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Public Services and Legal Responsibility of Railway Facilities Operators in Improving the Comfort and Safety of Train Service Users

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Abstract

Objective: The objective of this research is to analyze the public service provision in rail transportation and explore the legal responsibilities of railway operators, focusing on user comfort and safety. Theoretical framework: The study builds on existing theoretical frameworks related to public service principles, legal responsibilities of railway operators, and the integration of control, supervision, and public interest in rail services. Method: Employing a normative legal research method and qualitative descriptive analysis, the study investigates the state and implications of public services and the legal obligations of railway operators. Results and conclusion: The study reveals that railway operators must understand and enact their legal duties, ensuring minimum service standards. It pinpoints areas for potential enhancement, such as train scheduling efficiency, quality of facilities, and customer complaint handling. Implications of the research: The findings suggest measures for improving public services in rail transportation and meeting railway operators' legal responsibilities, leading to increased passenger comfort and safety and sustainable railway industry development. Originality/value: This study deepens understanding of railway operators' legal responsibilities and public service provision in rail transportation. It contributes valuable insights and recommendations for railway operators, enriching knowledge on enhancing public transportation services' quality.

Keywords: *Legal Liability, Public Service, Railways, Service User Security.*

1 Introduction

In the current international setting, holistic and sustainable regional development is a crucial objective. Islamic legal ideas could play a major role in this endeavor, helping to build a society that is equitable, economic, and environmentally stable (Suryani et al., 2023). At the level of local self-government territorial planning is not exclusively the will of public authorities, but appears as the result of a consensus between the interests of public authorities, private property, and the local community (Mayboroda & Spirin, 2023, p. 3). PT. Kereta Api Indonesia (PT. KAI) is a State-Owned Enterprise (BUMN) company that has the authority to manage railways in Indonesia, and it also continues to provide innovations in providing train services to provide convenience and comfort for the community.

Law No. 23 of 2007 concerning Railways regulates the legal responsibility of railway operators. The organizer is obliged to guarantee passengers' safety, security, and comfort. Violating this provision can lead to legal sanctions, ranging from fines to revocation of operational licenses

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(Santoso & Siswanto, 2019, p. 56). However, several cases of train accidents still show that railway operators have not fully carried out their responsibilities. These incidents harm passengers and damage the image of railways in Indonesia (Hardian et al., 2008, p. 44).

The growth and competitiveness of a country's economy are directly tied to the quality of its infrastructure. From promoting investment and exports to facilitating growth stimulation, community economic activities, and the distribution of the flow of produced products and services (Rezkyana et al., 2021).

Service quality has a great influence so that PT. KAI must further improve the quality of service as a servant to the state and society. It must be able to carry out duties and responsibilities in providing and improving the level of service to the community (Ponggawa et al., 2019). Following this purpose, PT. KAI in accelerating and strengthening the company's image by providing excellent or optimal service. Services provided by PT. KAI must prioritize passenger or consumer satisfaction so that it will be able to attract people to choose train transportation with better service. If the service provided to passengers or consumers is not good, it will affect the image of PT. KAI itself.

The condition of existing facilities must follow the demands of time and technological developments, and it is also necessary to take an update step to ensure the quality of service that will facilitate service providers in running train services. In improving the quality of service, it must be considered, especially the integration providing services from related parties which carry out their duties and responsibilities in providing services and devoting themselves to the community and must be able to improve the quality of service on an ongoing basis. To understand the level of quality service provided to the public or passengers, it is necessary to pay attention to security and safety, travel, punctuality, ease of service, comfort, and speed.

Public services are one of the important aspects of building a prosperous and competitive society. Public services cover various aspects, including the implementation of railway facilities (Perry, 2020). In Indonesia, railways are one of the important modes of transportation, especially on the islands of Java and Sumatra (Lestari & Soehodo, 2017, p. 87). In addition to time efficiency, trains offer higher comfort and safety than other land transportation (Lee & Riyasplata, 2013). However, along with the growth in the number of passengers, new challenges arise in the operation of railways in Indonesia. The quality of public services is in the spotlight, especially regarding passenger comfort and safety (Sugiyanto et al., 2018, p. 154). Railway operators have a legal responsibility to provide adequate and safe services for their passengers (Wahudi & Subanidja, 2020, p. 95).

Improving the quality of public services in the railway sector is important to increase public confidence in rail transportation. People deserve safe and comfortable services. Therefore, there is a need to continue encouraging railway operators to carry out their legal responsibilities (Suwardi et al., 2019, p. 31).

Implementing quality railways and guaranteed safety is one of the main focuses of PT. KAI. This step is important in maintaining public confidence in rail services and increasing the number of users of these services (Bs & Fadhlillah, 2020). PT. KAI has made various efforts, including innovations in ticket booking and checking systems and improving the quality of facilities and services at stations and trains. However, the problems faced in the railway sector in Indonesia are still quite complex. Factors such as lack of infrastructure maintenance, lack of supervision of standard operating procedures, and the level of public understanding of procedures and safety on trains often trigger accidents.

A joint effort between the government, railway operators, and the community is needed to achieve this goal. The government needs to ensure that existing regulations are implemented properly. Railway operators must be committed to providing the best service for their passengers. Meanwhile, the community must also actively monitor and provide feedback on the services provided.

Based on the description above, this article will focus on examining the form of public services for users of rail transportation services. In addition, it will also examine how the responsibility of railway facilities and infrastructure operators in the field of comfort and safety for railway service users.

2 Theoretical Framework

Increasing the comfort and safety of train service users in public services is a major issue. Several studies have tried to address various aspects of this issue. For example, the study conducted by Fisher-Høyrem focused on the history of railway lines and how they became an important part of the passenger experience. Meanwhile, Zacharias et al. looked at how train stations could function as urban spaces, creating a certain atmosphere and comfort for users (Zacharias et al., 2011).

The Fisher-Høyrem study underscores the importance of the railway's history and heritage in creating passenger experiences. This shows that the railway line serves as a transportation channel and a medium of stories and history that are meaningful to society. In addition, the study also revealed that appreciating and caring for the history of trains can increase passenger comfort and satisfaction, as they feel part of a larger historical narrative.

Instead, Zacharias et al.'s study focus on how train stations can function as unique urban spaces, creating a certain atmosphere and providing comfort for users. Railway stations serve as transit points and spaces of social interaction, shopping, and even cultural centers in some cases. This research shows that designing a comfortable and attractive train station can improve passenger satisfaction and make their experience more enjoyable.

In the Indonesian context, Susilo and Joewono identified various challenges and problems in urban transportation in developing countries, including the railway sector (Susilo & Joewono, 2017, p. 6). Monsuur et al. delves deeper into the preferences and perceptions of rail passengers in the UK, which may provide important insights for practitioners and policymakers (Monsuur et al., 2023). The study conducted by Susilo and Joewono and Monsuur et al. provides an overview of the railway sector's various challenges and how passenger perceptions and preferences can affect their comfort and safety.

Big Data is the term used to describe the current era of data management. Information availability, integrity, and privacy in cyberspace are crucial to the functioning of digital society's online interactions (Puluhulawa et al., 2023). Susilo and Joewono examine the challenges in urban transportation in developing countries, including Indonesia. Various issues such as inadequate infrastructure, delays, and lack of security and comfort are some of the problems that often arise. The study shows the importance of improving services and infrastructure and adjusting to passenger needs and preferences to create a better experience for rail service users.

Meanwhile, Monsuur et al. examined further the UK train passengers' preferences and perceptions. The study could provide insight for practitioners and policymakers into what

passengers expect from rail services. Although the context is different, understanding passengers' desires in terms of comfort, punctuality, and service quality, in general, can provide inspiration and lessons for train managers in other countries, including Indonesia.

The security aspect is also a major concern. Chalubińska-Jentkiewicz shows how critical service operators and digital service providers play an important role in cybersecurity, which is increasingly important in today's digital age (Chalubińska-Jentkiewicz, 2022, p. 19). López-Aguilar et al. systematically reviews information privacy and security in rail transport (López-Aguilar et al., 2022). Meanwhile, Alekseeva et al. discussed the challenges of modern transport security in Russia's national security structure (Yusoff et al., 2021).

The study by Chalubińska-Jentkiewicz highlights the important role played by critical service operators and digital service providers in maintaining cybersecurity. In the context of railways, this could include operators of signaling and navigation systems, passenger management systems, and payment and ticketing reservation systems. Ensuring that these systems are safe from cyberattacks is vital to protect passenger data and ensure train operations continue to run smoothly.

López-Aguilar et al. systematically reviews information privacy and security in rail transport. Data protection and privacy are becoming important as train operators collect and process more passenger data. The use of appropriate technology and regulations can help maintain the privacy and security of this information. Alekseeva et al., on the other hand, discussed security challenges within Russia's national security structure, which may include challenges such as terrorism, sabotage, or other crimes that could potentially disrupt railway operations. While the context is specific to Russia, this challenge is also relevant to other countries (Malhotra et al., 2021).

When we look at it from the standpoint of policy and intervention, several studies seek to evaluate the effectiveness of various approaches. For example, Yusoff proposes a sustainable transportation policy framework focusing on a rail-based transit system in Klang Valley, Malaysia. Meanwhile, Malhotra et al. tried to identify gaps in research on the effectiveness of transport sector interventions in low- and middle-income countries.

Yusoff proposed a sustainable transportation policy framework focusing on a rail-based transit system in Klang Valley, Malaysia. This approach combines various factors, including infrastructure, operational, and socio-economic factors, to create a sustainable, efficient, and passenger-friendly transportation system. Although the specific context of this study is Klang Valley, the principles can be applied in a wider context, including in Indonesia.

Meanwhile, Malhotra et al. tried to identify gaps in research on the effectiveness of transport sector interventions in low - and middle-income countries. This review is important to ensure that interventions are evidence-based and effective in addressing existing challenges. Finding these research gaps can also help researchers and policymakers target their efforts to fill those gaps and improve the effectiveness of interventions.

Lin and Cui examined transportation and mobility needs from a policy perspective to support an aging population (Malhotra et al., 2021). The integration of passenger and cargo transport for "first-last mile" operations was discussed by Bruzzone, Cavallaro, and Nocera as an effort to improve efficiency and sustainability (Bruzzone et al., 2021). Analysis of studies from Lin and Cui and Bruzzone, Cavallaro, and Nocera revealed two areas that are important in the development and improvement of transportation systems, including railways: first, meeting the needs of aging populations; and second, integrating passenger and cargo transportation to

improve efficiency and sustainability.

Lin and Cui's study highlights the importance of considering the needs of an aging population in designing and running transportation systems. An aging population can have particular challenges in moving and using public transportation, such as trains, reduced mobility, dependence on assistive devices, or other special needs. Therefore, it is important to design and run rail services considering this population's needs, such as by ensuring accessibility, comfort, and safety for older passengers.

On the other hand, the Bruzzone, Cavallaro, and Nocera study discusses the importance of integration between passenger and cargo transportation to improve the efficiency and sustainability of "first-last mile" operations. In the context of railways, this can involve using the same infrastructure to transport passengers and cargo, providing cargo services in passenger trains, or vice versa. This approach can improve the efficient use of infrastructure and resources and help achieve sustainability goals by reducing the number of trips and emissions generated.

Based on that, in dealing with issues in the railway sector, improving the quality of railway services is determined by technical and infrastructural factors and a deep understanding of history, culture, and social interaction in the context of railways. Physical and digital security challenges must also be taken seriously to maintain user trust and comfort. In addition, policies and interventions should be based on evidence and research. They should consider various aspects of users, including the specific needs of an aging population and the integration of passenger and cargo services. In this digital era, collaboration between researchers, practitioners, and policymakers is key to realizing a sustainable, safe, and comfortable rail transportation system for all users.

3 Methodology

This research includes doctrinal legal research (normative) which is descriptive in nature. The statutory approach and the conceptual approach depart from the views and doctrines that have developed in the science of law (Suprayoga et al., 2023, p. 3). In normative research, library materials are basic or secondary legal materials. The secondary legal material also has a very broad scope. Furthermore, Sudikno Mertokusumo stated that field research could be carried out in an effort to improve (the legal material) obtained from library research (Mertokusumo, 2014, p. 37). In this regard, Peter M. Marzuki stated that legal materials are official documents in all legal publications. Publications on law include statutory regulations, government regulations, textbooks, legal dictionaries, legal journals, and comments on court decisions (Marzuki, 2014).

In this study, the analysis used is descriptive qualitative. Qualitative research has the characteristics of obtaining a clear picture, being holistic, understanding the meaning of the problem, and viewing research results as speculative. The analytical method used in this study is carried out in three ways: First, systematization of legal materials. Second, evaluation of legal materials. Third, determine how it should be renewed.

4 Results And Discussion

4.1 Rights of Railway Facilities and Infrastructure Operators

Right is the power to accept or do something that should be accepted or done only by certain parties and not by others. Whichever in principle can be forcibly prosecuted by him. A right is an authority or power granted by law or an interest protected by private and public law. Then it can be interpreted that rights are worthy or worthy of acceptance.

A right can also be defined as a claim or prerogative that a person or group can ethically and/or legally assert over something (such as legal protection, access to resources, or control over private property) and that others have a moral or legal duty to respect. However, more specific definitions will depend on the context (e.g., law, ethics, philosophy) and who provided the definition.

Here are some definitions from experts:

- 1) According to John Locke, rights naturally exist in every individual. These rights include life, health, liberty, and personal property. Others have a moral obligation not to undermine these rights (Locke, 2013, p. 269).
- 2) According to Thomas Hobbes, a right is the freedom everyone has to use their power to defend themselves and their lives (Hobbes, 2016, p. 189).
- 3) According to Immanuel Kant, a right is a claim that can be legally enforced. Rights are moral principles that demand legal recognition and protection and become the basis for establishing legal duties and obligations (Kant, 1797, p. 132).

"Rights" are normative that guide behavior, protect freedom and immunity, and guarantee opportunities for humans to maintain their dignity and dignity. In the General Dictionary Indonesian, it is stated that rights are (1) right, (2) property, possession, (3) authority, (4) power to do something, (5) power to do something or to demand something, and (6) degree or dignity. This broad understanding contains the principle that a right is something, which is why a person (holder) who owns the validity demands something that is not fulfilled or denied. A person who holds the right to something, then that person can do that thing as he wishes or as valid as he has.

Sudikno Martokusumo stated that in the legal sense, rights are legal interests protected by law. Self-interest means demands that are expected to be met. So, it can be said that a right is a claim whose fulfillment is protected by law (Mertokusumo, 1999, p. 50). In civil law and legislation, civil rights are divided into two things, namely: absolute rights and relative rights (Tutik, 2008, p. 153).

Please be aware that Article 4 of Indonesia's Consumer Protection Law no. 8 of 1999 outlines the rights of consumers in Indonesia. These rights include: a) the right to comfort, security, and safety in consuming goods and/or services; b) the right to choose goods and/or services and obtain such goods and/or services following the exchange rate and the promised conditions and guarantees. c) The right to correct, transparent, and honest information regarding the conditions and guarantees of goods and/or services; d) the right to have their opinions and complaints heard regarding the goods and/or services used; e) the right to obtain proper advocacy, protection, and efforts to resolve consumer protection disputes; f) the right to be treated or served correctly, honestly, and without discrimination; g) the right to receive compensation, compensation, and/or replacement if any of these rights are violated (Hanapi & Nurmala, 2022).

In philosophical and legal contexts, rights have been variously defined by experts. John Locke argued that rights naturally exist in every individual, encompassing rights to life, health, liberty,

and private property, and others have a moral obligation not to undermine these rights. This shows that rights exist inherently and are not just creations of law or society.

Thomas Hobbes, in contrast, defined the right as the freedom that each individual has to use their power to defend themselves and their lives. Hobbes' approach places more emphasis on the freedom of individuals in safeguarding and sustaining their own lives.

On the other hand, Immanuel Kant offers the view that a right is a legally enforceable claim. In Kant's view, rights are moral principles that demand legal recognition and protection and therefore become the basis for establishing legal duties and obligations. Kant's approach places rights in the context of legal relations and duties.

The definition of "right" in the General Dictionary of Indonesian includes various concepts such as property, possessions, authority, power to do things and dignity. It shows that rights can be seen as something owned by a person, giving them the power to do or demand something.

According to Sudikno Mertokusumo, rights are legal interests protected by law. This includes understanding that rights are demands whose fulfillment is guaranteed by law. In civil law, rights are divided into absolute and relative rights, which refer to generally applicable rights and rights that apply only in certain relationships. Overall, understanding of rights may vary depending on context and perspective, but at the heart of the concept is the existence of claims, freedoms, or powers recognized and protected ethically or legally.

4.2 Obligations of Railway Facilities and Infrastructure Operators

Mandatory is the burden of giving something that should be left or given only by certain parties and cannot be by other parties and that, in principle, can be prosecuted forcibly by the interested parties. The obligation is something that must be done. According to the Big Dictionary Indonesian, an obligation is (something) that is obligatory or must be carried out (KBBi Daring, n.d.).

Obligations are necessary for someone who wants their rights to be fulfilled. A person can claim his rights if he has fulfilled his obligations. Article 15 of Law of the Republic of Indonesia Number 25 of 2009 concerning Public Services states that public service providers are obligated to:

- 1) Develop and set service standards;
- 2) Compile, establish, and publish service proclamations;
- 3) Appoint competent executors;
- 4) Provide facilities, infrastructure, and/or public service facilities that support the creation of an adequate service climate;
- 5) Provide quality services following the principles of public service delivery;
- 6) Carry out services following service standards;
- 7) Actively participate and comply with laws and regulations related to the delivery of public services;
- 8) Provide accountability for services provided;
- 9) Assist the community in safeguarding its rights and responsibilities;
- 10) Responsible for the management of public service delivery organizations;
- 11) Provide accountability following applicable law if resigning or discharging responsibility for the position or position; and

- 12) Fulfill a summons or represent an organization to attend or carry out an order of legal action at the request of an authorized official from a state institution or government agency that is entitled, authorized, and lawful following laws and regulations.

While Article 16 states the obligations of service implementers:

- 1) Carry out service activities following the assignments given by the organizer;
- 2) Provide accountability for the implementation of services following laws and regulations;
- 3) Fulfill a summons to attend or execute an order of legal action at the request of an authorized official from a state institution or government agency that is entitled, authorized, and lawful following laws and regulations;
- 4) Provide accountability if you resign or release responsibility following laws and regulations; and
- 5) Evaluate and make financial and performance reports to the organizer periodically.

The obligation is the burden or responsibility to give something, which in principle, can be demanded forcibly by the interested party. The Big Dictionary Indonesian defines an obligation as something that must be carried out or something obligatory. This indicates the existence of a demand or necessity that applies to an individual or group.

In legal and social contexts, fulfilling obligations is often an absolute condition for ensuring one's rights are fulfilled. For example, in Law of the Republic of Indonesia Number 25 of 2009 concerning Public Services, various obligations are imposed on public service providers and service implementers. These obligations include, among others, the preparation of service standards, the placement of competent implementers, the provision of facilities and infrastructure, the provision of quality services, and accountability for the services provided. In addition, service providers and executors must comply with relevant laws and regulations and provide accountability if they resign or release responsibility for their positions or positions.

These burdens aim to ensure that the public services provided meet the established quality standards and that the rights of the community as recipients of services are respected and fulfilled. In this context, the fulfillment of obligations is an important part of social and legal functions, ensuring the system's functioning and maintaining a balance between rights and obligations.

In this regard, Article 2 of the 2007 UUKA states that the principle of railway operation as part of the national transportation system is based on the following:

- 1) Principle of benefit: Railways must be able to provide the greatest benefit to humanity, increase people's prosperity people's welfare, and develop a sustainable life for citizens.
- 2) Basics of justice: Railways must provide services to all levels of society at affordable costs and equal business opportunities and protection to all parties involved in railways.
- 3) Principle of balance: Railways shall be organized based on a balance between facilities and infrastructure, the interests of service users and operators, needs and availability, individual and communities' interests, regions and regions, and national and international interests.
- 4) Principles of public interest: Railways must prioritize the wider community's interests over those of individuals or groups with attention to safety, security, comfort, and order.
- 5) The principle of cohesiveness: Railways must be a whole, integrated system and planning that supports each other, both between the hierarchy of railway order, intramodal and intermodal transportation.

- 6) The principle of self-reliance: The operation of railways must be based on confidence, ability, and potential of domestic production, as well as human resources with the power of innovation and creativity that are joined in the nation's sovereignty, dignity, and personality.
- 7) The principle of transparency: The operation of railways must provide space for the wider community to obtain true, clear, and honest information so that the public can participate in the progress of the railway.
- 8) Accountability principles: The operation of railways must be based on measurable, evaluable, and accountable performance to the community.
- 9) Continuous principle: The operation of railways must be carried out continuously, developing and improving by following technological advances and preserving the environment to fulfill the community's needs.

Meanwhile, the purpose of railway operations, according to Article 3 of the 2007 UUKA, aims to facilitate the movement of people and/or goods in bulk safely, safely, comfortably, quickly and smoothly, precisely, orderly and orderly, efficiently, and support equity, growth, stability, encouragement, and drivers of national development. What is meant by "in bulk" is that the train can transport people and/or goods in large quantities or volumes every time on the trip, "safe" is the avoidance of train travel from accidents due to internal factors, "safe" is the avoidance of train travel due to external factors, both in the form of natural and human disturbances, "comfortable" is the realization of calm and tranquility for passengers during train travel, and "fast and smooth" is a train ride.

Meanwhile, the implementation of public services, based on Article 4 of Law Number 25 of 2009 concerning Public Services, must be based on the following:

- 1) Public interest: The provision of services must not prioritize personal interests and/or groups.
- 2) Legal certainty: Guarantee the realization of rights and obligations in the provision of services.
- 3) Equal rights: Service delivery does not discriminate between ethnicity, race, religion, class, gender, and economic status.
- 4) Balance of rights and obligations: The fulfillment of rights must be proportional to the obligations that the giver and recipient of services must carry out.
- 5) Professionalism: Service executors must have competencies following the field of duty.
- 6) Participatory: Increasing the role of community sertz in service delivery by considering the community's aspirations, needs, and expectations.
- 7) Non-discriminatory treatment: Every citizen has the right to fair service.
- 8) Openness: Each service recipient can easily access and obtain information about the desired service.
- 9) Accountability: The service process must be accountable, following the provisions of laws and regulations.
- 10) Facilities and special treatment for vulnerable groups: Providing convenience to vulnerable groups to create justice in services.
- 11) Timeliness: Each type of service is completed on time following service standards.
- 12) Speed, ease, and affordability: Every type of service is done quickly, easily, and affordably.

The operation of railways and public services in Indonesia is based on principles and objectives stipulated in the Law. These principles include benefit, fairness, balance, public interest,

integration, independence, transparency, accountability, and sustainability. The aim is to facilitate the movement of people and/or goods en masse safely, safely, comfortably, quickly, and smoothly and support national growth and development.

These principles and objectives demonstrate a strong commitment to ensuring that railways and public services deliver maximum benefit to society, paying particular attention to fairness, balance, transparency, and accountability. In addition, these goals also reflect an emphasis on meeting public needs, the general welfare, and sustainable development.

In the context of railways, for example, the principle of benefit means that railways must be able to provide the maximum benefit to society. The principle of balance suggests that there must be a balance between the interests of service users and providers, needs, and availability, and between the interests of individuals and society. The principle of transparency means that the public must be given access to true, clear, and honest information about railways.

Meanwhile, in the context of public services, justice means that services must be provided to all levels of society without discrimination. Participatory principles show the importance of community involvement in delivering public services. The principle of accountability means that the process of providing services must be accountable following the provisions of laws and regulations. These principles and objectives reflect a strong commitment to creating a fair, transparent, and responsible railway system and public services that deliver maximum benefits to society and support national growth and development.

4.3 Fulfillment of Minimum Service Standards in Railway Operation

Based on the organization that organizes it, public services or public services can be divided into two, namely:

- 1) Public services or public services organized by organizations in the private sector, such for example private hospitals, PTS, and privately owned transportation companies, are all the provision of public goods or services organized
- 2) Public service or public service organized by a public organization. Which can be further divided into:
 - a. What is primary is all the provision of public goods/services organized by the government in which the government is the only organizer, and users/clients inevitably have to take advantage of it.
 - b. Secondary is all forms of provision of public goods/services organized by the government, but in which users/clients do not have to use it because of several service providers (Marks-Sultan et al., 2016, p. 534).

Public Service Providers is a government agency divided into service units that directly provide services to the community. The measure of service success will be reflected in the community satisfaction index received by service recipients based on their actual expectations and needs. But actually, public services can cooperate with the private sector or be handed over to the private sector if it is considered more effective and as long as it can provide maximum satisfaction to the community (Dubowitz et al., 2016, p. 1970).

Service user satisfaction is where the customer's wants, expectations, and needs have been well met. A service is considered satisfactory if the service can meet customer needs and expectations. Measuring service user satisfaction is important in providing better, more efficient, and more effective services. If service users are dissatisfied with a service provided,

the service can be ineffective and inefficient (Vernick, 2006, p. 382).

Currently, it can be said that Indonesian railway public services are still considered less satisfying and guarantee passengers' safety. It can be seen in many stranded train passengers, especially economy class, At the station waiting for the late arrival of the train. In addition, disappointing facilities inside the station and on the train and poor security guarantee safety inside and in transit. This is very important to be corrected and corrected to further improve the quality of public services.

Article 1 of Law No. 25 of 2009 concerning Public Services confirms that service standards are benchmarks used as guidelines for service delivery and reference for assessing service quality as obligations and promises of providers to the community to provide Quality service, fast, easy, affordable, and measurable.

While the service standard, according to Article 20 of Law No. 25 of 2009, states that:

- (1) The operator is obliged to compile and set service standards by considering the operator's ability, community needs, and environmental conditions.
- (2) As in paragraph (1), the organizer must involve the community and related parties in compiling and setting service standards.
- (3) The operator must apply the service standards referred to in paragraph (1).
- (4) The participation of the community and related parties, as referred to in paragraph (2), is carried out with the principle of non-discrimination, directly related to the type of service, competence, prioritizing deliberation, and paying attention to diversity.
- (5) The preparation of service standards, as referred to in paragraphs (1) and paragraph (2), is carried out with certain guidelines further regulated in government regulations.

Concerning service to the community, there is a term called Minimum Service Standards. In the Regulation of the Minister of Transportation Number PM 48 In 2015 concerning Minimum Service Standards for Transportation of People by Train point 10, it is stated that minimum service standards are the minimum measure of service that service providers must meet in providing services to service users which must be equipped with benchmarks used as guidelines for service delivery and reference for assessing service quality as obligations and promises of service providers to the community in the context of quality services, Fast, easy, affordable and scalable.

Meanwhile, in Article 2 PM of Transportation No. 48 of 2015, It is stated that the operation of the railway must meet minimum service standards. This minimum service standard is a reference for railway infrastructure operators who operate train stations in providing services to train station service users and railway facilities operators who carry out people's transportation activities by train. This minimum service standard is divided into two: the minimum service standard at the train station and the minimum service standard on the way.

Following Article 3 and Article 4 of the PM of Transportation No. 48 of 2015, the minimum service standards for passengers both at the station and on the train journey at least include safety, security, reliability, comfort, convenience, and equality.

Minimum Service Standards (SPM) are key in improving the quality of public transportation services such as railways. According to the Regulation of the Minister of Transportation No. 48 of 2015, SPM is defined as the minimum size of services that service providers must meet in providing services to service users. The goal is to ensure the services are quality, fast, easy,

affordable, and scalable.

SPM is important because it is a service provider's promise to the public about the level of service they can expect. In the context of railways, SPM guides train station and railway facility operators in providing services to their service users. SPMs include minimum service standards at train stations and minimum service standards in transit.

The following are some aspects of SPM in the context of railways, following Article 3 and Article 4 of the Minister of Transportation Regulation No. 48 of 2015:

- 1) Safety: Trains must be operated safely to prevent accidents and protect passengers and crew.
- 2) Safety: Stations and trains must be maintained to prevent crime and reduce risks to passengers and crew.
- 3) Reliability: Trains must be operated reliably, with minimal delays and cancellations.
- 4) Comfort: Passengers should feel comfortable during the trip, with adequate facilities and a clean and quiet environment.
- 5) Convenience: Services should be easily accessible and usable by all users, including people with limited mobility.
- 6) Equality: Services must be provided fairly and non-discriminately, ensuring all passengers get the same service.

With standards like these, people can have clear expectations about what they can expect from rail services. In addition, service providers also have clear benchmarks to evaluate and improve the quality of their services. SPM, therefore, becomes an important tool in promoting continuous improvement in public transport services.

4.4 The Responsibility of the Operator of Railway Facilities and Infrastructure in the Field of Comfort and Safety to Railway Service users

Accountability of the Railway Facilities and Infrastructure Operator, in this case, PT. KAI emphasized the quality of service to railway service users. A good service is a form of responsibility that must fulfill PT. KAI. The better quality of service provided correlates with the satisfaction of railway service users or consumers.

Service user satisfaction Railways, especially passengers, is a condition where service users' wants, expectations, and needs have been met properly. A service is considered satisfactory if the service can meet the needs and expectations of service users (Glasgow et al., 2012, p. 646). Measuring service user satisfaction is important in providing better, more efficient, and more effective services. If consumers are dissatisfied with a service, the service can be ineffective and inefficient. This is certainly very important for public services (Hupe & Hill, 2016, p. 103). The level of service user satisfaction with service is an important factor in developing a service provision system that is responsive to customer needs, minimizes costs and time, and maximizes the impact of service on consumers (Matland, 1995, p. 145).

Article 87 of the 2007 Law confirms that the responsibilities of the Railway Infrastructure Operator include:

- 1) The Railway Facilities Operator is responsible to the Railway Facilities Operator and third parties for losses due to accidents caused by errors in the operation of railway infrastructure. This responsibility is carried out by providing compensation calculated based on actual losses suffered.

- 2) The responsibility of the Railway Infrastructure Operator to the Railway Facilities Operator is carried out based on the cooperation agreement between the two parties.
- 3) The Railway Infrastructure Operator is responsible to third parties for property losses, injuries, or deaths caused by the operation of railway infrastructure.
- 4) Railway Infrastructure Operator is responsible for Railway Infrastructure Officers who suffer injuries or death caused by the operation of railway infrastructure.

To minimize the risk of compensation and carry out its responsibilities, according to Article 167 of the 2007 Law. As a Railway Facilities Operator, PT. KAI must ensure its responsibility to service users, and the amount of coverage must be equal to the compensation provided to service users who suffer losses due to train operations.

The relationship between PT. KAI, a railway operator with passengers, is a relationship between business actors and consumers. In Indonesia, the relationship between business actors and consumers has been umbrellaed by consumer protection laws that protect consumers from the low quality of services companies provide as business actors. Law No. 8 of 1999 concerning Consumer Protection, which came into force on April 20, 2000, became the legal umbrella for consumer demands. This law accommodates everything related to consumer complaints against business actors, including business actors in the service sector. This has legal ramifications in the protection of consumer rights. Based on the Law, producers are responsible for compensating for consumer losses due to consuming the goods or services produced.

PT. KAI does continue to provide improvements in its services, but there are still several things that still need to be addressed, one of which is to provide appropriate services and Minimum service standards. Minimum service standards include services at the departure, en route, and destination stations. The community needs service improvement, one of which is the existence of minimum service standards that are carried out consistently.

Article 5 PM 9 of 2011 concerning Minimum Service Standards for Transportation of People states that the public has the right to provide advice and input on the minimum service standards that have been set either orally or in writing to the Minister and/or through the Director General. It also accommodates the provisions of Article 4 Letter d of the Consumer Protection Law, which provides the right to consumers to be heard and their complaints about the goods and/or services used.

In service by PT. KAI for train service users, there are still some problems that are still not considered in the comfort of using train services. This needs attention and improvement from the company to be able to at least minimize to provide passengers satisfaction. These things include:

- 1) Train delays of up to 180 minutes (2 hours), to the detriment of passengers.
- 2) Cancellation of train trips.
- 3) There is still air conditioning that works less optimally on trains.
- 4) There are still standing passengers in the economy class of local trains, which have received government permission.
- 5) There is still a lack of accuracy in boarding pass officers at the passenger entrance, which often has passengers who do not match the departure schedule.

Services provided by PT. KAI (*Kereta Api Indonesia*) still faces several challenges in meeting the

Minimum Service Standards (SPM) stipulated in government regulations. Some of the problems recorded by the public include train delays, trip cancellations, quality of facilities such as air conditioning, passenger density, and inaccurate passenger control.

Here is an analysis of some of these problems:

- 1) Train Delays: Delays of up to 2 hours violate the reliability principles present in SPM. This can be bad for passengers who rely on trains for activities such as work, school, or other important gatherings.
- 2) Trip Cancellation: Cancellation of a train trip without sufficient prior notice also harms passengers and violates the principle of certainty in SPM.
- 3) Air conditioning facilities: AC that works less optimally can affect passenger comfort during the trip and is not following the comfort standards set in SPM.
- 4) Economy Class Standing Passengers: The presence of passengers standing in economy class, especially if they exceed capacity, may endanger the safety and interfere with the comfort of other passengers.
- 5) Passenger Control: If a passenger can pass into the train without meeting the departure schedule, this indicates a problem in the passenger control system and can potentially damage the experience of other passengers and disrupt the train schedule.

In responding to these problems, PT. KAI needs to review its operations and service systems and make quality improvements in various aspects, from improving time management and schedule accuracy to improving facilities to improving passenger control systems. In addition, PT. KAI should also strengthen its complaints and response mechanisms to receive feedback and complaints from passengers, in line with passengers' rights as consumers as stipulated in consumer protection laws. This mechanism should also involve authorities such as the Minister and Director-General in receiving and responding to input from the public, as stipulated in Article 5 PM 9 of 2011.

4.5 Consumer Protection of Facilities Provided by PT. KAI

The existing consumer protection objectives are the final objectives that must be achieved in carrying out development in the field of consumer protection law. Legal protection relates to rights. Legal protection for consumers means protection of consumer rights (Rahimzadeh, 2021). Protection of consumer rights means legal remedies for consumers if consumer rights are violated, which relates to the issue of claims (demands). Consumer rights are regulated by Law Number 8 of 1999 concerning Consumer Protection. Article 4 of this law regulates and details consumer rights, namely:

- 1) The right to comfort, security, and safety in consuming goods and/or services.
- 2) The right to choose and obtain goods and/or services following the exchange rate and conditions and guarantees promised.
- 3) The right to true, clear, and honest information about the conditions and guarantees of goods and/or services.
- 4) The right to be heard and his complaints on goods and/or used.
- 5) The right to advocacy, protection, and dispute-resolution efforts proper consumer protection.
- 6) The right to consumer coaching and education.
- 7) The right to be treated or served properly and honestly and non-discriminatory.
- 8) The right to obtain compensation, compensation, and/or replacement if the goods and/or services received are not following the agreement or are not as they should be rights stipulated in the provisions of other laws and regulations

In the provisions of Article 19 Paragraph 1 of Law Number 8 of 1999 concerning Consumer Protection, it is determined that business actors are responsible for compensating for damage, pollution, and/or consumer losses due to consuming the goods and/or services produced.

Professional responsibility is legal responsibility (legal liability) concerning professional services rendered to clients. This professional responsibility may arise because professional service providers do not fulfill the agreements they enter into with their clients or because of the service provider's negligence resulting in unlawful acts (Kantaatmadja, 1996).

Of the several things that are still complained about by many railway service users, they do things that are included in service providers. Article 136 of the 2007 Law confirms that the responsibilities of the Railway Facility Operator include:

- (1) In the transportation of people, the operator of railway facilities is authorized to:
 - a. Check tickets
 - b. Cracking down on service users who don't have tickets
 - c. Regulate train service users or the public who interfere with train travel and
 - d. Carry out supervision and guidance on communities that have the potential to disrupt train travel
- (2) Railway facilities operators, in certain circumstances, can cancel train trips if things can endanger safety, order, and public interest.

The Consumer Protection Law and railway sector regulations in Indonesia provide a strong legal framework to protect the rights of railway passengers as consumers. These rights include comfort, security, the right to vote, obtaining true and honest information, obtaining advocacy and protection, obtaining compensation, and others. PT. KAI, the railway operator, is responsible for ensuring the rights of this right are fulfilled. The following is an analysis of the responsibilities and obligations of PT. KAI is based on the regulations mentioned:

- 1) Railway service providers are obligated to provide services per established standards and regulations. According to Article 136 of the 2007 Law, this includes checking tickets, cracking down on service users who do not have tickets, maintaining passenger order, and conducting supervision and guidance on the public who have the potential to disrupt train travel.
- 2) According to the Consumer Protection Law, PT. KAI is also responsible for providing compensation if the services they provide are not in accordance with the specified agreements or standards.
- 3) PT. KAI also reserves the right to cancel train travel under certain circumstances that could endanger safety, order, and public interest. This should be done carefully, considering the passenger's right to the promised service and compensation if such service cannot be provided.

Previously identified problems (delays, trip cancellations, quality of facilities, overcrowding, and inadequate passenger control) indicate several aspects of managing PT. KAI must improve its services to align with its legal responsibilities and obligations. In this effort, they should improve service quality, ensure punctuality, and maintain passenger safety and comfort. In addition, they also need to develop better mechanisms to handle complaints and suggestions from passengers, including transparent and effective grievance and problem-resolution processes.

5 Conclusion

Implementing public services in rail transportation requires a deep understanding and implementation of legal responsibilities by the operator of railway facilities and infrastructure. Aspects of regulation, control, and railway traffic supervision must be carried out by prioritizing the public interest or the public who use railway services, environmental sustainability, spatial planning, and the development of science and technology. The operator has a legal responsibility to ensure that minimum service standards are met, including safety, security, reliability, comfort, convenience, and equality of passengers at the station and in transit. Currently, there is room for improvement in public services and the legal responsibility of railway operators, such as PT KAI, in improving the comfort and safety of train service users.

As a suggestion, PT. KAI needs to conduct a systematic evaluation and improvement of its service standards. More specifically, they need to consider increasing efficiency in controlling train arrival and departure times and improving the quality of facilities on trains and stations. In addition, PT. KAI needs to increase transparency and effectiveness in resolving customer complaints and complaints and ensure that every complaint is handled fairly and satisfactorily. The involvement of stakeholders, such as consumer organizations, in this review and improvement process, will also help realize better services and protect consumer rights.

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