

The Application For A Tourist Service Permit Is Reviewed From The State Administrative Law Based On Law Number 32 Of 2024 Concerning The Conservation Of Biological Natural Resources And Their Ecosystems (Case Study of Situgunung Motorcycle Taxi Tour Services)

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Abstract : *This study aims to analyze the problems in the application for tourism service permits in the Situgunung conservation area from the perspective of the State Administration Law (HAN), with reference to Law Number 32 of 2024 concerning the Conservation of Biological Natural Resources and Their Ecosystems. This study focuses on the practice of implementing motorcycle taxi services as part of the use of environmental services which should be subject to the provisions of valid licensing from the government and/or local governments as stipulated in Article 34 paragraph (4) of the Law. However, in its implementation, it was found that the activities of motorcycle taxi services in Situgunung ran without a legal licensing basis, and escaped administrative supervision that should be carried out by the relevant authorities. This problem shows that there is a discrepancy between legal norms and administrative practices, weak enforcement of the principle of legality, and the lack of effectiveness of bureaucratic supervision in the implementation of the risk-based licensing system through OSS. Using a normative juridical approach and a field study, this study seeks to provide a critical evaluation of the existing permit application mechanism, as well as formulate the urgency of improving the licensing system to be in line with the principles of good governance, legal certainty, and administrative order in the sustainable management of conservation areas.*

Keywords : *Tourism Service Licensing, State Administrative Law, Conservation Areas*

Abstrak : Penelitian ini bertujuan untuk menganalisis permasalahan dalam permohonan izin jasa wisata di kawasan konservasi Situgunung dari perspektif Hukum Administrasi Negara (HAN), dengan mengacu pada Undang-Undang Nomor 32 Tahun 2024 tentang Konservasi Sumber Daya Alam Hayati dan Ekosistemnya. Studi ini berfokus pada praktik penyelenggaraan jasa ojek wisata sebagai bagian dari pemanfaatan jasa lingkungan yang seharusnya tunduk pada ketentuan perizinan yang sah dari pemerintah dan/atau pemerintah daerah sebagaimana diatur dalam Pasal 34 ayat (4) UU tersebut. Namun dalam implementasinya, ditemukan bahwa aktivitas jasa ojek wisata di Situgunung berjalan tanpa dasar perizinan yang legal,



serta luput dari pengawasan administratif yang seharusnya dilakukan oleh otoritas terkait. Permasalahan ini menunjukkan adanya ketidaksesuaian antara norma hukum dan praktik administrasi, lemahnya penegakan asas legalitas, serta minimnya efektivitas pengawasan birokrasi dalam penerapan sistem perizinan berbasis risiko melalui OSS. Dengan menggunakan pendekatan yuridis normatif dan studi lapangan, penelitian ini berupaya memberikan evaluasi kritis terhadap mekanisme permohonan izin yang ada, serta merumuskan urgensi pembenahan sistem perizinan agar selaras dengan prinsip-prinsip *good governance*, kepastian hukum, dan tertib administrasi dalam pengelolaan kawasan konservasi yang berkelanjutan

Kata kunci : *Perizinan Jasa Wisata, HAN, Konservasi*

1. INTRODUCTION

As a country known for its natural beauty, Indonesia has promising tourism potential. Indonesia has extensive tropical rainforest tourism potential and a coastline that is the second longest coastline in the world, making Indonesia an attractive tourist destination to the international arena. The tourism sector in Indonesia also plays an important role in the national economy which can encourage economic development and growth and the welfare of the Indonesian people. Therefore, the Indonesian government is trying to encourage development in the tourism sector because tourism has an important role in Indonesia's development, especially as an essence of raising the welfare of the Indonesian people.

In Law Number 10 of 2009 concerning tourism, what is meant by tourism is a variety of tourism activities supported by various facilities and services provided by the community, government and entrepreneurs. Tourism does not only include tourist travel activities, but on the other hand it includes everything about aspects of the tourist experience, in this case including tourism infrastructure, transportation, accommodation to guide services and all services in the tourist experience.

One of the tourism potentials in Indonesia, especially in Sukabumi, West Java, is the Gunung Gede Pangrango National Park (TNGGP). Situgunung is one of the tourist destinations that is often a destination for both national and foreign tourists who come to travel to Sukabumi. Situgunug has panoramas and natural phenomena that are an attraction for tourists to visit, especially the suspension *bridge* destination which is the longest bridge in Southeast Asia as well as one of the roads to get to the Sawyer waterfall which is located in the Situgunung area.

As one of the National Parks, TNGGP also collaborates with PT. Fontis Aquam Vivam in the procurement of suspension bridge tourist destinations through the cooperation mechanism and the Natural Tourism Business Permit (IIPA). In addition, there are several destinations besides the suspension bridge, namely glamour camping (glamping) and various other outdoor activities. The existence of tourist attractions has a positive impact on the economy of the people of Sukabumi regency, especially the people around Situgunung. The positive impact is felt by the people of Sukabumi Regency, especially the surrounding community with the existence of the Situgunug tourist attraction. Along with the increase in tourist visits, the government and related parties are required to continue to collaborate to improve adequate infrastructure to support tourism activities in Situgunung. Efforts to improve infrastructure have an impact on the

development of services that support this, one form of the development of tourism services, namely the existence of tourist motorcycle taxi services.

Along with the development of infrastructure improvements, it has an impact on the emergence of various transportation service innovations that support tourism activities, one of which is the tourist motorcycle taxi service that operates in the Situgunung tourist area. The existence of this tourist motorcycle taxi service not only provides ease of mobility for tourists, but also opens up new jobs for the local community. However, in practice, the implementation of tourist motorcycle taxi services requires appropriate legal arrangements, especially in the form of business licensing in accordance with applicable laws and regulations.

Based on the principles of the State Administrative Law, every form of business activity related to public services and the use of public space must obtain administrative approval from the competent government in the form of a permit. This is in line with the provisions in the Regulation of the Minister of Environment and Forestry Number 8 of 2019 Emphasizing the control of natural tourism in magrasatwa sanctuaries, national parks, forest parks, and natural tourism parks covering various services, such as tourism information, transportation, tourist trips to providers of other goods and services in the realm of tourism. Therefore, motorcycle taxi services as a form of service activities that have potential risks to user safety, consumer protection, and public space management, must be subject to a legal, transparent, and accountable licensing mechanism.

The granting of this permit not only functions as a tool of administrative supervision, but also as a form of legal legitimacy for business actors in carrying out their activities in accordance with the principles of legality, legal certainty, and administrative justice. In addition, compliance with these regulations not only ensures operational legality, but also contributes to environmental sustainability.¹

The permit application process has an important aspect, namely procedures, rights and obligations that must be fulfilled by the management and the government as policy makers. In line with regulatory dynamics, the Indonesian government has adopted the Online Single Submission (OSS) system as an integrated and efficient risk-based business licensing platform, with the Investment Coordinating Board (BKPM) as the authorized institution in its management. Although the OSS system aims to simplify the tourism business licensing process, in practice, the implementation of this system still faces various obstacles, especially for tourism service business actors in the Gunung Gede Pangrango National Park area, such as tourist motorcycle taxis in the Situgunung area. Many of these business actors do not have permits for nature tourism service providers due to a lack of knowledge of OSS procedures, limited access to technology, and a lack of socialization from the government. This results in business actors operating informally without fulfilling administrative obligations, including the payment of permit fees in accordance with applicable regulations.

The absence of a tourist service permit, especially in Situgunung tourist motorcycle taxis, can potentially cause various legal and administrative problems. The impact of service providers without a permit can cause tourist distrust and reduce the

¹ Nugroho, Iwan (2018) "*Ecotourism and Tourism Village Development Planning*", BAPPENAS Working Papers

number of tourists visiting Situgunung to the point of operational irregularities that may have an impact on the preservation of the environment and conservation ecosystem. Therefore, efforts are needed to optimize OSS-based business licensing, including through simplifying procedures, increasing socialization, and strengthening coordination between the central government and tourism managers, in this case the Gunung Gede Pangrango National Park Center (TNGGP) as an extension of the central government that provides licensing.

Law Number 32 of 2024 is an important instrument in licensing in terms of tourism as an effort to reform the law by the government so that legal values and norms are in accordance with the characteristics and personality of the Indonesian people. This law is also an amendment to Law number 5 of 1990 concerning the conservation of biological natural resources and their ecosystems. The reform of the legal substance is carried out with the intention that the Indonesian nation has a legal system that reflects the values of national life that has high cultural or socio-cultural roots as the ancestral heritage of the Indonesian nation.²

The formulation of the problem in this study is how the government's authority in regulating the procedures and mechanisms for applying for permits for the implementation of motorcycle taxi tourism services in the Situgunung tourist area in accordance with the provisions of Article 34 paragraph (4) of Law Number 32 of 2024 concerning the Conservation of Biological Resources and Ecosystems and the formulation of the second problem is how the licensing and supervision constraints carried out by Situgunung tourism managers in the implementation of regulations regarding tourism service permits in the Situgunung Situgunung area. This study aims to analyze the juridical aspects of the application for tourist service permits from the perspective of law number 32 of 2024 and also based on the State Administration Law.

In this study, the author uses authority theory and licensing theory as an analytical basis to answer the formulation of problems that have previously been described related to the application for tourism service permits from the perspective of State Administrative Law based on Law Number 32 of 2024. The theory of authority is used to examine the extent to which the implementation of permitting by government agencies, especially local governments, is carried out in accordance with the principles of legality and the limits of authority determined by laws and regulations. Meanwhile, licensing theory serves to understand permits as legal instruments that represent the relationship between the state and citizens in the context of public services, as well as to evaluate the procedures, forms, and legal consequences of granting or refusing permits. Using these two theories, this study seeks to assess the suitability of the practice of granting tourism services permits with the basic principles of the State Administration Law and the norms contained in Law Number 32 of 2024, as well as identify potential normative and implementive problems that arise in the licensing process.

² Muladi, 2002, *Democracy, Human Rights and Legal Reform in Indonesia*. Jakarta: The Habibie Center

I. RESEARCH METHODS

In this study, a qualitative approach with a normative juridical method used in this study is centered on the analysis of written legal norms as a basis for answering the legal problems raised. The normative juridical method is a research approach that has the main focus on how to analyze the legal standards listed in applicable laws or regulations. In the research conducted by Nur Aksa who quoted the opinion of Rony Hanitijo Soemitro who stated that qualitative analysis is a continuous step in a nominative juridical research that uses laws, court decisions and also expert opinions as secondary materials.³ In addition, the approach used by the author for this study is a qualitative approach which obtains data directly in the field and research location. The purpose of using this approach is to examine the meaning and consequences of the legal standard in order to find a more specific form. This helps identify the relationship of those norms to the current situation.

II. DISCUSSION

The government's authority in regulating the procedures and mechanisms for applying for permits for the provision of tourism services in accordance with the provisions of Article 34 (4) of Law Number 32 of 2024 concerning Conservation of Biological Resources and Ecosystems

In the perspective of state administrative law, authority is at the core of the legality of every administrative act of government. In this case, authority (*bevoegdheid*) is the right and power given by law to every government organ to act or decide something in the administration of government. According to Philipus M. Hadjon (20019), the principle of legalitas states that every administrative action must have a clear legal basis for the action to be considered valid.⁴ Therefore, in the context of the implementation of tourism services in conservation areas, the government's authority to regulate licensing must be sourced from the provisions of applicable laws and regulations, in this study including Law Number 32 of 2024 concerning the Conservation of Biological Natural Resources and Their Ecosystems (KSDAHE Law).

In article 34 paragraph (4) of Law Number 32 of 2024, it is explicitly stated that the implementation of environmental services in conservation areas and/or areas mentioned in the Law including National Park areas can only be carried out and legally recognized after obtaining an operating permit from the government authorized to issue its permits. The existence of this provision confirms that there is a *delegated authority* to the government who is authorized to further regulate licensing procedures and mechanisms. From the perspective of the State Administrative Law, this provision is a form of attribution of authority that at the same time creates administrative legal responsibilities for the agency that issues the permit, both in procedural aspects and policy substance.

³Fauzah Nur Aksa, Siska Mona Widia, Sifia Hanani. 2025. "Comparison of Normative and Empirical Juridical Research Methods: Research at Uin Sjech M Djamil Djambek." *Nusantara Journal of Social Sciences* 12 (6). doi:10.31604. <http://dx.doi.org/10.31604/jips.v12i6.2025.2226-2236>

⁴ Hadjon, P. M. (2019) *Introduction to Indonesian Administrative Law*. Yogyakarta: Gadjah Mada University Press.

Regulations regarding tourism service permits in conservation areas cannot be separated from the principles of *good governance* in HAN, such as the principles of transparency, accountability, public participation and legal certainty. Based on Government Regulation Number 96 of 2021 concerning the Implementation of Environmental Service Utilization Activities, it is stated that every application for a haarus permit is carried out through clear and documented procedures, including the submission of technical documents, environmental feasibility studies and local community involvement. The government, in this case the Ministry of Environment and Forestry (KLHK), plays the role of an administrative controller responsible for the impact of tourism service activities in conservation areas.

In the context of the implementation of tourism services in National Park conservation areas, as stipulated in article 34 paragraph (4) of Law Number 32 of 2024 concerning the conservation of Biological Natural Resources and their Ecosystems, the government has the authority to grant permits in the implementation of economic activities that have the potential to have an impact on environmental sustainability. The existence of tourist motorcycle taxi services in the Situgunung area as part of the Gunung Gede Pangrango National Park (TNGGP) area must be subject to the principles of conservation and ecosystem sustainability. Therefore, the government, in this case the Ministry of Environment and Forestry through the TNGGP Permit Center, is obliged to prepare and implement licensing procedures that are not only administrative, but also pay attention to ecological carrying capacity, local community involvement and environmental risk management. As according to Pramana et. al stated that "The Government has full authority to regulate, control and grant permits for every tourism service activity that is within the conservation area, in accordance with the principle of administrative prudence."⁵

The government's administrative authority in the licensing process is carried out through a multi-level mechanism that involves clarifying the status of the area, analyzing the use of environmental services, and technical evaluation that considers the capacity and carrying capacity of the area. The government cannot issue permits discretionarily without first ensuring that tourism service activities, such as tourist motorcycle taxi services, do not violate the principles of zoning of conservation areas and do not cause degradation of ecological functions. Based on the principle of *Rechtsstaat* which underlies the Indonesian legal system, the authority must be limited and can be held judicially accountable. Hadjo stated that "Every legal action by an administrative official must have a valid legal basis, as a manifestation of the principle of *rechtmatigheid van bevoegdheid*"⁶. This is also in accordance with the *principle of freies ermesen* in administrative law, which provides discretion as long as it does not deviate from the general principles of good governance (AUPB).

Factually, the Situgunung area has developed into a natural tourist destination with service activities involving local communities, including tourist motorcycle taxi services. However, the existence of these services needs to be institutionalized within a legal framework through licensing that is integrated in the National Park Management Plan and

⁵ Pramana, I. P. B. R., Budiarta, I. N. P., & Sutama, I. N., *The Effectiveness of Tourism Licensing Services Through OSS at the Denpasar City DPMPSTP*, Journal of Legal Analogy, Vol. 5 No. 3 (2023), p. 307.

⁶ Ibid, Hadjon, p. 45

the Environmental Service Utilization Program Implementation Plan. The provisions of Article 34 paragraph (4) of Law 32/2024 are the legal basis to ensure that the implementation of community-based tourism services remains under state supervision and guidance. In licensing, community-based tourism services must not conflict with the rules or laws that regulate the function of conservation.⁷ Through an orderly licensing system, the government not only carries out its function as a *regulator*, but also as a *facilitator* of inclusive and conservation-based sustainable tourism development.

Licensing procedures for the implementation of tourism services, including tourist motorcycle taxi services in conservation areas such as Situgunung, are currently required through the *Online Single Submission* (OSS) system as stipulated in Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing. The OSS system is a national digital platform designed to simplify and integrate all business licensing, including the environment-based tourism sector. The licensing process is carried out through stages: OSS account registration, filling in business data, fulfilling environmental licensing commitments, and issuing a Business Identification Number (NIB) which also functions as a temporary operational permit⁸. In the context of conservation areas, the permit application must be completed with an environmental impact analysis document (EIA or UKL-UPL), a tourism activity management plan, and technical recommendations from conservation area management agencies, such as the TNGGP Center.

The OSS mechanism provides effectiveness in the administrative process, but still does not reduce the substantive oversight function by the government. Business activities that fall into the medium and high risk category, such as natural tourism services in national parks, still require manual document verification by the relevant authorities before the final permit is issued. This is in accordance with Article 12 paragraph (3) of Government Regulation Number 5 of 2021 which stipulates that medium-high risk activities require the fulfillment of requirements and commitments first. The OSS only facilitates submission and filing, while final evaluation and approval remain the authority of technical sectoral agencies. Thus, OSS is an administrative instrument that supports the principle of bureaucratic efficiency, but does not replace the substantive obligations regulated in Law Number 32 of 2024 and its derivative regulations.

Based on the previous description, it can be emphasized that the government's authority in granting motorcycle taxi service permits in the Situgunung area is a form of administrative regulation that is not only formal, but also substantive in the context of preserving conservation areas. In this case, the Gunung Gede Pangrango National Park Center (TNGGP) as an extension of the Ministry of Environment and Forestry has the responsibility to ensure that every form of tourism services, including motorcycle taxi transportation, has a legal basis in the form of an official permit issued according to procedures. The procedure involves not only administrative input through the OSS system, but also through the fulfillment of technical documents that indicate no interference with the ecological functions of the area. Thus, the granting of permits is not

⁷ Tjitrawati, A. T., Amalia, R., & Hamdan, F. Z. Z., *Legality of Tourism Area Licensing as an Effort to Develop Tourism Villages*, Media Iuris, Vol. 5 No. 1 (2022), p. 4.

⁸ Pramana, I. P. B. R., Budiarta, I. N. P., & Sutarna, I. N., *The Effectiveness of Tourism Licensing Services Through OSS at the Denpasar City DPMPSTP*, Journal of Legal Analogy, Vol. 5 No. 3 (2023),

only about business licenses in general, but also about ensuring environmental sustainability.

In relation to the provisions of Article 34 paragraph (4) of Law Number 32 of 2024, which states that "*The use of environmental services as referred to in paragraph (3) is carried out through the granting of permits by the Government and/or Regional Governments in accordance with their authority*", it is clear that all forms of tourism services, including tourist motorcycle taxi services in the Situgunung area, are required to obtain legality in the form of official permits issued by the competent authorities. In practice, the Online Single Submission (OSS) system acts as an administrative instrument to facilitate the permit application, but the authority to grant permits remains with sectoral technical institutions, such as the Gunung Gede Pangrango National Park Center under the Ministry of Environment and Forestry. OSS only provides a digital framework for procedural efficiency, while ecological and technical feasibility verification remains the evaluative domain of the government. This emphasizes that the use of environmental services in conservation areas must go through a legitimate administrative process and is not solely dependent on information systems, but is bound by *the precautionary principle* and the principle of legality in state administrative law. Therefore, the granting of permits for the implementation of tourist motorcycle taxi services in the Situgunung area through OSS is a form of exercising the authority of the responsible state, in order to ensure harmonization between tourism activities and the protection of conservation areas in a sustainable manner.

Licensing and supervision constraints carried out by Situgunung tourism managers in the implementation of regulations regarding tourism service permits in the Situgunung area

Licensing according to Adrian Sutedi (2011:V) in a study written by Moh. Rizky A.J is a policy tool issued by the government or local government in an effort to control negative influences that may occur on social or economic activities.⁹

A business license is a form of formal legality granted by the competent authority as a condition for the legality of a business activity before it is carried out. Within the framework of the State Administrative Law, permits function as an instrument of state control and legitimacy over private activities that have the potential to have legal and social impacts. Without a permit, business activities can be qualified as an unlawful act (*onrechtmatige daad*), because they do not meet the administrative requirements set by laws and regulations. In carrying out a tourism business, the act of violating the law is an act that is prohibited by law and contrary to the provisions of the applicable laws.¹⁰

Licensing in a business is regulated in Government Regulation Number 5 of 2021 concerning Risk-Based Business Licensing and Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions. The stipulation of the government regulation as a revision of the previous Ciptaker Law

⁹ Moh. Rizky A. Jumadil, Rahmat Setiawan, Mustating Daeng Maroa, Asis Harianto, M. Ikhwan Rays "The Authority of Local Governments in the Implementation of Business Licensing", *Jurnal Yustisiabel*, Vol 7(1), April 2023

¹⁰ Makawangkel P.S.R. "Unlawful Acts by Hotels Related to Running a Travel Package Business in Bali", *Krtha Bhayangkara Journal*, Vol. 12 No. 2 (2018). <https://doi.org/10.31599/krtha.v12i2.24>

certainly brings significant administrative changes in the implementation of tourism services in conservation areas, including in the Situgunung area. One of the main obstacles faced by managers in making adjustments to the new provisions that govern the licensing mechanism for environmental services operating in the regions. This impact was felt because of the drastic change in licensing services that transferred and held business licenses to risk-based licensing. The system that is run in the current licensing is Online Single Submission (OSS) which has the main goal of realizing an effective and efficient public service concept.¹¹ In its implementation, the OSS system has been integrated and run by institutions appointed by the central government.

The use of *the Online Single Submission* (OSS) system that is integrated with digital technology provides added value in order to optimize the advancement of information technology. Through this online-based service, the process of granting permits to the public becomes more efficient and transparent. The implementation of OSS is also in line with the principles of *electronic government (e-government)*, especially in the aspect of digital public information dissemination. Provisions regarding this have been regulated normatively in Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing which emphasizes the importance of using digital information systems in the implementation of business licensing.

On the other hand, the implementation of *the Online Single Submission* (OSS) system as a digital instrument in the business licensing process still faces significant obstacles, especially for business actors of motorcycle taxi services in the Situgunung area. One of the main obstacles is the limited capacity of human resources (HR) who understand the procedures for using the OSS platform to access and manage licensing independently. Most of the business actors in this sector come from non-technical backgrounds and do not have adequate digital skills, making it difficult to navigate electronic-based administrative procedures. This condition slows down the business legalization process and has the potential to cause administrative irregularities. In the context of the State Administration Law, this situation reflects the lack of optimal principles of *facility* and *efficiency* in public services, as mandated in Article 5 paragraph (1) of Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing. In line with the findings of Lestari & Djanggih (2022), obstacles in the operation of OSS at the level of small businesses show the need for adaptive legal assistance and digitalization strategies in areas with limited infrastructure and low digital literacy.¹²

In an effort to collect data in May 2025, data was obtained from interviews from the Head of the Resort of PTN Situgunung, Mr. Asep Sugarda, "The main obstacle in the registration of motorcycle taxi tour service permits in Situgunung tourism is because there is a high sense of belonging from the community so that they feel that business actors are local residents who have the right to do business in the Situgunung area and the main

¹¹ A. S. R. Wulandari, H. Habiba, and A. Rahmah, "Legal Reform and Dynamics in the Business Licensing Process in Indonesia," *Gema Keadilan*, vol. 10, no. 1, pp. 12-21, Aug. 2023. <https://doi.org/10.14710/gk.2023.20070>

¹² Lestari, R., & Djanggih, H. (2022). Implementation of Online Single Submission in the Business Licensing System in Indonesia: A Juridical and Practical Review. *Journal of State Law and Administration*, 8(2), 112–125. <https://ejurnal.unisri.ac.id/index.php/JH/adminiss/articles/view/oss-umkm>

problem is that most of them (tourist motorcycle taxi actors) Especially the figure who is the leader of the Motorcycle Taxi Association finds it difficult to register online due to limited knowledge about digital things".

This condition shows that the digitization of licensing through OSS is designed to simplify the bureaucratic process, which can actually create new obstacles if it is not accompanied by inclusive community empowerment. In the context of conservation areas such as Situgunung, where most of the tourism service actors are local communities with limited access to formal education and technical training, a fully risk-based licensing system can be counterproductive to the goal of business legality. This is contrary to the spirit of *administrative responsiveness* in the State Administration Law which requires that public policies be adaptive to the factual nature of the community served. As explained by Sutedi (2010): a good licensing system must pay attention not only to legal certainty, but also to the principle of *ease (doeltreffendheid)* and affordability by the wider community, so that there is no gap between legal norms and administrative realities in the field.¹³

In the implementation of business with their licenses, business actors need supervision as a form of legal protection against the consequences of the permit decision issued by the government. According to Ardiansyah, in 2022, the government in carrying out its government, through strategic decision-making, policies and general government policies, and government actions to enforce public order, law, state power and state power.¹⁴ Based on this, the responsibility of supervising licensing is also a responsibility owned by an institution or government that has the authority to issue permits to a business carried out by business actors, as a form of the implementation of government authority in granting permits as an implementation of the principles of *good governance*. In the Decree of the Minister of State Apparatus Empowerment (Menpan) Number 63 of 2003 concerning General Guidelines for the Implementation of Public Services, it is stated that the supervision of a public service is intended to improve services in terms of licensing issued by government officials.¹⁵

Article 34 paragraph (4) of Law Number 32 of 2024 states that "permits for the use of environmental services as referred to in paragraph (3) are carried out through government and/or local government permits in accordance with their authority," which normatively emphasizes that every service business activity, including in conservation areas, must obtain a permit from the competent authority. This provision affirms the principle of legality in the implementation of environmental services. However, in practice in the field, especially in tourist motorcycle taxi services in the Situgunung area, operational activities take place without obtaining an official permit. This phenomenon reflects the weak administrative supervision function of the government and regional managers, who should carry out the role of controlling activities that do not meet formal legal requirements. This negligence not only shows a lack of effectiveness of supervision, but also has the potential to ignore the principles of *good governance*, especially the principles of legal certainty and compliance with licensing norms.

¹³ Sutedi, A. (2010). *Licensing Law in the Public Service Sector*. Jakarta: Sinar Grafika.

¹⁴ Ardiansyah, (2022) *State Administrative Law: Legal Phenomena in Public Space*, Yogyakarta: Deepublish, <https://penerbitbukudeepublish.com/kebijakan-hukum-pertanahan/>

¹⁵ Ardiansyah (2023), *LICENSING LAW*. Yogyakarta: Deepublish

The operational condition of the tourist motorcycle taxi service in Situgunung that runs without an official permit cannot be seen as mere administrative negligence, but is an indication of the weak enforcement of the principle of legality in the governance of the use of environmental services in conservation areas. The government's indecisiveness and weak oversight by the relevant authorities create loopholes in the law's repeated and allowed to occur, which ultimately erodes the state's authority in controlling the conservation space that should be closely guarded. From the perspective of the State Administrative Law, this shows the dysfunction of administrative supervision that is supposed to ensure that every form of business activity is subject to valid licensing. Legal irregularities like this not only have the potential to cause ecological and social losses, but also weaken the legitimacy of risk-based licensing policies as stipulated in Government Regulation No. 5 of 2021. Therefore, firm and measurable rearrangement steps are needed so that the licensing mechanism is not only a formality procedure, but also a real instrument in ensuring legal order and protection of conservation areas.

III. CONCLUSION

Based on the description of the discussion above, it can be concluded that the granting of permits for the implementation of motorcycle taxi services in the Situgunung area as part of the Gunung Gede Pangrango National Park is a form of implementation of the government's administrative authority which must be subject to the principles of legality, prudence, and environmental sustainability. Law Number 32 of 2024, especially Article 34 paragraph (4), is the legal basis that affirms that the use of environmental services can only be carried out through the granting of permits by the government according to its authority. In this context, the Online Single Submission (OSS) system functions as a digitization instrument to facilitate the licensing process, but does not eliminate the obligation of technical and ecological verification by the authorized agencies. Therefore, the integration between the substance of licensing norms in conservation law and administrative procedures through OSS is very important to ensure that tourism service activities, including motorcycle taxi services, are not only administratively legal, but also in line with conservation goals and good governance principles.

The implementation of tourism service licensing in the Situgunung area, especially in tourist motorcycle taxi activities, still faces various fundamental obstacles both in terms of regulation, human resource capacity, and weak administrative supervision. Although Law Number 32 of 2024 expressly stipulates that every use of environmental services must obtain a permit from the government according to its authority, reality shows that there are still many tourism service activities operating without legal legality. This inconsistency reflects the inequality between legal norms and implementation in the field which can have an impact on the weak legitimacy of the law and the management of conservation areas. Therefore, efforts to strengthen the digital-based licensing system through OSS, increase legal literacy for local business actors, and effective and sustainable supervision are strategic steps that must be taken to ensure administrative order, legal certainty, and environmental sustainability in the Situgunung conservation area.

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