

ABSTRACT

Mochammad Khisbul Muzaqqi. 11220001, Law Protection against Bus Passenger that are roadworthy Seen of Law 22 of 2009 and the Islamic Law (Case Study in Transportation Department Office of Sidoarjo). Thesis, Department of Sharia Business Law, Faculty of Sharia, State Islamic University Maulana Malik Ibrahim Malang, Advisor: H. Musleh Harry, SH, M. Hum

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Transportation services especially bus is a very important role for the community, especially the middle class down to the desired the destination safely. Bus fleet into the transporters must meet the technical requirements and roadworthy in accordance with Law No. 22 of 2009. But in fact of the field, the fulfillment of various aspects of the eligibility standards can't be implemented as expected. The question arises when the number of traffic accidents on the law protection of passengers when passengers are already implementing the obligation to pay the Transportation services.

Referring to the background above, there are several formulation of the problem, namely; 1) Why the transportation department still pass the test in determining the feasibility of a bus? 2) What form of law protection of bus passengers are not roadworthy in the transportation department office of Sidoarjo terms of Law No. 22 of 2009 and the Islamic Law? To answer the problem formulation, the method used in this study is an empirical research with socio-juridical approach of identifying the law as a social institution that is real in real life systems and data processing using primary data in accordance with the state of the field.

The results of this study were, first. technical and feasible way of determining the Transportation department of Sidoarjo different to what has been described in the statute and the transportation department Sidoarjo thought if equate technical determination and feasible way with what contained in the law, then the public will be confused because there were no roadworthy buses that operated. Second, the form of comfort felt by passengers less than the maximum because of the technical requirements which became a measure of comfort was not specified in the eligibility test by Sidoarjo transportation department, and transportation department of Sidoarjo also assumed if feasibility test passed, then the passenger will get relief services when an accident.