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Juridical Analysis of Railway Crossing Management in Magetan Regency

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ABSTRACT

The management of railway level crossings is an important issue in ensuring traffic safety in the Magetan Regency. This article analyzes the conflict of norms between Law No. 23 of 2007 and Minister of Transportation Regulation No. 94 of 2018 regarding the authority to manage crossings. According to Law No. 23/2007, the responsibility lies with the permit holder, while Minister of Transportation Regulation No. 94/2018 divides the responsibility based on road status. This lack of clarity has the potential to cause responsibility shifting in the implementation in the field. This study uses a normative approach with a legal analysis method to examine norm conflicts and the necessary solutions. The results show that strict local regulations, improved safety infrastructure such as automatic gates and signals, and multi-stakeholder cooperation are needed to overcome the challenges of crossing management. Thus, this article provides recommendations to create more effective and efficient crossing management, while minimizing the risk of accidents in Magetan Regency.

KEYWORDS

Management; Level Crossing; Train; Magetan Regency



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INTRODUCTION

Transportation is a critical regional infrastructure that needs to be considered in its provision and planning. Transportation facilities and infrastructure are access tools that can influence land use change.¹ Along with the increase in public traffic, traffic density also increases, because the existing road capacity is not proportional to the increase in traffic volume. Citing data from the Central Statistics Agency (BPS), by 2023, the number of motorized vehicles in Indonesia will reach more than 133 million units. Of these, 112,771,136 units are motorcycles, then 15,592,419 units of passenger cars, 5,021,888 units of goods cars (pickups, vans, and trucks), and 231,569 units of buses. Meanwhile, the length of roads (consisting of paved and unpaved roads) in the country until the end of 2019 reached 544.474 kilometers. The road length consists of 325,606 kilometers of paved roads and 218,868 kilometers of non-paved roads.² The data shows that although the length of roads - including toll roads - has increased rapidly in recent years. However, the number of vehicles has grown much faster.

Another contributing factor is the low number of public transportation users and the increase in private vehicle users such as cars and motorcycles.³ The use of public transportation in Indonesia began to decline drastically since the COVID-19 pandemic that attacked Indonesia in early 2020. This is evidenced by the increasing sales of private vehicles, as reported by the Indonesian Motorcycle Industry Association (AISI), motorcycle sales increased in 2021 by 1.4 million units compared to the previous year. Meanwhile, according to the Indonesian Automotive Industry Association (GAIKINDO), car sales increased 66.6 percent from 532,407 units in the January - December 2020 period to 887,200 units in the January - December 2021 period. Therefore, planning and development of transportation facilities must be prioritized to overcome the existing challenges and to support better and sustainable mobility.⁴

Based on the description above, it is necessary to strengthen public transportation facilities, one of which is the train, starting from facilities and infrastructure, to guaranteeing the safety of train users. Because trains are rail-based transportation and have several advantages compared to road transportation modes. Trains can transport large numbers of passengers and goods, offer high speed, safety, and energy efficiency, and are environmentally friendly.⁵ The relatively low land use makes rail an ideal choice, especially in the context of increasingly prominent environmental issues. So these advantages make rail an

¹ Imma Widyawati Agustin dan Septiana Hariyani, *Pengelolaan Infrastruktur Kota dan Wilayah* (Malang: UB Press, 2023), hlm. 56.

² Arif Arianto, "Kemacetan di RI: Jumlah Kendaraan vs Panjang Jalan", (2021), online: <<https://www.mobilitas.id/kemacetan-di-ri-jumlah-kendaraan-vs-panjang-jalan/>>.

³ Sugeng Riyadi, "Peran Dinas Perhubungan Provinsi DKI Jakarta dalam Penertiban Angkutan Umum Berdasarkan Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan" (2022) 2:2 *Mustika Justice J Ilmu Huk* 1-19.

⁴ Pers Manifest, "Menurunnya Minat Transportasi Umum di Indonesia: Sebuah Kekhawatiran", (2024), online: <<https://manifestpers.id/?p=4150>>.

⁵ Bintang Ramadhan et al, *Pengembangan Sarana Transportasi Perkotaan Berkelanjutan Pada Kereta Cepat (Whoosh)* (2023).



effective and efficient transportation solution, as well as supporting energy-saving programs and improving environmental quality.⁶

The above comparison of rail-based transportation and road-based transportation shows that the increasingly limited service capacity of roads certainly accentuates the competitive advantage of rail. The ever-evolving railway technology allows this mode to become increasingly fast, safe, energy-efficient, and environmentally friendly.⁷ In addition, in terms of carrying capacity, trains remain superior to other modes of transportation. Given this bright prospect, optimizing the advantages of railways is very important in the implementation of integrated transportation.⁸

However, behind its various advantages, there are significant challenges, especially the high number of accidents at level crossings. According to data from PT Kereta Api Indonesia, there were 188 accidents at level crossings during the period January to August 2022.⁹ Based on data obtained from BPS as cited by Leliana et al, statistics show that from 2017 to 2021, there were 1,281 accidents at level crossings.¹⁰ Of these, 17% occurred at official guarded crossings, 39% at official unguarded crossings, and 33% at illegal crossings.¹¹ This figure does not include accidents at illegal level crossings built independently by the community.¹²

Magetan Regency in 2023 is included in the Operational Area VII of PT Kereta Api Indonesia Persero hereinafter we call DAOP VII. Like other areas in the DAOP VII area, Magetan Regency has 7 (seven) level crossings, both officially guarded, officially unguarded, and illegal with the problem.¹³ Seeing this status is certainly a note regarding the importance of managing level crossings in Magetan Regency, to avoid accidents at level crossings.

Accidents at level crossings not only cause financial losses due to damage and property loss but also disrupt rail and road transportation services. Therefore, improvements are needed including crossing governance, human resource management, as well as technical standards and technology used.¹⁴ In addition, one train carriage on average carries around 1000 people, it can be imagined that if there is a tempering (collision with a vehicle) at a railway level crossing, then the safety of

⁶ Achmad Aminudin, *Transformasi Organisasi Kereta Api Indonesia (KAI)* (Indramayu: Penerbit Adab, 2023), hlm. 13.

⁷ Bernard Sarah Utama, *Rebranding Corporate Identity dan Implikasinya terhadap Konsumen Mengenai Pelayanan PT. KAI (Persero)* Universitas Sebelas Maret, 2012) [unpublished].

⁸ Itsri, "Kereta Api Sebagai Moda Transportasi Massal Masa Depan", (2022), online: *Inst Teknol Sepuluh Nop Surabaya* <<https://www.its.ac.id/news/2022/03/18/kereta-api-sebagai-moda-transportasi-massal-masa-depan/>>.

⁹ *Statistik Kecelakaan pada Perlintasan Sebidang*, by H Saputra (2022).

¹⁰ Arinda Leliana et al, "The Patterns and Accident Distribution Mapping at Rail Level Crossings in East Java" (2023) 9:1 *J Tek Sipil Ranc Bangun* 56-62.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ FORKOPIMDA, "Urai Permasalahan Perlintasan Sebidang di Magetan, FORKOPIMDA Gelar Rakor Dengan PT KAI DAOP 7 MN", (2023), online: <<https://setda.magetan.go.id/2023/02/07/urai-permasalahan-perlintasan-sebidang-di-magetan-forkopimda-gelar-rakor-dengan-pt-kai-daop-7-mn/>>.

¹⁴ Dian Agung Wicaksono et al, "Quo Vadis Pengaturan dan Implementasi Penyelenggaraan Perlintasan Sebidang Kereta Api di Indonesia" (2022) 34:1 *War Penelit Perhub* 79-92.



1000 people is even more at stake, so this shows how important it is to improve safety at railway level crossings.

In addition to the loss of life and material, accidents at level crossings disrupt the form of delays for road users. Vehicles that stop at level crossings create long queues, reducing the convenience and efficiency of travel time. Other problems such as congestion, noise, and pollution caused by vehicle queues also contribute to environmental issues and become challenges in sustainable development.¹⁵ From the perspective of road users, the delays and conflicts that occur when trains cross highways are a significant transportation problem.¹⁶

In Law No. 23 Year 2007 on Railways (Law No. 23 Year 2007), the main objective in the management of level crossings is the absence of level crossings themselves, as outlined in Article 91:

- (1) intersections between railroad tracks and Roads shall not be made at crossroads.*
- (2) exceptions to the provisions as referred to in paragraph (1) may only be made while still ensuring the safety and smooth running of railroad and cross-road travel.*

To create safety at the intersection of roads and rails is to build a level crossing in the form of a flyover or underpass, but das sein this is difficult to realize, so there is an exception in paragraph (2) where it is permissible for the intersection to become a level crossing while still ensuring safety, including by building a doorstep, guard post along with traffic signs and placing officers at level crossings. If this cannot be done, the level crossing must be closed.

Minister of Transportation Regulation No. 94/2018 on Safety Improvement of Level Crossings Between Railways and Roads (Minister of Transportation Regulation No. 94/2018) underlines the importance of safety at level crossings between railways and roads. Article 2 paragraph (1) asserts that to ensure the safety of train travel and road users, level crossings that have not been equipped with safety equipment before this regulation comes into effect must be managed by: a) the Minister for national roads; b) the Governor for provincial roads; c) the Regent/Mayor for district/city and village roads; and d) legal entities or institutions for special roads used by legal entities or institutions.

The management of level crossings in the regions is the responsibility of the local government, which requires a serious commitment to ensuring safety. Challenges in this management often arise because it involves many government agencies, both central, provincial, and district/city, which can lead to polemics and

¹⁵ Dwi Prasetyanto, *Rekayasa Lalu Lintas dan Keselamatan Jalan* Institut Teknologi Nasional, 2019) [unpublished].

¹⁶ Al Tafakur La Ode et al, *Transportasi Publik*, Ari Kusuma & Ermita, eds (Makassar: Tohar Media, 2024).



blame-shifting.¹⁷ The problem of inadequate budget or lack of regional priorities is often the main reason for the suboptimal management of level crossings.¹⁸

Problems related to the budget as intended are caused by Law No. 23 of 2014 concerning Regional Government which categorizes Transportation as mandatory non-basic services. Unlike the case with Education, Health, Public Works and Spatial Planning, Public Housing, Settlement Areas, Peace, Public Order, Community Protection, and Social including mandatory basic services. This has led to the lack of budget allocation for the Transportation Agency, which is an average of less than 1 percent of the APBD. There are not many local governments that provide budget allocations for the Transportation Agency above 3 percent.¹⁹ That there are facts in the field related to many districts/cities that do not get budget allocations and do not even get attention when proposing a budget because the position of transportation is considered as a non-basic service Regional Apparatus Organization is certainly at odds with Article 238 paragraph (2) of Law No. 22 of 2009 concerning Traffic and Transportation, because the government has the obligation and responsibility to provide funding allocations for the prevention and handling of traffic accidents.

The lack of budget as mentioned above causes the role of local governments for traffic safety actions to remain low, especially for the construction of public facilities such as flyovers and underpasses. As a result, districts/cities that do not receive budgets for safety improvements at railway level crossings continue to leave existing level crossings unbarred and unattended, regardless of the dangers that threaten them. The accident located at the unbarred railway crossing at KM 69+3/4 of the Pasuruan-Rejoso road, Kasuran Hamlet, Rejoso Lor Village, Saturday (31/12/2022) at 18.31WIB which killed a husband and wife family and 3 children, the aftermath of the Pasuruan Regent as regional head was prosecuted as the person responsible for the accident.²⁰

In addition to budget issues, there is a conflict (conflict of norms) regarding the authority to manage level crossings between what is regulated by Law No. 23 of 2007 and Minister of Transportation Regulation No. 94 of 2018. In Law No. 23 of 2007, the management of level crossings is the responsibility of the license holder. This can be seen in Law No. 23 of 2007 Article 92 paragraph (3) which states that: "The construction, operation, maintenance, and safety of intersections between railways and roads are the responsibility of the permit holder". This license holder in Government Regulation No. 33 of 2021 on the Implementation of the Railway

¹⁷ Kementerian Perhubungan RI, "Tingkatkan Keselamatan di Perlindungan Sebidang, Menhub Dorong Sinergi dan Kolaborasi Lintas Sektor", (2024), online: <<https://dephub.go.id/post/read/tingkatkan-keselamatan-di-perlintasan-sebidang,-menhub-dorong-sinergi-dan-kolaborasi-lintas-sektoral>>.

¹⁸ Juwita Trisna Rahayu, "Pergulatan wewenang dan keamanan di perlintasan kereta api", (2019), online: *antaranews* <<https://www.antaranews.com/berita/1053972/pergulatan-wewenang-dan-keamanan-di-perlintasan-kereta-api>>.

¹⁹ Djoko Setijowarno, "Perlindungan KA Sebidang Tanggungjawab Siapa?", (2019), online: *bisnisnews* <<https://bisnisnews.id/detail/berita/perlintasan-ka--sebidang-tanggungjawab-siapa>>.

²⁰ Muhajir Arifin, "5 Orang Sekeluarga Tewas Tertabrak KA di Pasuruan Dikenal Agamis", (2023), online: *detikjatim* <<https://www.detik.com/jatim/berita/d-6493233/5-orang-sekeluarga-tewas-tertabrak-ka-di-pasuruan-dikenal-agamis>>.



Sector (Government Regulation No. 33 of 2021) refers to BUMN, BUMD, and Indonesian legal entities (Article 2).

However, in Minister of Transportation Regulation No. 94/2018, while the scheme of authority for the management of level crossings in Minister of Transportation Regulation No. 94/2018 Article 2 paragraph (1) states "To ensure the safety of rail travel and the safety of road users, Level Crossings that have been in operation before this Ministerial Regulation comes into force and have not been equipped with Level Crossing Safety Equipment, must be managed by a) the Minister for national roads; b) the Governor for provincial roads; c) the Regent/Mayor for district/city and village roads; and d) legal entities or institutions for special roads used by legal entities or institutions, as also stipulated in Articles 48 and 49:

Article 48:

Crossing Maintenance as referred to in Article 47 includes:

- a.
- b. maintenance of Roads located in Railway Benefit Spaces, Railway Owned Spaces, and Railway Surveillance Spaces;

Article 49:

- a.
- b. Road Maintenance as referred to in Article 48 letter b is carried out by the Road organizer by the authority of the road status and/or the approval holder of the safety improvement of the Level Crossing.

The existence of these two models of authority has the potential to cause uncertainty and responsibility in its implementation in the field. If it refers to the license holder, then the management of level crossings is the responsibility of legal entities or certain institutions, which are not the government. Meanwhile, if based on road status, it is returned to the Minister for national roads, Governors for provincial roads, Regents/Mayors for district/city roads and village roads, and legal entities or institutions for special roads used by legal entities or institutions.

METHOD

This research falls into the category of normative legal research. This normative legal research is research aimed at finding legal rules, legal principles, and legal doctrines to answer the legal issues at hand.²¹ The purpose of using this normative legal research is to examine the conflict of norms in the laws and regulations governing the authority to manage railway level crossings in the Magetan Regency.

This legal research was conducted using several approaches. The approaches used are the statute approach, conceptual approach, and case approach.²² This legislative approach is intended to parse the provisions in the management of level

²¹ Mukti Fajar & Yulianto Achmad, *Dualisme Penelitian Normatif dan Empiris* (Yogyakarta: Pustaka Belajar, 2015).

²² In this type of legal research, often the law is conceptualized as what is written in laws and regulations, or the law is conceptualized as rules or norms that are a benchmark for human behavior that is considered appropriate. See further Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2011).



crossings and to obtain clear legal reasoning regarding the importance of proportional budget allocations to improve the quality of public services in railroad traffic in Indonesia.²³ Then the conceptual approach is intended to parse legal concepts in public services, as well as the values contained in the formation of regulations for budgeting in the field of level-crossing management.²⁴ The case approach is intended to analyze the problems that have occurred by looking at examples of cases in the field of level crossing management.²⁵

RESULT & DISCUSSION

I. Budget Allocation Arrangement in the Management of Railway Crossing in Magetan Regency

The Magetan District Government has demonstrated its commitment to improving railway-level crossing safety through various initiatives and budget allocations. One example is the plan to relocate the main entrance of Magetan Railway Station, with a budget of Rp 2.3 billion prepared by the Magetan Regency Government in 2022.²⁶ This budget is used to acquire land and houses of affected residents, in order to improve accessibility and safety around the station.

In addition, the Magetan District Transportation Office has received an award for real action and collaboration in improving safety at railway level crossings. The award was given by the East Java Provincial Transportation Office during the “Railway Crossing Safety Improvement Action” event held in Batu City on December 17, 2024. The award reflects the active efforts and allocation of resources by the local government in improving railway-level crossing safety.²⁷

In general, the Ministry of Transportation encourages local governments not to hesitate to allocate budgets for the construction of railway-level crossings. This is important to prevent traffic accidents at crossing points between public roads and railways.²⁸ Although the Magetan District Government has allocated a budget and taken concrete steps in the management of railway level crossings to improve safety and comfort for the community, until now there has been no regulation related to budget allocation in the management of railway level crossings.

²³ The statutory approach is usually used to examine laws and regulations in which there are still deficiencies or even fertilize the practice of irregularities either at the technical level or in its implementation in the field. See further CFG Sunaryati Hartono, *Penelitian Hukum di Indonesia pada Akhir Abad ke-20* (Bandung: Penerbit Alumni, 2006).

²⁴ S Nasution, *Metode Research (Penelitian Ilmiah) usulan Tesis, Desain Penelitian, Hipotesis, Validitas, Sampling, Populasi, Observasi, Wawancara, Angket* (Jakarta: PT. Bumi Aksara, 2011).

²⁵ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik* (Jakarta, 2015).

²⁶ Sugeng Harianto, “Pintu Masuk Stasiun Magetan Akan Dipindah, Anggaran Rp 2,3 M Dikururkan”, (2022), online: *Detik Jatim* <<https://www.detik.com/jatim/berita/d-5914902/pintu-masuk-stasiun-magetan-akan-dipindah-anggaran-rp-2-3-m-dikururkan>>.

²⁷ Dinas Komunikasi dan Informatika Kabupaten Magetan, “Dinas Perhubungan Kabupaten Magetan Raih Dua Penghargaan Keselamatan Perlintasan Kereta Api”, (2024), online: <https://kominfo.magetan.go.id/dinas-perhubungan-kabupaten-magetan-raih-dua-penghargaan-keselamatan-perlintasan-kereta-api/?utm_source=chatgpt.com>.

²⁸ Asip Agus Hasani & Andi Hartik, “Kemenhub Minta Pemda Tidak Ragu Anggarkan Pembangunan Palang Pintu Pelintasan Kereta”, (2021), online: *Kompas* <https://regional.kompas.com/read/2021/12/15/172751178/kemenhub-minta-pemda-tidak-ragu-anggarkan-pembangunan-palang-pintu?page=all&utm_source=chatgpt.com>.



The management of railway level crossings in Magetan Regency requires special attention, especially in terms of financial budget allocation. From the perspective of local budget management, allocating funds for level crossings is an important part of the government's efforts to improve public safety and transportation efficiency. Budget constraints are often a major obstacle in the provision of safety facilities such as automatic gates, signal lights, and adequate signage. Therefore, local governments need to develop budget priorities based on risk analysis, such as the identification of crossings with high traffic levels and accident history. In addition, it is important to integrate crossing management in regional medium-term budget planning (RPJMD) to ensure the sustainability of infrastructure management and maintenance.

A performance-based budgeting approach can be applied to ensure that each allocation of funds delivers tangible results, such as a reduction in accidents and traffic disruptions. Collaboration between the local government, the central government, and the private sector is also a strategic solution to overcome budget constraints through alternative financing schemes, such as grant funding or corporate social responsibility (CSR). In addition, transparency and accountability in the use of the budget are very important to build public trust, considering that safety infrastructure at level crossings has a direct impact on the wider community. With planned and accountable budget management, the management of level crossings in Magetan Regency can become a management model that is not only effective but also efficient in improving the welfare of the community.

Therefore, the management of railway level crossings in Magetan Regency requires planned financial budget support and comprehensive regulations to ensure its effectiveness and efficiency. Regulations play an important role as a legal framework that ensures budget allocations are well-targeted and by community needs. In this context, regulations can set priorities for crossing management based on risk and traffic levels, as well as define the responsibilities of local, central, and private governments in supporting the financing and management of safety infrastructure.

Regulations are also needed to set minimum safety standards, such as the obligation to install automatic gates, warning signals, and guards at certain crossings. Without clear regulations, the management of level crossings is at risk of becoming uncoordinated, resulting in suboptimal budget allocation and minimal impact on public safety. In addition, regulations that support transparency and accountability in the use of the budget can prevent potential irregularities and ensure that the allocated funds are used to improve the safety and efficiency of the crossings.

Furthermore, regulations can also open up opportunities for cross-sector collaboration through alternative financing schemes, such as corporate social responsibility (CSR) or public-private partnership (PPP), which can reduce the burden on local government budgets. With strict and integrated regulations, the management of level crossings is not only the responsibility of one party but involves all stakeholders in a joint effort to improve the quality of land transportation and public safety in the Magetan Regency. Regulations that support targeted budget management are an important foundation for the creation of safe, efficient, and sustainable level-crossing infrastructure.



Regulations related to this budget allocation are very necessary, considering that currently Law No. 23 of 2014 concerning the Regional Government categorizes Transportation as mandatory non-basic services. Unlike the case with Education, Health, Public Works and Spatial Planning, Public Housing, Settlement Areas, Peace, Public Order, Community Protection, and Social including mandatory basic services. This has led to the lack of budget allocation for the Transportation Agency, which is an average of less than 1 percent of the APBD. Not many local governments provide a budget allocation for the Transportation Agency above 3 percent. This means that regulations related to budget allocation can be a mechanism to pressure the budget allocation from the APBD to be above 3 percent.

II. Management Authority Arrangement of Railway Crossing in Magetan Regency

Railroad-level crossings are interaction points between railroad tracks and highways that have a high potential risk to traffic safety. Magetan Regency as one of the areas traversed by the railroad has several level crossings that are of concern in its management. The management of railway level crossings is regulated in several laws and regulations in Indonesia, including Law Number 23 Year 2007 on Railways which emphasizes the importance of safety at level crossings and the obligations of the government and stakeholders to ensure this. In addition, Minister of Transportation Regulation No. 94/2018 regulates the management of level crossings, including procedures for closing and opening crossings and the division of authority between the central government, local governments, and third parties. Magetan Regency needs to have local regulations that support the implementation of national regulations, especially in regulating the responsibilities of managing level crossings in its area.

The management of level crossings in Magetan Regency involves various parties, including the local government, PT Kereta Api Indonesia (KAI), the community, and the private sector. The Magetan Regency Government has the authority to build supporting infrastructure such as signs, traffic lights, and crossing guards. PT KAI is responsible for railroad operations, including the provision of signals and safety systems around crossings. The community plays a role in complying with applicable regulations at level crossings, including stopping when the train signal sounds. In some cases, private companies or entities that have an interest in a particular crossing may contribute to infrastructure management.

Challenges in the management of level crossings in Magetan Regency include a lack of safety infrastructure, budget constraints, traffic violations, and coordination between parties. There are still many level crossings that lack facilities such as automatic gates, adequate signage, or guards. Local governments often face budget constraints in building and maintaining infrastructure at level crossings. Many motorists ignore safety rules, such as crossing when the warning signal has sounded. In addition, limited coordination between local governments, PT KAI, and other parties is often an obstacle to effective management.

Efforts that can be made to overcome these challenges include improving infrastructure, strict regulations, increasing public awareness, and multi-stakeholder cooperation. The installation of automatic gates, surveillance cameras, and early warning systems can improve safety at level crossings. Local governments



need to develop local regulations that support the effective management of level crossings. Safety campaigns at level crossings through social media, schools, and communities can help reduce traffic violations. The management of level crossings requires close cooperation between local governments, PT KAI, and communities.

Regulating the authority to manage railway level crossings in Magetan Regency requires strong synergy between various parties. With the implementation of clear regulations, improvement of safety infrastructure, and active community participation, the risk of accidents at level crossings can be minimized. Magetan Regency has a great opportunity to become an example of a successful region in managing safe and efficient level crossings.

The importance of this regulation is due to the conflict (conflict of norms) regarding the authority to manage level crossings between those regulated by Law No. 23 of 2007 and Minister of Transportation Regulation No. 94 of 2018. In Law No. 23 of 2007, the management of level crossings is the responsibility of the license holder. This can be seen in Article 92 paragraph (3) which states that: "The construction, operation, maintenance, and safety of intersections between railways and roads are the responsibility of the license holder". However, in Minister of Transportation Regulation No. 94/2018, the scheme of authority for managing level crossings is divided based on the status of the road.

The existence of these two models of authority has the potential to cause uncertainty and responsibility in its implementation in the field. If it refers to the license holder, then the management of level crossings is the responsibility of legal entities or certain institutions, which are not the government. Meanwhile, if based on road status, it is returned to the Minister for national roads, Governors for provincial roads, Regents/Mayors for district/city roads and village roads, and legal entities or institutions for special roads used by legal entities or institutions.

Level crossings are high-risk points in traffic safety that require special attention, especially in the context of Magetan Regency, which is traversed by a railway line. Regulations such as Law No. 23 Year 2007 and Minister of Transportation Regulation No. 94 Year 2018 emphasize the importance of safety, but there is a potential conflict of norms in regulating these responsibilities. Therefore, this article offers concrete solutions, such as improving safety infrastructure through the installation of automatic crossbars and early warning systems, developing strict local regulations to support the implementation of national rules, public awareness campaigns to reduce traffic violations, and closer multi-stakeholder cooperation between the government, PT KAI, and the community. The overall analysis shows that despite existing regulations, the management of level crossings requires strategic measures to address conflicting norms and operational challenges. With clear regulation implementation, improved safety infrastructure, and active community participation, the risk of accidents at level crossings can be minimized. Magetan Regency has a great opportunity to become an example of good management, provided that the challenges in implementing regulations can be overcome. Alignment between Law No. 23/2007 and Minister of Transportation Regulation No. 94/2018 is an urgent step to avoid conflicts of authority and ensure clear responsibilities in the management of level crossings.



CONCLUSION

The management of railway level crossings in Magetan Regency is a complex issue, mainly due to conflicting norms in regulations related to management authority. Law No. 23/2007 stipulates that management responsibility lies with the permit holder, while Minister of Transportation Regulation No. 94/2018 divides authority based on road status. This conflict creates uncertainty and the potential for responsibility shifting in the field. To overcome these challenges, there need to be strategic steps that include: (1) harmonizing regulations to ensure a clear division of authority; (2) improving safety infrastructure, such as the installation of automatic crossings, warning signals, and other supporting facilities; (3) allocating an adequate budget in the management of level crossings through risk-based planning and integration into the RPJMD; and (4) increasing multi-stakeholder cooperation between the central government, local governments, PT KAI, and the private sector. With the implementation of strict regulations, targeted budget planning, and cross-sector collaboration, Magetan Regency can create safer, more efficient, and sustainable level-crossing management, as well as become a management model that can be applied in other areas. This effort not only improves public safety but also supports the efficiency of land transportation and regional development as a whole.

DECLARATION OF CONFLICTING INTERESTS

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