

CHAPTER THREE

RESEARCH METHOD

A. Type of Research

This is a normative and empirical legal research. Normative legal research is scientific research procedure to find the truth based on legal scientific logic in terms of its normative. It is related to the principle, norm, and rules from legislation, verdict, treaties, and doctrine.³⁶ Besides that, according to Soerjono Soekanto normative legal research, consists of research related to the principle of law, systematic of law, synchronization level of law, history of law, and comparison law.³⁷ From the definition and type of research that has been described, the researcher will involve a legal perspective or approach in both outlining the problems related to online transportation in Yogyakarta and the efforts taken by the relevant Regional Government, which in this case is the Department of Transportation of Yogyakarta.

The empirical legal research includes research on legal identification, as well as looking at the process of "symbolic interactionism" that occurs in society and interviewing public officials.³⁸

³⁶Zainuddin Ali, 2009, *Metode Penelitian Hukum*, Jakarta, Sinar Grafika, p. 105.

³⁷Mukti FajarND, Yulianto Achmad, 2015, *Dualisme Penelitian Hukum*, Yogyakarta, Pencil Komunika, p. 153

³⁸Abdulkadir Muhammad, 2004, *Hukum dan Penelitian Hukum*, Bandung, Citra Aditya Bakti, p.40

B. Types of Data

This research used primary and secondary data. The primary data is an information collected from sources such as personal interviews, surveys with a specific intention and on a specific subject, observation, and discussion by the researcher which information is assessed by that person. Then, secondary data, is the source of the data in the form of legal material. Legal material is anything that can be used or required for the purpose of analyzing the applicable law. Legal materials in this research consist of primary legal materials, secondary legal materials, and tertiary legal materials.

- a. The primary legal material is the primary legal material that has a legal binding. The primary legal material for this research, consists of:
 - 1) Law No. 22 of 2009 on Road Traffic and Transportation
 - 2) Government Regulation No. 41 of 1993 on Transportation
 - 3) The Regulation of the Minister of Transportation No. 26 of 2017 in conjunction to No. 108 of 2011 the Republic of Indonesia Concerning the Administration of Public Transport of Motor Vehicle Not in the Route
- b. The secondary legal material are legal materials which further explain that giving an explanation about the primary legal materials. Secondary legal materials for this research consist of:
 - 1) Books;
 - 2) Scientific journals;

- 3) Others legal documents related to the issue;
 - 4) Trusted site internets; and
 - 5) Other non-legal documents related to the issue.
- c. The tertiary legal materials are legal materials which further explain both primary and also secondary legal materials, such as:
- 1) Black's Law Dictionary;
 - 2) Indonesian Dictionary;

C. Method of Collecting Data

a. Library Research

The data is collected through library research. This research is conducted by reading, viewing, listening, and searching through the internet, book, interviewed, and journal.³⁹ In the other words, this research only required the researcher to read, analyze and finally made a conclusion. Reading, seeing, and listening is part of the researcher's efforts to obtain the necessary data related to online transportation modes in Yogyakarta.

b. Field Research

The data for this is also obtained through interview. The interview includes direct question and answer session between the researcher and respondent to obtain information related to the problem of research.

³⁹Muhammad Endriyo Susila *et al.*, 2007, *Buku Pedoman Penulisan Hukum*, Yogyakarta, Laboratorium Hukum Fakultas Hukum Universitas Muhammadiyah Yogyakarta, p. 36.

D. Research Location

The research is conducted in the Department of Transportation in the Special Region of Yogyakarta and the office of PUSTRAL (Pusat Studi Transportasi dan Logistik) in Gajah Mada University.

E. Respondent and Informant

In this research, the respondent is the representative of the Head of Department of Transportation of the Special Region of Yogyakarta or the representative staff and PUSTRAL (Pusat Studi Transportasi dan Logistik) in Gajah Mada University.

F. Data Analysis

This research used prescriptive qualitative analysis. This research refers to the legal norms contained in legislation and judicial decisions and norms that live and develop in the society. The data about online transportation in Yogyakarta obtained from observing and interviewing respondents, was analyzed using the legal approach. The data was analyzed to find out the management process and obstacles encountered by the Yogyakarta Regional Government, especially the Department of Transportation, both in the field and in the management process.