

**LEGAL PROTECTION FOR PASSENGERS IN PUBLIC  
TRANSPORT ACCIDENT INSURANCE CLAIMS IN  
INDONESIA**

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**ABSTRACT**

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Legal protection for passengers in public transportation accident insurance claims in Indonesia is an important aspect in guaranteeing the rights of accident victims. Although various regulations have regulated the obligation of transportation service providers to provide accident insurance, there are still various obstacles in its implementation, such as complicated claim procedures, low passenger awareness of their rights, and lack of supervision of transportation and insurance companies. This research uses a normative legal research method with a statutory approach and a case approach. The sources of legal materials consist of primary, secondary, and tertiary legal materials collected through literature study and analyzed qualitatively. The results show that although regulations such as Law Number 33 of 1964 and Law Number 8 of 1999 have provided a legal basis for passenger protection both preventively and repressively, there are still challenges in its implementation. The main obstacles include regulations and policies, complicated bureaucracy, lack of socialization of passenger rights, and weak law enforcement against negligent companies. Therefore, improvements in regulations, simplification of claim procedures, and increased supervision are needed to ensure passenger rights are effectively protected.

**Keywords:** *Protection, Passenger, Accident Insurance, Transportation.*

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**INTRODUCTION**

Public transportation plays an important role in the mobility of society in Indonesia. Various modes of transportation such as buses, trains, ships, and airplanes are used by millions of people every day. However, the high intensity of public transportation use also increases the risk of accidents that can cause losses for passengers, both physically and materially.

As a form of protection for passengers, the government requires transportation companies to provide accident insurance. Regulations regarding insurance protection for public transport passengers are outlined in several legislative acts, such as Law Number 22 of 2009 on Traffic and Road Transportation, as well as the Minister of Transportation's regulations governing the responsibilities of transportation managers in providing guarantee protection to service users. This law is the central legal protection for public transport passengers in Indonesia. It mandates that transportation companies are responsible for providing compensation to passengers in the event of an accident <sup>1</sup>.

Strictly speaking, Article 237 of Law Number 22 of 2009 concerning Traffic and Road Transportation states that "Public Transportation Companies are required to participate in an accident insurance program as a form of responsibility for insurance coverage for accident victims." This means that there is an obligation for the company to guarantee accident insurance for accident victims. Referring to the opinion of Wirjono Prodjodikoro, it states that insurance involves two parties, namely one who is willing to bear or guarantee that the other party will receive compensation for a loss that he may suffer as a result of an event that initially will not occur or initially cannot be determined at the time of occurrence. The existence of this insurance creates a counter-performance. A counter-performance of this insurance, the party who is covered is required to pay a sum of money to the party who bears it. The money will remain the property of the party who bears it, if later it turns out that the event did not occur. <sup>2</sup>

However, in practice, there are still various issues with claims for public transportation accident insurance. Many passengers are unaware of their rights to receive compensation from insurance companies, and the companies do not inform them. In the case of a bus accident, for example, the victims or their families are not fully informed about the legal protections and compensation rights available to them, as seen in the case study of Guci, Tegal <sup>3</sup>.

Additionally, the claims submission procedure is often considered complicated and convoluted, creating obstacles for victims or their families in obtaining the compensation they should receive. It is not uncommon for insurance companies to deny claims on administrative grounds or due to insufficient evidence. Insurance

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<sup>1</sup> Ida Bagus Ananta Kusuma, Nyoman Sukandia, and Nyoman Sutama, "Perlindungan Hukum Terhadap Penumpang Angkutan Umum Ditinjau Dari Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan," *Jurnal Analogi Hukum* 6, no. 1 (2024): 79–86.

<sup>2</sup> Abdulkadir Muhammad, *Hukum Asuransi Indonesia*, Cet.4 (Bandung: PT. Citra Aditya Bakti, 2006), h 6.

<sup>3</sup> Thoriq Umam Farisy dan Andriyanto Adhi Nugroho, "Perlindungan Hukum Bagi Konsumen Penumpang Bus (Studi Kasus Kecelakaan Bus di Guci Tegal)." *Jurnal Hukum, Politik dan Humaniora* Vol. 4, no. 4 (2024): 738–745.

companies often reject claims on administrative grounds, such as inadequate evidence or failure to meet procedural requirements <sup>4</sup>.

One example of a case that illustrates the complexity of public transportation insurance claims is the accident involving a rented public transport vehicle where PT Jasa Raharja refused to pay compensation for the victims. This incident occurred when a rented minibus was involved in an accident on the highway, resulting in several passengers sustaining injuries and one fatality. Although the minibus was a public transport vehicle, PT Jasa Raharja denied the compensation claim on the grounds that the vehicle was being rented privately, thus not covered under the mandatory passenger accident insurance fund (DPWKP). Consequently, the victims or their heirs had to pursue legal channels to obtain their rights <sup>5</sup>.

This case illustrates the legal uncertainty in passenger protection, particularly in defining the insurance coverage for vehicles operating outside of regular routes. In addition, this case also highlights weaknesses in public transport insurance regulation, where not all accident conditions can be guaranteed even if the vehicle is classified as public transport.

The other issue that arises is the lack of socialization from transportation organizers regarding the accident insurance mechanisms available to passengers. This causes public ignorance about their rights as transportation service users. In addition, there are still cases where transportation companies do not fully comply with provisions related to the provision of insurance for passengers, leading to legal uncertainty in the protection of the rights of accident victims.

Based on these issues, this research aims to analyze the legal protection for passengers in public transport accident insurance claims in Indonesia. This research will also explore the obstacles faced by passengers in the claims process and provide recommendations for improvements in the legal protection system for public transport passengers.

## **METHOD**

This research uses normative legal research methods, which emphasize the study of applicable legal norms. The type of research used is doctrinal legal research, which aims to examine legal protection for passengers in public transportation accident insurance claims based on existing legislation. The approach used in this research is the statutory approach to analyze regulations governing accident insurance

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<sup>4</sup> Yunita Yunita, M. Citra Ramadhan, and Isnaini Isnaini, "Pertanggungjawaban Perusahaan Asuransi PT. Jasa Raharja (Persero) Kantor Perwakilan Padangsidempuan Terhadap Korban Dalam Kecelakaan Lalu Lintas Berbasis Perlindungan Hukum," *Journal of Education, Humaniora and Social Sciences (JEHSS)* 5, no. 4 (2023): 3246–3259.

<sup>5</sup> Wulandari Rima Ramadhani and Satriyo Bagus Arianto, "Pertanggungjawaban Kerugian PT Jasa Raharja Pada Kecelakaan Penumpang Angkutan Umum Yang Sedang Di Sewa," *Media Iuris* 6, no. 2 (2023): 307–322.

in public transportation, as well as the case approach to study the application of law in resolving insurance claim disputes that occur in society.

The sources of legal materials used in this research consist of primary, secondary, and tertiary legal materials. Primary legal materials include relevant legislation, such as Law Number 22 of 2009 concerning Traffic and Road Transportation, Law Number 33 of 1964 concerning Mandatory Accident Insurance for Passengers, as well as other regulations related to public transportation insurance. Secondary legal materials consist of books, scientific journals, and previous research results that discuss similar topics. Tertiary legal materials include legal dictionaries and legal encyclopedias that assist in understanding the concepts and legal terms used in this research. The technique for collecting legal materials was carried out through library research by tracing legal documents and relevant literature. The data obtained were analyzed using qualitative analysis methods, namely by interpreting and connecting existing legal rules to draw systematic conclusions about legal protection for passengers in public transportation accident insurance claims in Indonesia.

## DISCUSSION

### **Legal Protection for Passengers in Public Transport Accident Insurance Claims in Indonesia**

Legal protection for passengers in public transportation accident insurance claims in Indonesia can be examined from two main aspects, namely preventive legal protection and repressive legal protection.

#### 1. Preventive Legal Protection

Preventive legal protection is a strategic effort aimed at preventing disputes in public transportation accident insurance claims. The existence of clear regulations is expected to reduce the potential for abuse of authority by insurance companies and transportation operators, as well as provide legal certainty for passengers. In its implementation, this preventive legal protection mechanism includes provisions that regulate the obligations of transportation operators in providing insurance protection, strengthening consumer rights, and ensuring transparency in the claims process<sup>6</sup>. However, the effectiveness of this regulation still faces challenges, such as the lack of supervision in the implementation of regulations and the low awareness of the public regarding their rights in insurance protection<sup>7</sup>.

The lack of oversight and low public understanding of preventive legal protections means that the existing regulations are not fully effective in protecting passengers. Therefore, there is a need to strengthen oversight mechanisms and

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<sup>6</sup> Romi Wahyudi dan Dewi Astutty Mochtar, "Perlindungan Hukum Penumpang Angkutan Laut," *Jurnal Cakrawala Hukum* 13, no. 3 (2022): 316–324.

<sup>7</sup> Desak Nyoman Oksi Selina & I Made Wirya Darma, "perlindungan Hukum Bagi Penyedia Jasa Transportasi Online dalam Mengangkut Penumpang.," *Jurnal Hukum Prasada* 8, no. 2 (2021): 70–77.

improve legal education for the public so that their rights in insurance can be understood and utilized optimally.

One of the main forms of preventive legal protection is the obligation of transportation operators to provide accident insurance for passengers. This provision has been regulated in Law Number 33 of 1964 concerning Mandatory Accident Compensation Fund for Passengers, which requires public transport providers to ensure insurance protection for their service users<sup>8</sup>. In addition, the Minister of Finance Regulation Number 15 of 2017 emphasizes that insurance companies such as Jasa Raharja are responsible for providing compensation for victims of public transport accidents<sup>9</sup>. However, in practice, there are still many transportation operators that do not fulfill this obligation, especially in digital transportation services (ride-hailing), where the coverage of insurance is often unclear or limited for users<sup>10</sup>.

Even though regulations have mandated transportation operators to provide insurance protection, there are still challenges in its implementation, especially for application-based transportation that has not been specifically regulated by existing regulations. Therefore, more adaptive policies are needed to accommodate the development of transportation technology and to enhance oversight of operator compliance.

In addition to the obligation to provide insurance, preventive legal protection also includes consumer protection in public transportation services. Based on Law Number 8 of 1999 concerning Consumer Protection, transportation companies are required to provide safe services and ensure insurance compensation for accident victims. This regulation aims to prevent violations of consumer rights, such as non-transparent claims denial practices and the ambiguity of the insurance schemes implemented. However, the implementation of this regulation still faces challenges, particularly in the public transportation sector that does not have official permits. In this situation, passengers often do not receive adequate insurance protection due to the discrepancies between regulations and practices on the ground.

The gap between regulations and practices in the field has become a major challenge in consumer protection in the public transportation sector. Many transport services operate without official permits, leaving passengers without the insurance guarantees they should receive. Therefore, more stringent policies are

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<sup>8</sup> Siti Nurbaiti, "Hak Penumpang Ganti Rugi Kecelakaan Transportasi di Indonesia: Sudahkah Memenuhi Rasa Keadilan," *Hasanuddin Law Review* 10, no. 2 (2024): 226–239.

<sup>9</sup> Dwita Pratama, "L Perlindungan Hukum Penumpang Angkutan Online Berdasarkan Undang-Undang Lalu Lintas dan Angkutan Jalan." *Jurnal Hukum dan Reformasi Hukum*, Vo. 2, no. 4 (2021): 569–590.

<sup>10</sup> Andi Lala, Eman Suparman, and Amin Purnawan, "Perlindungan Hukum Pengemudi Ojek Online dari Kecelakaan Kerja di Indonesia." *Scholars International Journal of Law, Crime and Justice* 5, no. 6 (2022): 223–230.

needed in enforcing regulations as well as monitoring mechanisms to ensure that every mode of transportation operating has insurance protection for its users.

Important other aspects in preventive legal protection are the socialization and transparency of information regarding passenger rights in accident insurance claims. Transportation companies have the obligation to provide clear information about the claim procedures, the amount of compensation, and the documents required in the claim submission process<sup>11</sup>. However, the socialization from the government and transportation companies has caused many passengers to be unaware that their rights are not fully maximized, resulting in a relatively low level of insurance claims. Therefore, strategic steps are needed to improve education for the public, both through public campaigns and the integration of claim information into digital transportation application systems, so that passengers can obtain optimal legal protection.

The low level of socialization and transparency of information regarding passenger rights in accident insurance claims indicates a gap in the preventive legal protection system. To address this, policies are needed to encourage information openness, both through stricter regulations on transportation operators and the development of more user-friendly digital systems to make information access for passengers easier and more effective.

## 2. Legal Protection of Repression

Repressive legal protection is a mechanism aimed at resolving legal disputes arising from problematic insurance claims in public transportation accident cases. The existence of this mechanism is crucial given the numerous rejections of insurance claims for administrative reasons that often do not favor passengers<sup>12</sup>. Therefore, legal instruments are needed that can guarantee justice for passengers as the affected parties. This form of repressive legal protection includes insurance claim mechanisms, insurance dispute resolution, and sanctions for companies that do not fulfill their obligations<sup>13</sup>.

In the context of repressive legal protection, the effectiveness of the insurance dispute resolution system largely depends on the transparency and accessibility of the legal mechanisms available to passengers. Therefore, it is necessary to improve a more inclusive system so that people can more easily access their rights.

### A. Insurance Claim Mechanism

The process of filing an insurance claim for public transportation accidents in Indonesia has been regulated in Minister of Finance Regulation No. 15/2017,

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<sup>11</sup> Ninne Zahara Silviani, Nurlaily, and Vivi, "Perspektif Lintas Negara: Pemberian Sanksi kepada Mitra Grab dengan Identitas Tidak Valid di Indonesia dan Singapura," *Hang Tuah Law Journal* 7, no. 2 (2023): 170–188.

<sup>12</sup> Wahyudi and Mochtar, "perlindungan hukum bagi penumpang angkutan laut.."

<sup>13</sup> Desak Nyoman Oksi Selina and Darma, "perlindungan Hukum Bagi Penyedia Jasa Transportasi Online dalam Mengangkut Penumpang."

which requires passengers or their heirs to provide supporting documents such as police reports, identification, and medical certificates for injured victims. This regulation aims to ensure that claims are processed in accordance with applicable regulations and in a transparent manner. However, complex procedures and lack of access to information on how to submit claims are the main challenges for passengers in obtaining their insurance rights<sup>14</sup>.

The lack of public understanding of insurance claim procedures has the potential to cause a low level of claim submission, which in turn has an impact on the non-optimal realization of legal protection for victims of transportation accidents. Therefore, efforts to simplify the claim process and more massive socialization are needed so that passengers can access their rights more easily.

#### B. Insurance Dispute Resolution

In the event of rejection of an insurance claim that is considered unfair, passengers have the right to submit a dispute resolution through the Consumer Dispute Resolution Agency (BPSK) or through litigation in court<sup>15</sup>. This mechanism is designed to provide legal protection for passengers who experience problems in obtaining their rights. In addition, the Financial Services Authority (OJK) plays a role in overseeing the insurance industry to ensure that insurance companies do not engage in practices that harm consumers.

Although there are legal channels that can be taken, passengers are often reluctant to settle disputes due to the long process and high costs. To increase the effectiveness of repressive legal protection, a dispute resolution mechanism is needed that is faster, more efficient, and accessible to all levels of society without burdening accident victims.

#### C. Sanctions for Negligent Companies

To enforce legal protection for passengers, strict sanctions are needed against transportation and insurance companies that do not fulfill their obligations. Transportation operators that do not provide insurance for passengers may be subject to administrative sanctions, such as revocation of business licenses or fines, as stipulated in applicable regulations in Indonesia. Meanwhile, insurance companies that reject claims without clear legal basis may be sanctioned by OJK, either in the form of reprimands, fines, or revocation of operational licenses<sup>16</sup>. However, weak oversight of the implementation of sanctions means that many companies still ignore their obligations without real consequences. Therefore,

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<sup>14</sup> Nurbaiti, " Hak Penumpang Ganti Rugi Kecelakaan Transportasi di Indonesia: Sudahkah Memenuhi Rasa Keadilan?"

<sup>15</sup> Desak Nyoman Oxsi Selina and Darma, "Perlindungan Hukum Bagi Penyedia Jasa Transportasi Online dalam Mengangkut Penumpang."

<sup>16</sup> Taufiq Nugroho and Arkan Daffa Tyandi I, "Perlindungan Konsumen Atas Keterlambatan Pengiriman Barang Melalui Jasa Pengiriman Barang Melalui Laut Ditinjau dari Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen." *De Jure* 4, no. 2 (2023).

increased supervision and transparency in sanctioning is needed to ensure optimal legal protection for public transportation passengers.

### **Challenges In Providing Legal Protection For Passengers In Public Transportation Accident Insurance Claims In Indonesia**

Legal protection for passengers in public transportation accident insurance claims in Indonesia still faces various challenges that hinder the effectiveness of its implementation. These challenges can be categorized into several aspects, namely regulatory and policy aspects, procedural and bureaucratic aspects, aspects of public legal awareness, and aspects of law enforcement and supervision.

#### **1. Challenges in Regulatory and Policy Aspects**

Legal protection for public transportation passengers in terms of accident insurance claims has been regulated in various regulations in Indonesia. However, the implementation of these regulations still faces significant challenges, which potentially hamper legal certainty and justice for accident victims. One of the main obstacles is the mismatch between the prevailing regulations and the development of the modern transportation industry, especially in the context of app-based transportation services<sup>17</sup>. In addition, the lack of harmonization between regulations governing public transport accident insurance leads to overlapping rules that often create uncertainty in their implementation<sup>18</sup>. As a result, accident victims often experience difficulties in filing insurance claims to which they are entitled, creating legal uncertainty that needs to be addressed through a comprehensive policy revision.

Law No. 33/1964 on Compulsory Insurance Fund for Passenger Accidents has become the main legal basis for the insurance protection of public transportation passengers. However, the provisions in this regulation have not fully accommodated the development of the transportation industry, especially with the increasingly dominant presence of ride-hailing services. Some app-based transportation service providers only provide insurance protection under certain conditions, for example if an accident occurs on a trip booked through the app, while events outside of that are not covered<sup>19</sup>. This condition creates legal uncertainty for online transportation users, who in many cases have to bear the risk of accidents themselves without adequate protection. Therefore, it is

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<sup>17</sup> M. I Gultom, E. R., & Budhianti, "Apakah konsumen layanan transportasi daring memperoleh perlindungan hukum?" *Jambura Law Review* (2022).

<sup>18</sup> Dyah Mutiarin et al., "Bagaimana regulasi dan kebijakan pemerintah menanggapi pertumbuhan layanan transportasi berbasis daring (online-enabled transportation service/OETS) di Indonesia, Filipina, dan Taiwan?," *Digital Policy, Regulation and Governance* 21, no. 4 (2019): 419–437.

<sup>19</sup> I Wayan Gde Wiryawan, "Urgensi Regulasi Perlindungan Ketenagakerjaan Bagi Pengemudi Transportasi Online." *Sociological Jurisprudence Journal* 3, no. 1 (2020): 34–42.

necessary to revise the regulations so that the applicable rules can adjust to the reality on the ground and provide fair legal protection for all transportation users.

In addition, the rules governing accident insurance in public transportation often lack strictness in determining the liability of transportation operators and insurance companies. This results in many insurance claims being rejected on technical grounds or because the victim does not meet the administrative criteria set by the insurance provider<sup>20</sup>. As a result, many passengers are harmed and do not get proper compensation, especially for users of informal transportation services who often do not have clear legal protection. This situation shows the need to reformulate regulations to not only cover aspects of formal protection, but also ensure legal certainty for all public transportation passengers, including those who use application-based services.

Regulations regarding public transportation accident insurance are scattered in various regulations, such as Law No. 22/2009 on Road Traffic and Transportation and Law No. 8/1999 on Consumer Protection. However, the lack of coordination in the application of these regulations creates legal loopholes that can be exploited by transportation operators or insurance companies to avoid liability. This disharmony often leads to difficulties in the implementation of the regulations, given that there is not a good fit between the responsibilities of the government, insurance companies and transportation operators in providing protection to passengers.

One of the impacts of this regulatory disharmony is the difference in protection coverage between conventional transportation and online transportation. Online transportation users often do not get the same protection rights as conventional public transportation passengers, considering that the provisions regarding insurance liability in application-based transportation services still do not have legal clarity<sup>21</sup>. This imbalance has the potential to create discrimination in access to insurance protection, so regulatory adjustments are needed that ensure the same standard of protection for all modes of transportation, both conventional and technology-based.

In addition to the lack of harmonization between regulations, the implementation of accident insurance policies in the public transport sector also faces various obstacles. The level of compliance of transportation operators in providing insurance coverage for passengers is still low, especially in areas with weak supervision<sup>22</sup>. This problem is exacerbated by the convoluted process of

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<sup>20</sup> Mukti Fajar, Dirk Zwerenz, and Reni Budi Setianingrum, "Inovasi Disruptif dalam Hukum Persaingan Usaha: Isu Regulasi Transportasi Daring di Indonesia." *European Journal of Economics and Business Studies* 5, no. 2 (2022): 23.

<sup>21</sup> Wiryawan, "Urgensi Regulasi Perlindungan Ketenagakerjaan Bagi Pengemudi Transportasi Online.."

<sup>22</sup> I Darmoyono, "Studi tentang tantangan dan peluang pengembangan kendaraan listrik untuk sektor angkutan umum darat di kota-kota di Indonesia" (2024).

insurance claims and the low level of public understanding of their rights in obtaining insurance compensation<sup>23</sup>. As a result, many accident victims end up choosing not to file a claim, even though they are legally entitled to insurance protection.

In practice, the insurance claim process often experiences delays due to long bureaucracy, making it difficult for victims or heirs to get proper compensation<sup>24</sup>. Many victims of public transportation accidents experience administrative obstacles in the process of submitting claims, such as difficulty in obtaining the required documents or discrepancies between the insurance company's provisions and the conditions of the accident that occurred. Therefore, reforms are needed in the insurance claim mechanism to make it more efficient, transparent, and in favor of accident victims.

To overcome these challenges, it is necessary to update regulations that are more adaptive to the dynamics of the current transportation industry. One of the steps that can be taken is to revise the existing regulations to include protection for application-based transportation users, so that there is no imbalance in accident insurance coverage between conventional and online transportation. This revision must be carried out by considering technological developments and best practices in transportation regulations in other countries that have successfully implemented inclusive and comprehensive insurance protection. In addition, stronger coordination is needed between the government, the Financial Services Authority (OJK), and insurance companies to ensure that every mode of transportation has equal insurance protection. Public education also needs to be strengthened so that passengers understand their rights in public transportation accident insurance claims. With more harmonious regulations and more effective implementation mechanisms, it is hoped that legal protection for public transportation passengers can be better guaranteed, so that they can obtain legal certainty and access to adequate compensation when experiencing an accident.

## 2. Procedural and Bureaucratic Challenges

Accident insurance claims in the public transportation sector in Indonesia still face various procedural and bureaucratic obstacles. While regulations have been established to protect the rights of passengers, implementation on the ground often faces significant obstacles. One of the main challenges is the complexity of the administrative process, which requires victims or their heirs to complete various documents in a relatively short time. In addition, lengthy bureaucracy

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<sup>23</sup> Robert Sparrow, Teguh Dartanto, and Renate Hartwig, "Indonesia di Era Normal Baru: Tantangan dan Jalan ke Depan. *Buletin Studi Ekonomi Indonesia*" *Bulletin of Indonesian Economic Studies* 56, no. 3 (2020): 269–299.

<sup>24</sup> Inayah Hidayati, "Mendobrak hambatan perjalanan: Bagaimana perempuan di Jabodetabek mengatasi tantangan sehari-hari dalam perjalanan ke tempat kerja," *ETNOSIA: Jurnal Etnografi Indonesia* 8, no. 1 (2023): 44–62.

extends the duration of claim settlements, creating uncertainty for accident victims and their beneficiaries. These obstacles point to the need for policy reforms to improve the effectiveness of the insurance claims system.

The process of filing a claim is often complicated due to the many document requirements that must be met by accident victims or their heirs. Police reports, medical certificates, and identity documents are some of the main requirements needed in insurance claims. However, limited access to these documents, especially in areas with minimal administrative facilities, is often an obstacle that slows down the settlement of claims. This phenomenon reflects the need for simplification in administrative procedures to make the claims process more efficient.

Accessibility to information on insurance claim procedures remains a problem for the public, especially in remote areas. Many public transportation passengers lack an adequate understanding of their rights under accident insurance, leading to low claim filing rates. This lack of literacy exacerbates the situation, as many victims choose not to file a claim due to ignorance or fear of what are considered complicated procedures. Therefore, there is a need for a broader education program to increase public awareness of insurance claim procedures.

To overcome the challenges, several strategic measures need to be implemented to improve the effectiveness of the public transportation accident insurance claim system. First, it is necessary to standardize claim procedures across insurance companies to reduce inequalities in claim submission and disbursement mechanisms. Second, simplification of administrative documents needs to be implemented so that accident victims are not burdened by excessive requirements. Third, OJK needs to improve supervision and impose strict sanctions on insurance companies that do not fulfill the obligation to disburse claims within a predetermined time. Fourth, public education on insurance claim procedures is needed so that people better understand their rights and can submit claims more easily. Fifth, the use of digital technology in the insurance claims system can be a solution to speed up the administrative process and increase transparency. With these reforms, it is expected that public transportation accident insurance claims can be made more quickly, transparently, and efficiently.

### 3. Challenges in the Aspect of Public Legal Awareness

Public awareness of their rights to accident insurance protection is still relatively low. Some of the factors that influence this low awareness include the lack of socialization from related parties. Many passengers do not know that they have the right to get insurance compensation if they have an accident while using public transportation. This happens due to the lack of socialization from transportation operators and insurance companies. In addition, there is a lack of

understanding of the claim mechanism. Many accident victims or their heirs do not know the procedure for filing an insurance claim, including the documents that must be prepared and the agencies that must be contacted. As a result, many claims are not submitted or are rejected because they do not meet administrative requirements.

#### 4. Challenges in Law Enforcement and Supervision

Supervision of transportation operators' compliance in providing insurance coverage for passengers still faces various obstacles, such as the lack of supervision of transportation operators. Some transportation companies, especially land public transportation that is not officially registered, do not provide accident insurance for passengers, so in the case of an accident, passengers do not have adequate legal protection. In addition, disputes between passengers and insurance companies. It is not uncommon for claims to be rejected by insurance companies on the grounds of ineligibility or lack of evidence of an accident. In some cases, the settlement of insurance claim disputes must be taken to court or the Consumer Dispute Resolution Agency (BPSK), which takes time and additional costs for passengers.

### CONCLUSION

Based on the results of the research and discussion that has been carried out, it can be concluded that legal protection for passengers in public transportation accident insurance claims in Indonesia has been regulated in various regulations, such as Law Number 33 of 1964 and Law Number 8 of 1999 concerning Consumer Protection.

However, in its implementation there are still various challenges, including low passenger awareness of their rights, complicated claim procedures, lack of supervision of transportation and insurance companies, and lack of coordination between related institutions. These obstacles often lead to legal uncertainty and difficulties for passengers in obtaining the insurance compensation they should receive. Therefore, it is necessary to increase the effectiveness of regulations, simplify claim procedures, and strengthen supervision and law enforcement to ensure that passengers' rights are well protected in the public transportation accident insurance system in Indonesia.

### REFERENCES

- Darmoyono, I. (2024). *Studi tentang tantangan dan peluang pengembangan kendaraan listrik untuk sektor angkutan umum darat di kota-kota di Indonesia*. <https://repository.unescap.org/handle/20.500.12870/6777>
- Desak Nyoman Oksi Selina, & Darma, IMW. *Perlindungan Hukum Bagi Penyedia Jasa Transportasi Online dalam Mengangkut Penumpang*.

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<https://doi.org/10.22225/jhp.8.2.2021.70-77>

Fajar, M., Zwerenz, D., & Setianingrum, RB. Inovasi Disruptif dalam Hukum Persaingan Usaha: Isu Regulasi Transportasi Daring di Indonesia. *European Journal of Economics and Business Studies* , Vol, 5, No. 2, 2022. <https://doi.org/10.26417/ejes.v5i2.p23-37>

Gultom, ER, & Budhianti, MI. Apakah konsumen layanan transportasi daring memperoleh perlindungan hukum? *Jambura Law Review*, (2022).

Hidayati, I. Mendobrak hambatan perjalanan: Bagaimana perempuan di Jabodetabek mengatasi tantangan sehari-hari dalam perjalanan ke tempat kerja. *ETNOSIA : Jurnal Etnografi Indonesia* , Vol. 8 No. 1, 2023. <https://doi.org/10.31947/etnosia.v8i1.26085>

Kusuma, Ida Bagus Ananta, Nyoman Sukandia, and Nyoman Utama, “Perlindungan Hukum Terhadap Penumpang Angkutan Umum Ditinjau Dari Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan,” *Jurnal Analogi Hukum* 6, no. 1, 2024.

Lala, A., Suparman, E., & Purnawan, A. “Perlindungan Hukum Pengemudi Ojek Online dari Kecelakaan Kerja di Indonesia”. *Scholars International Journal of Law, Crime and Justice*, Vol. 5, No. 6, 2022. <https://doi.org/10.36348/sijlcj.2022.v05i06.007>

Muhammad, Abdulkadir *Hukum Asuransi Indonesia*, Cet.4, Bandung: PT. Citra Aditya Bakti,2006.

Mutiarin, D., Nurmandi, A., Jovita, H., Fajar, M., & Lien, YN, Bagaimana regulasi dan kebijakan pemerintah menanggapi pertumbuhan layanan transportasi berbasis daring (online-enabled transportation service/OETS) di Indonesia, Filipina, dan Taiwan? *Digital Policy, Regulation and Governance* , Vol. 21 No. 4, 2019. <https://doi.org/10.1108/DPRG-01-2019-0001>

Nugroho, T., & I, ADT. Perlindungan Konsumen Atas Keterlambatan Pengiriman Barang Melalui Jasa Pengiriman Barang Melalui Laut Ditinjau dari Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen. *De Jure* , Vol. 4, No. 2, 2023.

Nurbaiti, S. Hak Penumpang Ganti Rugi Kecelakaan Transportasi di Indonesia: Sudahkah Memenuhi Rasa Keadilan? *Hasanuddin Law Review* , Vol. 10 No. 2, 2024. <https://doi.org/10.20956/halrev.v10i2.5447>

Pratama, D. Perlindungan Hukum Penumpang Angkutan Online Berdasarkan Undang-Undang Lalu Lintas dan Angkutan Jalan. *Jurnal Hukum dan*

ISSN (Print) 2723-3413 - ISSN (Online) 2722-3663

DOI: <https://doi.org/10.30596/nomoi.v6i1.23651>

*Reformasi Hukum* , Vol, 2 No, 4, 2021.  
<https://doi.org/10.15294/jllr.v2i4.49351>

Ramadhani, WR, & Bagus Arianto, S. Pertanggung jawaban Kerugian PT Jasa Raharja Pada Kecelakaan Penumpang Angkutan Umum yang Sedang di Sewa. *Media Iuris* , Vol, 6, No, 2, 2023. 307–322.  
<https://doi.org/10.20473/mi.v6i2.36006>

Silviani, NZ, Nurlaily, & Vivi. Perspektif Lintas Negara: Pemberian Sanksi kepada Mitra Grab dengan Identitas Tidak Valid di Indonesia dan Singapura. *Hang Tuah Law Journal* , Vol. 7, No. 2, 2023.  
<https://doi.org/10.30649/htlj.v7i2.192>

Sparrow, R., Dartanto, T., & Hartwig, R. Indonesia di Era Normal Baru: Tantangan dan Jalan ke Depan. *Buletin Studi Ekonomi Indonesia* , Vol. 56 No. 3, 2020 <https://doi.org/10.1080/00074918.2020.1854079>

Thoriq Umam Farisy, & Andriyanto Adhi Nugroho. Perlindungan Hukum Bagi Konsumen Penumpang Bus (Studi Kasus Kecelakaan Bus di Guci Tegal). *Jurnal Hukum, Politik dan Humaniora*, Vol. 4, No. 4, 2024.  
<https://doi.org/10.38035/jlph.v4i4.452>

Wahyudi, R., & Mochtar, DA . Perlindungan hukum bagi penumpang angkutan laut. *Jurnal Cakrawala Hukum* , Vol. 13, No. 3, 2022.  
<https://doi.org/10.26905/idjch.v13i3.7490>

Wahyudi, R., & Mochtar, DA. Perlindungan hukum bagi penumpang angkutan laut. *Jurnal Cakrawala Hukum* , Vol. 13, No. 3, 2022.  
<https://doi.org/10.26905/idjch.v13i3.7490>

Wiryawan, IWG. Urgensi Regulasi Perlindungan Ketenagakerjaan Bagi Pengemudi Transportasi Online. *Jurnal Yurisprudensi Sosiologi* , Vol. 3 No. 1. 2020. <https://doi.org/10.22225/scj.3.1.1319.34-42>

Yunita, Y., Ramadhan, MC, & Isnaini, I. Pertanggungjawaban Perusahaan Asuransi PT. Jasa Raharja (Persero) Kantor Perwakilan Padangsidimpuan Terhadap Korban dalam Kecelakaan Lalu Lintas Berbasis Perlindungan Hukum. *Jurnal Pendidikan, Humaniora dan Ilmu Sosial (JEHSS)* , Vol. 5 No. 4, 2023. <https://doi.org/10.34007/jehss.v5i4.1709>