris: Atlantis Press SARL, 2022), 293–307, https://doi.org/10.2991/978-2-494069-73-2_22.

[20] Daniel W Van Ness et al., *Restoring Justice: An Introduction to Restorative Justice* (Routledge, 2022).

[21] Musa Taklima, Adi Sulistiyono, and M. Syamsudin, "Consumer Protection As An Instrument For Fulfilling Human Rights In The Economic Sector And Its Constitutionalizing Efforts In The 1945 Constitution," *Jurisdictie* 14, no. 1 (July 22, 2023): 75–105, https://doi.org/10.18860/j.v14i1.20844.

[22] Tiara Tiolince, "Indonesian Telemedicine Regulation to Provide Legal Protection for Patient," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 1, no. 2 (May 30, 2023): 75–97, https://doi.org/10.53955/jsderi.v1i2.9.

[23] Glenn R. Carroll and Balázs Kovács, "Authenticity: Meanings, Targets, Audiences and Third Parties," *Research in Organizational Behavior* 41 (2021): 100149, https://doi.org/10.1016/j.riob.2021.100149.

[24] Cornelia (Connie) Pechmann et al., "Navigating the Central Tensions in Research on At-Risk Consumers: Challenges and Opportunities," *Journal of Public Policy & Marketing* 30, no. 1 (April 1, 2011): 23–30, https://doi.org/10.1509/jppm.30.1.23.

that some businesses have inherent intrinsic risks, and therefore, business actors should accept the legal consequences of these risks[25].

By considering this principle, business actors in the public transportation sector must anticipate or provide preventive protection before losses occur, which can be done by providing accessibility for consumers with disabilities[26]. The author sees that the regulations that mandate the development of accessibility such as Law Number 8 of 2016, PERDA DKI Number 4 of 2022, PERDA DKI Number 5 of 2014, Minister of Public Works and Housing Regulations, and Minister of Transportation Regulations are carried out by business actors whose responsibility in this research is the Regional Government because PT Jakarta Transportation is a BUMD, therefore this explanation can be a strong basis for this preventive step.

In this case, Transjakarta's position as a business actor is considered to be less consistent in carrying out its responsibilities, namely to ensure the security and safety of consumers, to reduce the potential risk of harm or loss that might befall consumers, in this case, consumers with disabilities. Because of the 222 bus stops in DKI Jakarta, only 71 bus stops are included in the disability-friendly category. This data is supported by data from consumers with disabilities interviewed by the author who agree that the bus stops they access are not disability-friendly.

However, the author feels that Transjakarta has made efforts to provide security and comfort guarantees, although not yet optimal. The author concludes this based on data from testimonials from consumer sources with disabilities. They shared information that Transjakarta has a program called Transjakarta Cares (Transcare) which is a service provided by Transjakarta by providing car transportation for mobilization from one place to the nearest bus stop or other places to people with disabilities which can be ordered via the application. However, some shortcomings are felt and considered less efficient by consumers, namely that Transcares orders must be ordered 1 day in advance so that direct mobilization cannot be carried out, and sometimes the destination point desired by consumers with disabilities cannot be reached so they can only be dropped off at the nearest bus stop.

3.3 Legal Consequences Of Non-Implementation Of Accessibility Development For Transjakarta Public Transportation Public Services In The East Jakarta City Area

3.3.1 Legal Consequences of Failure to Implement Public Service Accessibility Development in the Transportation Sector according to the UUPK

The legal consequences for Transjakarta business actors who do not provide special facilities for passengers with disabilities may result in sanctions by applicable laws and regulations, including Law Number 22 of 2009 concerning Road Traffic and Transportation, as well as the UUPK. These two laws regulate the responsibilities of business actors for causing harm to consumers in the services, goods, or services provided so that they can give rise to legal consequences that are determined or recognized as a result of these legal actions.

The definition of business actor as outlined in Article 1 paragraph (3) UUPK states that "business actor" refers to every individual or business entity, whether in the form of a legal entity or non-legal entity, which is established, domiciled or carries out activities in the jurisdiction of the Republic Indonesia. These business activities can be carried out individually or through joint agreements, involving various economic sectors. As for consumers, Article 1 paragraph (2) UUPK defines "consumer" as every individual who uses goods and/or services available in society, whether for personal, family, other people, or other living creatures and not for trade purposes. The definition of business actors and consumers, as explained in statutory regulations, are interrelated elements to improve quality, quality, and products in a business. Business actors are required to always provide services to consumers, and this obligation brings significant responsibility felt by business actors.

To determine the obligations and responsibilities that must be carried out by business actors in the Transjakarta Bus Public Transportation sector due to negligence in providing special facilities for consumers with disabilities, it appears that Transjakarta business actors have violated Law Number 22 of 2009 concerning Traffic and Transportation Road. This is shown in Article 244 of the Law, which confirms that Public Transport Companies

[25] Donato Cutolo and Martin Kenney, "Platform-Dependent Entrepreneurs: Power Asymmetries, Risks, and Strategies in the Platform Economy," *Academy of Management Perspectives* 35, no. 4 (November 2021): 584–605, https://doi.org/10.5465/amp.2019.0103.

[26] N. Helberger et al., "Choice Architectures in the Digital Economy: Towards a New Understanding of Digital Vulnerability," *Journal of Consumer Policy* 45, no. 2 (June 22, 2022): 175–200, https://doi.org/10.1007/s10603-021-09500-5.

do not fulfill their responsibilities to provide service facilities[27] and infrastructure to people with disabilities, the elderly, children, pregnant women, and sick people by Article 242 Paragraph (1) Law Number 22 of 2009 concerning Road Traffic and Transportation may be subject to administrative sanctions such as written warnings, administrative fines, suspension of permits, and revocation of permits. If examined based on the UUPK in article 8 paragraph (1) letter a, it is stated that business actors have the responsibility to guarantee the quality of goods or services produced and traded by applicable quality standards[28]. Prohibitions are also imposed on business actors from producing goods or services that do not meet operational standards provided by statutory regulations such as DKI Regional Regulation, Minister of Transportation Regulation Number 98 of 2017, and PUPR Ministerial Regulation Number 14 of 2017. It is hoped that the services provided are carried out efficiently. optimal for consumers with disabilities.

The form of responsibility that must be assumed by business actors in the land public transportation sector such as Transjakarta if they do not provide special facilities for consumers with disabilities involves the principle of absolute responsibility. This principle of responsibility is applied to "bind" business actors who offer their services, especially those that can harm consumers, especially consumers with disabilities[29]. One of the problems that often occurs is the lack of facilities and infrastructure that support people with disabilities in using Transjakarta public transportation services, which of course causes inconvenience for consumers, especially people with disabilities[30].

Meanwhile, according to the UUPK, absolute responsibility is the obligation of business actors to be responsible for losses experienced by consumers as a result of using the services provided. Article 19 paragraph (1) UUPK details the responsibilities of business actors in providing services, namely providing compensation for damage, pollution, and/or losses experienced by consumers as a result of consuming goods and/or services produced or traded. Article 19 paragraph (2) of the same law adds that the form of compensation can be in the form of a refund of money, replacement of goods and/or services of similar or equivalent value, or provision of health care and/or compensation by the provisions of statutory regulations. applies.

3.3.2 Legal Consequences of Failure to Implement Development of Accessibility of Public Services in the Transportation Sector according to the Law on Persons with Disabilities

Law Number 8 of 2016, regulations regarding all matters to ensure respect, protection, and fulfillment of the rights of persons with disabilities are clear and function as a legal umbrella. The regulation of facilities for people with disabilities is found in Law Number 8 of 2016 Article 19 paragraph (1), which confirms their right to obtain appropriate accommodation in public services optimally, fairly, with dignity, and free from discrimination. Article 19 paragraph (2) also stipulates that people with disabilities have the right to assistance, translation, and easily accessible facilities at public service locations without additional costs.

The public services mandated in this article are the provision of accessibility which includes vehicles that are easily accessible to people with disabilities, bus stops and stations equipped with disability-friendly facilities and infrastructure, and officers who are trained to serve people with disabilities[31]. If the development of public service accessibility is not implemented properly, several legal consequences will arise[32]. The first legal consequence is that there is a violation of human rights for people with disabilities because people with disabilities have the right to access, including in the field of transportation. This right is not only protected by Law No. 8 of 2016 only but is also regulated in the CRPD which has been ratified by Indonesia.

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[27] Christina Joy Ditmore and Angela K. Miller, "Mobility as a Service Operating Model to Enable Public Policy," *Transportation Research Record: Journal of the Transportation Research Board* 2675, no. 11 (November 22, 2021): 141–49, https://doi.org/10.1177/03611981211026664.

[28] Ismail Koto Surya Perdana, "Providing Legal Protection for Consumers Against Standard Clauses/One-Sided Agreements Made by Business Actors," *Journal of Legal Scieces* 6, no. 1 (2022): 8, https://doi.org/https://doi.org/10.30596/dll.v9i1.18064.

[29] Anthony Beudaert, Hélène Gorge, and Maud Herbert, "An Exploration of Servicescapes' Exclusion and Coping Strategies of Consumers with 'Hidden' Auditory Disorders," *Journal of Services Marketing* 31, no. 4/5 (July 10, 2017): 326–38, https://doi.org/10.1108/JSM-06-2016-0247.

[30] Ronald Paul Hill and Eesha Sharma, "Consumer Vulnerability," *Journal of Consumer Psychology* 30, no. 3 (July 5, 2020): 551–70, https://doi.org/10.1002/jcpy.1161.

[31] Satish Mishra et al., "The WHO European Framework for Action to Achieve the Highest Attainable Standard of Health for Persons with Disabilities 2022–2030," *The Lancet Regional Health - Europe* 25 (February 2023): 100555, https://doi.org/10.1016/j.lanepe.2022.100555.

[32] Nataša Rebernik et al., "Measuring Disability Inclusion Performance in Cities Using Disability Inclusion Evaluation Tool (DIETool)," *Sustainability* 12, no. 4 (February 13, 2020): 1378, https://doi.org/10.3390/su12041378.

Business actors and the government are the parties who bear the responsibility to build disability-friendly public service accessibility facilities[33]. In this research, Transjakarta is a BUMD managed by the regional government which is obliged to guarantee this development, as regulated in Article 97 paragraph (1) of Law Number 8 of 2016 which explains that "The Government and Regional Governments are obliged to ensure infrastructure that is easily accessible to Persons with Disabilities."

If this mandate is not implemented, other legal consequences will arise, this second legal consequence is the imposition of administrative sanctions on building owners or managers who do not provide easily accessible infrastructure facilities. This administrative sanction is regulated in Article 98 paragraph (3) of Law Number 8 of 1999, namely:

a. Written warning
b. Restrictions on development activities
c. Temporary suspension of building construction work
d. Temporary or permanent cessation of building use
e. Suspension of building construction permits
f. Suspension of the building's certificate of fitness for function
g. Building demolition order

Therefore, business actors and local governments need to conduct audits and check the feasibility of public service accessibility facilities that are friendly for disabilities. Functional feasibility checks are carried out by involving organizations of disabled people or disabled people who have expertise in the field of building construction.

3.4 Legal consequences of non-implementation of development of public service accessibility in the transportation sector according to the DKI Regional Regulation

Transjakarta is public transportation in the DKI Jakarta area. So, when carrying out business trips, they must comply with and follow the provisions of provincial laws and regulations. Article 4 of DKI Regional Regulation Number 4 of 2022 requires the implementation and fulfilment of the rights of persons with disabilities which aims to realize and guarantee efforts to respect, protect and fulfil human rights and basic freedoms of persons with disabilities fully and equally, realizing a quality standard of living for persons with disabilities, results, independence and dignity, protecting persons with disabilities from all discriminatory acts and violations of human rights[34] and ensuring the implementation of efforts to respect, protect and fulfil the rights of persons with disabilities[35] to develop themselves and utilize all their abilities according to their talents and interests. Public services are one aspect of the DKI Jakarta Provincial Government to implement Respect, Protection, and Fulfillment of the rights of Persons with Disabilities. In Article 80 of the DKI Regional Regulation Number 4 of 2022, it is stipulated that the field of public services is implemented through:

a. provide Public Services that are easily accessible to Persons with Disabilities;
b. disseminate and promote public services that are easily accessible to people with disabilities and the community;
c. provide a Public Service guide that is easily accessible to Persons with Disabilities.

Provisions in the transportation sector are specifically regulated in Article 83 of the DKI Regional Regulation Number 4 of 2022, which regulates the provision of adequate accommodation for people with disabilities. Consisting of accessibility to and from public transportation stops36, accessibility to and from public vehicles,

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[33] Rachmadani Fatria Agung Gumelar and Martinus Sardi, "Indonesian Government Policy To Provide Employment Opportunities For Persons With Disabilities," *Media of Law and Sharia* 2, no. 2 (April 13, 2021), https://doi.org/10.18196/mls.v2i2.11486.

[34] William I. Pons, Janet E. Lord, and Michael Ashley Stein, "Disability, Human Rights Violations, and Crimes Against Humanity," *American Journal of International Law* 116, no. 1 (January 18, 2022): 58–95, https://doi.org/10.1017/ajil.2021.41.

[35] Endah Rantau Itasari, "EQUALITY AND NON DISCRIMINATION PRINCIPLES IN PROVIDING RIGHTS WITH DISABILITIES," *Junral Komunikasi Hukum* 6, no. 2 (2020), https://doi.org/https://doi.org/10.23887/jkh.v6i2.28101.

[36] Tayebeh Saghapour, Sara Moridpour, and Russell G. Thompson, "Public Transport Accessibility in Metropolitan Areas: A New Approach Incorporating Population Density," *Journal of Transport Geography* 54 (June 2016): 273–85, https://doi.org/10.1016/j.jtrangeo.2016.06.019.

priority seats, guide tiles, instructions and information in audio and visual form, priority in queues, smooth ticket purchasing places, and guide officers[37]. Along with the provision of accessible special vehicles.

The legal consequences of not implementing this accessibility development could result in the imposition of sanctions as regulated in Article 246 of the DKI Regional Regulation Number 5 of 2014. The sanctions are in the form of written warnings, administrative fines, permit suspension, and permit revocation. In the problem that the author raises regarding the incompatibility of accessibility of public services in the East Jakarta area, the Governor's attitude should be to make efforts to implement equitable development of public services. Apart from that, based on the results of interview data with Mrs Fathia, a representative of the Transportation Service, she explained that currently a Governor's Regulation is being drafted which regulates the fulfilment of the rights of persons with disabilities[38], including the fulfilment of accessibility in the field of transportation. Because limited budget funds also trigger uneven development, the Ministry of Transportation and the Ministry of PUPR will continue to carry out their duties to implement better accessibility development and are always open to receiving complaints from the public, including people with disabilities[39].

To achieve the fulfilment of accessibility for consumers with disabilities and at the same time ensure the fulfillment of consumer rights, apart from implementing guidance and supervision as well as implementing sanctions, accessibility can be strengthened through the support of special institutions that handle consumer protection, such as BPKN which refers to UN Resolution Number A/RES/ 39/248 of 16 April 1985 concerning Consumer Protection as revised and adopted by the General Assembly in Resolution 70/186 of 22 December 2015 United Nations Guidelines for Consumer Protection (UNGCP). This guide details one of the basic rights of consumers in Article 5 letter h, namely: "freedom to form consumer organizations or other relevant organizations and provide opportunities for these organizations to voice their opinions in decision making that concerns their interests."

4. Conclusion

Accessibility of public services provided by Transjakarta is not by applicable regulations and policies. This is demonstrated by the inadequate facilities available for people with disabilities. They do not feel that it is easy to access Transjakarta because there are no guideways or rams built, so this causes losses for consumers with disabilities, such as almost leaving the gate and hitting a wall or pole for the blind. There are even those who cannot get off the bus stop because rams are not built and cannot pass through the tapping gate because the width of the gate is so small that wheelchairs cannot pass through the tapping gate for the physically disabled. However, the regulations governing the mandatory development of public service accessibility as contained in the DKI Regional Regulation, Minister of Transportation Regulation Number 98 of 2017, and PUPR Ministerial Regulation Number 14 of 2017 are very clear and very detailed which is very good as a reference for accessibility development even though it has not been implemented well.

The legal consequences of not implementing the development of accessibility of Transjakarta public transportation services for Transjakarta business actors who do not provide special facilities for passengers with disabilities can result in sanctions by applicable laws and regulations, most of which are in the form of administrative sanctions such as written warnings, administrative fines, suspension of permits, and revocation of permits. According to the UUPK itself, the legal consequences for business actors also include providing compensation for damage, pollution, and/or losses experienced by consumers as a result of consuming goods and/or services produced or traded.

[37] Koos Fransen et al., "Identifying Public Transport Gaps Using Time-Dependent Accessibility Levels," *Journal of Transport Geography* 48 (October 2015): 176–87, https://doi.org/10.1016/j.jtrangeo.2015.09.008.

[38] Zamroni Abdussamad, Mohammad Hidayat Muhtar, and Dolot Alhasni Bakung, "Legal Model for Fulfilling Educational Rights for Persons with Disabilities in the Covid-19 Pandemic Era," *KnE Social Sciences*, October 4, 2022, https://doi.org/10.18502/kss.v7i15.12101.

[39] Mónica Pinilla-Roncancio and Nicolas Rodríguez Caicedo, "Legislation on Disability and Employment: To What Extent Are Employment Rights Guaranteed for Persons with Disabilities?," *International Journal of Environmental Research and Public Health* 19, no. 9 (May 6, 2022): 5654, https://doi.org/10.3390/ijerph19095654.

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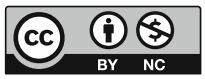
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