

BASIC TARIFF, UPPER TARIFF AND LOWER TARIFF OF INTER-CITY, INTER-PROVINCE ECONOMIC CLASS PASSENGER TRANSPORT MODE USING PUBLIC BUSES

**(Regulation of the Transportation Minister
No. PM 36/ 2016 dated April 1, 2016)**

BY THE GRACE OF ALMIGHTY GOD

THE TRANSPORTATION MINISTER OF THE REPUBLIC OF INDONESIA

Considering :

- a. that to ensure the continuation of inter-city, inter-province economic class passenger transport mode services using public buses, it is necessary to make tariff adjustment by observing the current retail price of certain fuels;
- b. that based on the consideration as referred to in letter a, it is necessary to stipulate Regulation of the Transportation Minister concerning Upper Tariff and Lower Basic Tariffs of Inter-City, Inter-Province Economic Class Passenger Transport Mode Using Public Buses;

In view of :

1. Law No. 22/2009 concerning Highway Traffic and Transportation (Statute Book of the Republic of Indonesia of 2009 No. 96, Supplement to Statute Book of the Republic of Indonesia No. 5025);
2. Government Regulation No. 74/2014 concerning Highway Transportation (Statute Book of the Republic of Indonesia of 2014 No. 260, Supplement to Statute Book of the Republic of Indonesia No. 5594);
3. Decree of the Transportation Minister No. KM. 89/2002 concerning the Mechanism of Setting Tariffs and Formula for the Calculation of Costs of Economic Class Passenger Transport Mode Using Public Buses as already amended the latest by Regulation of the Transportation Minister No. KM. 52/2006;
4. Decree of the Transportation Minister No. KM. 35/2003 concerning the Operation of Passenger Transport Mode on Roads Using Public Vehicles;
5. Regulation of the Energy and Mineral Resources Minister No. 39/2015 concerning the Second Round of

Amendment to Regulation of the Energy and Mineral Resources Minister No. 39/2014 concerning the Calculation of Retail Price of Fuel Oil;

6. Decree of the Energy and Mineral Resources Minister No. 4738 K/12/MEM/2016 concerning the Retail Prices of Certain Fuel Oil and Special Fuel Oil under Assignment Scheme;

DECIDES :

To stipulate :

REGULATION OF THE TRANSPORTATION MINISTER CONCERNING BASIC TARIFF, UPPER TARIFF AND LOWER TARIFF OF INTER-CITY, INTER-PROVINCE ECONOMIC CLASS PASSENGER TRANSPORT MODE USING PUBLIC BUSES.

Article 1

- (1) Basic tariff is tariff per passenger per kilometer expressed in rupiah.
- (2) Basic tariff of inter-city, inter-province economic class passenger transport mode using public buses is set as follows:
 - a. for Zone I (Sumatra, Java, Bali and Nusa Tenggara) at Rp119 per passenger/km; and
 - b. for Zone II (Kalimantan, Sulawesi, and other islands) at Rp132 per passenger/km.
- (3) Based on the basic tariffs as referred to in paragraph (2), the upper tariff and lower tariff are set as follows :
 - a. Upper tariff:
 1. Zone I (Sumatra, Java, Bali, and Nusa Tenggara) at Rp155 (one hundred and fifty five rupiah) per passenger/kilometer;
 2. Zone II (Kalimantan, Sulawesi, and other islands) at Rp172 (one hundred and seventy two rupiah) per passenger/kilometer.
 - b. Lower tariff:
 1. Zone I (Sumatra, Java, Bali, and Nusa Tenggara) at Rp95 (ninety five rupiah) per passenger/kilometer;
 2. Zone II (Kalimantan, Sulawesi, and other islands) at Rp106 (one hundred and six rupiah) per passenger/kilometer.

Article 2

In case of change that highly affects the continuation of transportation business due to a more than 20% percent rise in cost, the Director General of Land Transportation can evaluate the tariff for the purpose of tariff adjustment.

Article 3

In regard to the basic tariff as referred to in Article 1, the Director General of Land Transportation shall set upper tariff and lower tariff for inter-city, inter-province economic class passenger transport mode using public buses.

Article 4

The basic tariff as referred to in Article 1 excludes compulsory contribution as passenger's accident insurance based on Law No. 33/1964 adj. Government Regulation No. 17/1965 and other types of insurance made voluntarily.

Article 5

In case of extra cost outside the tariff set in this Ministerial Regulation, it shall receive prior written approval from the Transportation Minister.

Article 6

The Director General of Land Transportation, at the request of governors, can set extra tariff for each area due to geographical condition, load factor, and poor road infrastructure.

Article 7

The Director General of Land Transportation shall supervise the implementation of this Ministerial Regulation.

Article 8

- (1) Any public transport company that violates provisions in this Ministerial Regulation shall be subjected to an administrative sanction.
- (2) The administrative sanction as referred to in paragraph (1) can come in the form of :
 - a. the freeze of motorized transport vehicle supervisory card; and
 - b. the revocation of motorized transport vehicle supervisory card.

(3) The sanction as referred to in paragraph (2) letter b will be imposed in stages through warnings I, II and III with an interval of 30 (thirty) days each.

Article 9

When this Ministerial Regulation began to take effect, Regulation of the Transportation Minister No. PM. 2/2016 concerning Upper Tariff and Lower Tariff of Inter-City, Inter-Province Economic Class Passenger Transport Mode Using Public Buses shall be revoked and declared null and void.

Article 10

This Regulation shall come into force as from the date of promulgation.

For public cognizance, this Regulation shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On April 1, 2016

THE TRANSPORTATION MINISTER OF

THE REPUBLIC OF INDONESIA,

sgd.

IGNASIUS JONAN

Promulgated in Jakarta

On April 1, 2016

THE DIRECTOR GENERAL OF

LAW AND REGULATION OF THE LAW AND HUMAN RIGHTS MINISTRY

THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

OF 2016 NO. 496

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