

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 44 OF 2009

REGARDING

AMENDMENT TO THE GOVERNMENT REGULATION
NUMBER 15 OF 2005

REGARDING TOLL ROAD

BY THE GRACE OF GOD ALMIGHTY

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that the infrastructure built by the Government shall provide benefit in the broadest sense and in utmost just for the people;
- b. that in several regions in Indonesia, motorcycle has become transportation vehicle with enormous population so that they must be facilitated in the use of infrastructure of toll road by observing the safety and security aspects;
- c. that based on the consideration as mentioned in letters a and b, it is necessary to establish Government Regulation regarding the Amendment Upon Government Regulation Number 15 of 2005 regarding Toll Road;

In view of:

1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 38 of 2004 regarding Road (State Gazette of the Republic of Indonesia of 2004 Number 132, Supplement Number 4444);
3. Government Regulation Number 15 of 2005 regarding Toll Road (State Gazette of the Republic of Indonesia of 2005 Number 32, Supplement Number 4489);

HAS DECIDED:

To establish:

GOVERNMENT REGULATION REGARDING THE AMENDMENT UPON
GOVERNMENT REGULATION NUMBER 15 OF 2005 REGARDING TOLL ROAD.

Article I

Stipulation in Government Regulation Number 15 of 2005 regarding Toll Road (State Gazette of the Republic of Indonesia of 2005 Number 32, Supplement Number 4489), is amended as follows:

Stipulation of Article 38 paragraphs (1) and (3) are amended and among paragraphs (1) and (2) it is inserted 1 (one) paragraph, namely paragraph (1a), so that Article 38 shall be read as follows:

Article 38

- (1) Toll roads shall only be intended for four or more wheeled motor vehicles.
- (1a) Toll road may be completed with special lane for two wheeled motor vehicle, which physically is separated from the toll road allocated for four or more wheeled motor vehicle.
- (2) The motor vehicles, as set forth in paragraph (1), shall be classified based on types of transportations and the tonnage.
- (3) The types of the motor vehicles, as set forth in paragraph (1) and paragraph (1a), shall be determined by the Minister.

Article II

This government regulation shall commence to be effective as of its date of promulgation.

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

Established in Jakarta

Dated June 8, 2009

PRESIDENT OF THE REPUBLIC OF INDONESIA,
signed

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

Dated June 8, 2009

MINISTER OF LAW AND HUMAN RIGHT
REPUBLIC OF INDONESIA,

signed

ANDI MATTALATTA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2009 NUMBER 88

Copy is confirmed to its original

STATE SECRETARIAT OF INDONESIA

Head of Legislation Bureau

For Economic and Industry Affairs,

Setio Sapto Nugroho

ELUCIDATION ON
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 44 OF 2009

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AMENDMENT TO GOVERNMENT REGULATION NUMBER 15 OF 2005
REGARDING TOLL ROAD

I. GENERAL

Transportation has the important and strategic roles to support the accomplishment of national horizon, to strengthen national defense, and improve cohesiveness in inter-nation relation and the effort to reach national goal based on the 1945 Constitution.

The road as part of national transportation system has the important role, especially in supporting the activities of economy, social culture, environment, politic and defense and security.

Based on Law Number 38 of 2004 regarding Road, the road serves as one of the facilities of national transportation held based on the principles of benefit, security, harmonization, just, transparency, effectiveness, and togetherness and partnership, and it is expected to serve public interest and may accommodate interest of the people.

The two wheeled motor vehicle is the mode of transportation in a considerably enormous population so that they must be provided with facilitation in use of infrastructure in the form of road, including toll road. The provision of this facilitation is done by bearing in mind the safety and security factors of the road user.

II. ARTICLE BY ARTICLE

Article I

Sufficiently clear

Article II

Sufficiently clear