

Comparison and optimization analysis of highway law enforcement agencies in the context of Sichuan and Chongqing integration

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Abstract: At present, Chongqing expressway operation has entered a new stage, and how to improve its operation and management effectiveness has become a new research topic. The article first summarizes and analyzes the development characteristics and experiences of Chongqing expressway management system, and points out that the development of China's expressway management system should not only strengthen the specialization of managers in various functional departments, but also establish a corresponding coordination and control mechanism to improve the efficiency of management; then, it focuses on comparing and analyzing the similarities and differences of expressway law enforcement in Chongqing and Sichuan in the context of Sichuan-Chongqing integration; Finally, countermeasure suggestions are made based on the opportunities and challenges of Chongqing expressways under the integration of Sichuan and Chongqing, which provide some reference values for decision-making bodies at Chongqing and Sichuan levels when formulating policies on expressway operation and management.

Keywords: Functional responsibilities; Chongqing Expressway Law Enforcement Brigade; Sichuan-Chongqing integration.

1. Introduction

As the construction of Chengdu-Chongqing twin-city economic circle advances, Chongqing and Sichuan are both strengthening the integrated law enforcement construction in adjacent areas, and then promoting rapid regional economic development. Among them, in the field of transportation, Chongqing Municipal Bureau of Transportation and Sichuan Provincial Department of Transportation both indicate that they want to build an integrated modern transportation network system, and in recent years, the construction of highways and other transportation infrastructure has been developed rapidly. Meanwhile, transportation co-frequency has become a major highlight of the twin-city economic circle in the Chengdu-Chongqing region. In terms of expressways, Chongqing and Sichuan will optimize and adjust the expressway networks of Sichuan and Chongqing provinces to ensure the unification of the administrative level of expressways in the two provinces, eliminate the "bottlenecks" between the two regions, and improve the interconnection of expressways and other transportation roads in the two regions [1]. In order to ensure a higher level of collaborative law enforcement management between the highways of Sichuan and Chongqing, this paper compares and analyzes the organizational structure of the highway enforcement brigades of Chongqing and Sichuan, so as to absorb the advanced law enforcement experience and rules and regulations of Sichuan and provide suggestions for the reform of Chongqing highway enforcement brigade.

2. Analysis of the development stage of Chongqing highway law enforcement agencies

Chongqing City took the lead in launching the pilot project of integrated highway law enforcement. In 2005, Chongqing

City integrated the four administrative enforcement powers of "highway road administration, highway transport administration, traffic inspection and traffic safety" exercised by the former administrative enforcement team and established a highway enforcement detachment. Since then, Chongqing Municipality through the introduction of local regulations and government regulatory documents, the Chongqing Expressway Administrative Law Enforcement Headquarters under the Chongqing Municipal Transportation Commission, and in accordance with the principle of "one division, one brigade", in the Expressway Administrative Law Enforcement Headquarters set up under the law enforcement brigade section level.

Chongqing Traffic Commission in summing up the experience of the comprehensive law enforcement reform of the highway, guide the Yongchuan City and Dazu County Transportation Bureau in the jurisdiction of the county traffic law enforcement reform, in accordance with the principle of streamlining, unification, efficiency, law enforcement and approval, the formation of the Yongchuan City Traffic Police Detachment, unified exercise of road transport, road administration, inspection and collection and port and shipping enforcement functions. The original road management, road transport management, port and navigation management only exercise industry approval, licensing and other functions, no longer engaged in on-the-road inspection, administrative penalties and other administrative law enforcement work. In this phase, Chongqing City, breaking the original industry management model, expands the scope of authority of the traffic enforcement brigade, the original belongs to the Transport Administration, Road Bureau, Port and Maritime Bureau part of the enforcement authority transferred to the traffic enforcement brigade, the original department no longer exercise the corresponding enforcement powers.

The third phase of the reform, in full swing in the main

urban areas of Chongqing, according to the relevant provisions of the Chongqing Municipal Transportation Commission will carry out comprehensive administrative law enforcement work in the city. The reform idea in the main urban area is to separate the functions of policy formulation and supervision and punishment, and to separate the functions of formulating normative documents and guiding documents planning and coordination, administrative guidance, administrative approval, law enforcement supervision and other functions hereinafter collectively referred to as policy formulation functions from the implementation of administrative penalties, administrative inspection, administrative compulsion, administrative levy and some daily management functions hereinafter collectively referred to as supervision and punishment functions. In the urban area, the Traffic Administration and Law Enforcement Headquarters was set up to undertake the supervision and punishment of traffic in five areas: road administration, transport administration, port and navigation, toll inspection and highway. Three agencies are set up under the headquarter, namely, the direct detachment, the highway detachment and the traffic levy bureau. The direct brigade under the jurisdiction of the direct brigade, the water brigade, the brigade of the nine districts of the main city, its responsibilities are: the former Road Transport Administration, Highway Bureau, Port and Maritime Administration, Traffic Levy Inspection Bureau, the nine districts of the main city and other departments of traffic supervision and punishment functions, highway detachment from the former Chongqing Expressway Administrative Law Enforcement Headquarters into the responsibility of the four work of road administration, transport administration, levy inspection and traffic safety management in Chongqing. The Traffic Levy Bureau is also transferred from the original Chongqing Traffic Inspection Bureau, which is responsible for the city's toll collection work. In addition to the nine districts of the main city, other districts, counties, autonomous counties and cities, the comprehensive traffic law enforcement agencies assume the traffic supervision and punishment work of the traffic administration, transport and port and shipping departments. After the reform, all law enforcement officers of the comprehensive law enforcement agencies are unified in accordance with the management of civil servants.

The fourth phase of the reform, from May 20, 2021, Chongqing Traffic Bureau under the Chongqing high-speed law enforcement brigade will be officially transferred to the Chongqing Public Security Bureau Chongqing Traffic Patrol Police Headquarters, such as highway violations, traffic accidents and police handling and other law enforcement powers, this time the handover marks the city of Chongqing has no "high-speed law enforcement". Chongqing Traffic Patrol Police Headquarters set up one to five highway brigades to replace the five traffic police brigades, responsible for traffic safety management of Chongqing's highways. At the same time, the enforcement brigades continue to exercise highway road and transport enforcement duties, while the integrated enforcement functions in other areas remain unchanged [2].

Through the analysis of the above reform stages, I believe that the comprehensive traffic law enforcement reform comprehensively promoted in Chongqing is consistent with the general trend of administrative system reform. The implementation of comprehensive traffic management system

reform in Chongqing has consolidated the original law enforcement officers, streamlined the personnel and reduced the cost of law enforcement. Secondly, while the traffic law enforcement area is expanding and the number of law enforcement officers is drastically reduced, the number of cases investigated and handled by integrated law enforcement departments, the amount of fees charged, and the number of matters completed each year are still increasing year by year, and the effectiveness of law enforcement is significantly improved. Once again, integrated law enforcement delegates policy-making functions and supervision and punishment functions to different authorities, forming an effective mechanism of decentralization and restraint, changing the past situation where the industry bureau exercised power centrally and monopolized the upstream and downstream of industry management, guaranteeing the decentralization and restraint of administration from the institutional point of view, promoting the enhancement of transparency of administration, and guaranteeing the fairness of law enforcement.

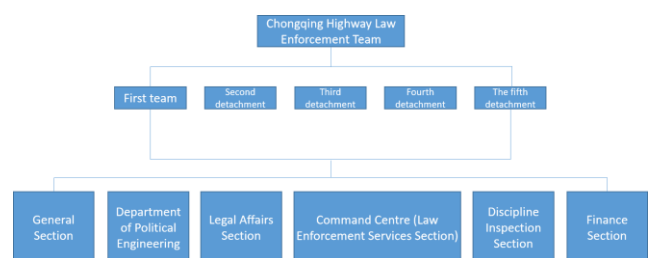


Fig .1 Chongqing highway law enforcement team structure diagram

The Chongqing traffic comprehensive law enforcement model has made certain achievements, but that does not mean that there are no problems. This year, Chongqing City will carry out another traffic administrative law enforcement reform, the author was fortunate to obtain first-hand survey information from the subject group, through the survey data shows that the problems of Chongqing's comprehensive traffic law enforcement reform are mainly focused on the division of functions and authority. About half of the respondents believe that there is a conflict of authority between their department and other departments. Specifically, as far as the industry bureau is concerned, because the industry bureau is implementing the block management, each industry bureau is in charge of the approval and licensing matters of road administration, transport administration, port and shipping, etc., each of them has its own duties and responsibilities, and there is no ambiguity or crossover of duties and responsibilities between each other, and there is no ambiguity of authority between the law enforcement teams. Integrated law enforcement departments unified exercise the same regulatory and punitive powers, and in the set-up of law enforcement teams, highways and water are self-contained, the law enforcement environment is relatively closed, and it is not possible to produce cross-authority. At the same time, in the current integrated law enforcement, the implementation of regional administration, the scope of the exercise of authority of the administrative division consistent, will not produce the problem of unclear authority [3]. The problem of conflicting powers exists between the industry bureau and the law enforcement team, mainly because of the different understanding of the later management of the approval permit. The comprehensive law enforcement team believes that the industry bureau has no right to deal with the approval matters after exercising the approval authority, while the industry

bureau believes that it has the right to manage the approval matters, otherwise it cannot achieve the goal of management. In this case, the industry bureau has a strong demand for exercising part of the supervisory power, and in practice, it may also exercise the right to deal with part of the administrative matters.

3. Comparative analysis of highway enforcement agencies in Sichuan and Chongqing



Fig. 2 The difference between Chongqing expressway law enforcement brigade and Sichuan law enforcement brigade

The main functions of Chongqing Highway Enforcement Brigade can be divided into four points. The first is to implement laws and regulations and policies; the second is to be responsible for the comprehensive traffic management in the region; the third is to organize the investigation and handling of major and complex cases, and to organize relevant special rectification and major law enforcement actions; the fourth is to complete other tasks assigned by superiors. There are six internal agencies, including the General Section, Political Section, Legal Section, Finance Section, Command Center and Discipline Inspection Section. As far as the staffing of the law enforcement brigade is concerned, there are five detachments. 221 at the first branch, 200 at the second branch, 203 at the third branch, 243 at the fourth branch and 300 at the fifth branch. Each detachment has 5 leadership positions, 1 is the secretary of the party committee, the detachment leader, 1 is the deputy secretary of the party committee, political commissar, 2 deputy detachment leader, 1 secretary of the discipline inspection committee (in accordance with the relevant provisions). Each detachment has 30 personnel of each organ, including 6 cadres at the level of positive section, 2 at the level of deputy section (Deputy Director of the Command Center, Deputy Secretary of the Mission Committee).

Compared with Chongqing's highway law enforcement agencies, Sichuan highway law enforcement agency functions and responsibilities of the setting are more complete. 2022 June 9, passed with a high vote "Sichuan Provincial Highway Regulations", clear management responsibilities of all parties. According to the actual institutional reform in Sichuan, it is clear that the province's highway management agencies to perform comprehensive administrative law enforcement of highway transportation and highway operation and management, operation and service supervision, safety supervision, emergency response and other industry supervision and management functions responsibilities. Sichuan provincial transport administrative law enforcement team (Sichuan Provincial Department of Transport Expressway Administration) under the eight agencies, the Sichuan Provincial Transport Administrative Law Enforcement Team, the first to the seventh detachment is

mainly responsible for the provincial highway road administration, transport and toll inspection and other traffic law enforcement management and industry supervision work. Sichuan Intelligent Transportation System Management Co., Ltd. is mainly responsible for the operation, maintenance and management of the province's highway settlement, card issuance, monitoring and communication; responsible for the splitting of the province's highway network tolls, settlement, auditing and operation and maintenance of the province's highway network toll system, communication system, monitoring system, computer network system, etc. Sichuan's highway law enforcement brigade is mainly composed of law enforcement brigade and special teams. The duties of the law enforcement brigade include four aspects, the duties of the post of the brigade leader, the work of the deputy brigade leader, the duties of field work and the duties of internal work. The organization of the special duty team consists of a special duty brigade, special duty squadron and special duty personnel. Special duty personnel include a brigade leader (by the Director of the Policy and Law Division of the General Staff), two deputy brigade leaders (by the General Staff Integrated Law Enforcement - Division, Integrated Law Enforcement Division II Director), a liaison officer (responsible for the daily work of the special duty brigade). The special squadron includes one squadron leader (concurrently appointed by the deputy chief of each law enforcement detachment), one deputy squadron leader (concurrently appointed by the chief of the law enforcement and supervision brigade), and one liaison officer established by the law enforcement and supervision brigade, who is specifically responsible for the daily work of the special squadron.

By comparing the highway enforcement brigade in Chongqing and the highway enforcement brigade in Sichuan, I found that both have similarities, there are also their own characteristics. Similarities lie in the same functional responsibilities, are required to undertake the comprehensive administrative work of the district transportation, the implementation of laws and regulations and policies; to complete other tasks assigned by superiors (law enforcement brigade duties - captain duties / field duties), the organization to investigate and deal with major complex cases; organization of special rectification and major law enforcement activities (special teams). The differences are in the internal structure and staffing two aspects. It is these differences, so that the clarity of law enforcement responsibilities of the Sichuan highway law enforcement agencies have an advantage over the Chongqing highway law enforcement agencies. Chongqing highway law enforcement agencies do not divide specific law enforcement responsibilities, the responsibilities of the brigade is unclear, easily leading to cross management of the brigade, resulting in inefficient law enforcement; traffic law enforcement agencies are scattered in highway road management, road transport management, traffic inspection and other departments, easily resulting in multiple departments, overlapping law enforcement skills, scattered law enforcement forces, multiple law enforcement, repeat law enforcement, law enforcement behavior is not standardized, etc. The existence of the phenomenon. At the same time, the lack of a command and dispatch platform to coordinate and communicate with internal and external work may lead to the lack of communication between the various departments of Chongqing's highway law enforcement agencies, as well as

some conflicts between regional law enforcement, such as conflicts in administrative enforcement between the Urban Law Enforcement Headquarters and the district and county traffic bureaus, and conflicts in enforcement between the Law Enforcement Headquarters and the road administration and transportation administration departments, etc. Sometimes there is a rush to enforce the law, and sometimes there is no enforcement, resulting in inefficient enforcement. Sichuan's highway law enforcement agencies have specific division of responsibilities for each department, and the division of responsibilities is clear. Traffic law enforcement administrative enforcement rules and regulations are relatively sound, and each duty has its corresponding laws and regulations, which regulate the law enforcement behavior of administrative law enforcement officers and achieve administrative by law. In addition, the Sichuan Highway Enforcement Brigade has also established a joint command and dispatch platform to better communicate with higher departments and other relevant management departments in a timely manner to ensure the safe and stable operation of the work. However, the lack of a coordination mechanism for external communication may lead to some external work conflicts.

4. Opportunities and challenges for Chongqing law enforcement agencies under the integration of Sichuan and Chongqing

With the deepening of governmental institutional reform, the integrated highway law enforcement work in Chongqing has a lot of room for development, but due to the lack of unity in the current transportation management system and the need to implement integrated administrative law enforcement work proposed by the State Council, there is a need to further carry out the pilot work of Sichuan-Chongqing integrated highway law enforcement synergy [4]. This paper aims to provide some useful references for the future reform of the road transportation management system and management system through the reform and exploration of China's highway operation and management system. Multi-directional radiation

At present, Chongqing is intensifying the development of a three-dimensional transportation network in the Chengdu-Chongqing twin-city economic circle, which will further strengthen the city's infrastructure and enhance urban interconnection, and strive to build a strong transportation pioneer area with twin-city characteristics by 2025, and initially form a twin-city integrated transportation system with "three-dimensional interconnection and high efficiency". At the same time, highway is the main battlefield in the construction of transportation infrastructure, and it is also the main focus of the transportation development of Chengdu-Chongqing twin-city economic circle. This indicates that more communication and development will be welcomed between Chengdu and Chongqing in terms of collaborative management of highways. If the highway enforcement in both places can be well managed together, the economic development and cultural exchange between the two places will go further and a win-win situation will be achieved. However, while bringing opportunities, it also brings certain challenges. If the management standards of the two places' expressways are not unified and cannot be well connected, it will have a negative impact on the management of the

expressways of the two places.

5. Countermeasure suggestions for the reform of Chongqing highway law enforcement agencies under the integration of Sichuan and Chongqing

5.1. Ensure matching of functional responsibilities

In the reform, there is often a transfer of departmental powers, and in the transfer of the original administrative agencies to the newly established comprehensive law enforcement agencies, care should be taken not just to manage the formal transfer of laws and regulations, rules and regulations, but the transfer of substantive powers such as inspection, penalty and enforcement powers. Therefore, all departments involved in the agencies should work together and actively cooperate from the perspective of the overall situation so that the enforcement efficiency of the enforcement brigade can be effectively enhanced. The following modifications can be made to the institutional set-up of the Chongqing Expressway Enforcement Brigade. Modification one, we reduce all brigades under each detachment to five. This will enable the five functions of responsibility that should exist in the comprehensive law enforcement brigade, i.e. comprehensive administrative law enforcement, operation service supervision, operation management, safety supervision, and emergency disposal to be given to five brigades respectively, so that each brigade will have its own function of responsibility and clear division of labor. Modification two, the original brigade under the comprehensive office 1, business squadron 1, service squadron no more than 5, is now changed to the establishment of squadrons under the brigade, and make the first brigade has 3 squadrons, the second brigade has 4 squadrons, the third brigade has 2 squadrons, the fourth brigade has 3 squadrons, the fifth brigade has 4 squadrons. According to the number of small functions divided under each function then set the number of detachments under the brigade, so that each squadron can also be clear to their functional responsibilities, a clear division of labor, downward and upward. Modification three, in each detachment of the three brigades of a squadron under the establishment of a joint command platform. In the context of Sichuan-Chongqing integration, Chengdu-Chongqing economic circle, Chongqing and Sichuan's highway enforcement brigade should perform synergistic management, but from a long-term perspective, Chongqing in the future can all be managed in concert with the surrounding cities. Chongqing is an inland city, surrounded by land, and the surrounding five provinces of Sichuan, Shaanxi, Hunan, Hubei and Guizhou provinces have borders, specific bordering cities are Ankang, Shiyan, Shennongjia Forest, Xiangxi Tujia and Miao Autonomous Prefecture, Ziyang, Suining, Dazhou, Guang'an, Neijiang, Zunyi, Luzhou, Enshi Tujia and Miao Autonomous Prefecture; according to the scope of the jurisdiction of the five brigades, the squadrons can perform collaborative management with the surrounding cities, increase the exchange between the cities, promote the economic development of Chongqing and the surrounding cities, logistics development, etc.

5.2. Build a comprehensive traffic administrative law enforcement system

After a comparative analysis with the Sichuan law enforcement brigade, it can be seen that a sound integrated traffic management system is of great importance to improve the effectiveness of law enforcement. Therefore, the reform of Chongqing Law Enforcement Brigade must implement and refine the responsibilities in administrative law enforcement in accordance with the existing laws and regulations on comprehensive traffic management, enrich and improve the existing comprehensive traffic law enforcement system, and strengthen the management and supervision of highways in the form of comprehensive administrative law enforcement. Meanwhile, in promoting comprehensive traffic law enforcement, it is necessary to adhere to the national system reform as the center to ensure the rapid development and sustainable development of China's transportation industry.

5.3. Organic unified traffic comprehensive administrative law enforcement standards

At present, the problems in many highways law enforcement work in Chongqing are mainly due to the lack of unified traffic management specification. In response to the current problem of multiple and multi-departmental joint law enforcement in China's comprehensive traffic law enforcement work, grasping and analyzing the causes from the root cause and forming a unified law enforcement standard and approach can not only reduce the unnecessary troubles caused to the public by repeated and multiple law enforcement, but also effectively improve the comprehensive law enforcement capability and enforcement level of the law enforcement team. In this process, the transportation management department should establish a comprehensive law enforcement agency consisting of transportation administrative departments and a comprehensive law enforcement mechanism in pilot cities according to the characteristics and development of Chongqing. Especially in the comprehensive administrative law enforcement of highways, it is necessary to combine road administration and transport administration departments in order to promote the reform and innovation of the comprehensive law enforcement system. In the concrete implementation of the reform of integrated traffic law enforcement standards, organic unification and integrated traffic administrative law enforcement agencies at all levels, attention should also be paid to the interface and business handover between functional departments at all levels and traffic management departments, in the form of co-location and joint law enforcement, and gradually realize the integration of integrated traffic management standards and integrated law enforcement agencies. Meanwhile, based on the background of Sichuan-Chongqing integration, Chongqing local highway law enforcement brigade should communicate with Sichuan highway law enforcement brigade to develop a unified management standard for the management of the handover

place, so that law enforcement is clearer and clearer to help all parties to carry out better highway law enforcement management [5].

6. Conclusion

To sum up, in recent years, with the deepening interconnection between cities in China, the coordinated development of inter-city transportation law enforcement management has received increasing attention. In the context of Sichuan-Chongqing integration, Chongqing highway law enforcement agencies should make timely adjustments to promote the synergistic management of highway law enforcement between Chongqing and Sichuan. By analyzing the problems and shortcomings of the current integrated highway enforcement in Chongqing

By analyzing and discussing the problems and deficiencies in the current integrated enforcement of Chongqing expressways, and based on improving the quality and level of integrated enforcement, the institutional settings of Chongqing expressway enforcement brigade should be optimized to match the functions and responsibilities of each department, strengthen the management of intersecting expressways of Sichuan-Chongqing, Chongqing-Xiangxi, Chongqing-Qianxi, Chongqing-Shaanxi and Chongqing-E, and guide the relevant functional departments to standardize and unify the integrated enforcement standards in the process of enforcement to improve the efficiency of enforcement.

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