

加快构建城市轨道交通的新安全格局

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2023年4月15日是我国第八个“全民国家安全教育日”。这一天,由上海市委国安办指导,上海市国家安全局联合上海申通地铁集团,在上海地铁1号线打造推出了“国安号”主题列车。当天上午10点50分,在上海地铁1号线人民广场站,“国安号”主题列车开始了为期30天的旅程。主题列车车身上有金色的“国安号”字样;外车身的“万里江山”“钢铁长城”“白鸽祥云”等图案,象征着国家长治久安、人民安居乐业;车顶贯通90多米的“国泰民安图”描绘了平安中国、和谐社会的美好画卷,反映了新时代统筹发展和安全取得的突出成就。

中国式现代化是人口规模巨大的现代化。中国人口规模长期位居世界首位,14亿多人口整体迈进现代化社会,规模超过现有发达国家人口的总和,是人类发展史上前所未有的壮举。

2022年中国的城市化率已达65.2%,我国特大城市、超大城市已达21座。与此相关,目前中国至少有5座大城市的轨道交通运营里程和客运量稳居世界前列,超过了过去人们所向往的纽约地铁和莫斯科地铁。毫无疑问,“全球最安全”的城市轨道交通是中国交通强国建设的当然目标之一。

城市轨道交通列车运行在相对狭窄的空间里,速度快、运量大,人员密集,一旦发生事故,疏散、救援十分困难,极易造成生命财产的巨大损失,并产生重大的社会负面影响。因此,城市轨道交通安全已成为我国政府监管的重点之一和安全研究的重点之一,应谨记唯有遵循法治、依靠科技进步才是通向安全的根本途径。

国际上,美国、英国、欧盟成员国等发达国家,在城市交通建设和管理中已经用技术法规、技术规范和标准建立了法制化的安全监管体系。例如:美国发布了《城市轨道交通系统州安全监管——最终规章》;欧盟通过《铁路安全指令》,在成员国建立起统一的轨道安全监管体制;英国发布了《铁路和其他轨道交通系统安全条例2006》。由于我国目前尚无专门的城市轨道交通安全法规,因此发达国家有关轨道交通的安全法规,有以下几个方面可供借鉴和思考:

1) 城市轨道交通安全专门立法。中国仅发布一个全文强制性国家标准《城市轨道交通工程项目规范》(GB 55033—2022)和应时发布的政策性文件。其中显而易见的缺少法制要素,如安全主体、安全责任、监管机构、操作规范,特别是没有法规的必备要素——罚则。在一个充满技术复杂要素的行业,强调“强化防范措施”、落实责任时,应充分体现城市轨道交通的技术安全特性,并为高效执法提供充分的依据。

2) 建立专门的监管机构。美欧英所发布的法规都建立或明确了监管机构。监管机构负责落实轨道交通运营企业履行安全法规,审查运营企业的安全制度是否完善,并定期对其进行评估,督促轨道交通企业不断改进安全管理。我国企业只强调“管生产必管安全”,含糊不清的“管”模糊了监管机构和运营企业之间的区别。

3) 建立安全信息公开制度。美欧英等国立法规定:轨道交通安全信息公开。建立公布安全信息和统计数据是减少和调整媒体关切、缓和大众焦虑心态的有效途径,也是保障公众知情权的具体体现。在当今信息时代,安全信息公开,可为安全科学技术提供丰富资源和广阔研究前景。美欧英以信息为基础,基于安全理论和方法,依法建立安全指标、安全目标和安全方法,有效地提高了城市轨道交通的安全水平。中国城市轨道交通至今还没有要求运营企业公开安全信息。无人知晓实际的安全状态,安全研究自然处于无源之水、无本之木的较低水平。中国建立轨道交通安全信息公开制度,是时代的要求。

为坚持人民至上、生命至上的行为准则,为遵循依法治国方略,为实现城市轨道交通长治久安、保障每日数以亿计乘客的出行安全,为建设交通强国,加快构建城市轨道交通的新安全格局已刻不容缓,因为安全是高质量发展的基础;而新发展格局要由新安全格局来提供保障。

Accelerating the Establishment of New Urban Rail Transit Safety Deployment

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April 15, 2023 marked the eighth 'National Security Education Day' in China. On this day, guided by Shanghai Municipal Committee's Office for National Security and in collaboration with the Shanghai National Security Bureau, Shanghai Shentong Metro Group launched the 'Guoan Hao' (national security-themed) Train on Shanghai Metro Line 1. At 10:50 a. m. that day, the 'Guoan Hao' Train embarked on a 30-day journey from People's Square Station on Shanghai Metro Line 1. The train's exterior features the golden characters '国安号' (Guoan Hao; National Security); graphics such as 'Vast Mountains and Rivers', 'Great Wall of Steel', and 'Peaceful Dove and Auspicious Clouds' symbolize the nation's enduring stability and the people's harmonious living; the roof, spanning over 90 meters, depicts the 'Nationwide Harmonious Lives of the People', illustrating a peaceful China and a prosperous society, showcasing the remarkable achievements in coordinated development and safety made in the new era.

China's approach to modernization is uniquely characterized by its immense population. With a long-standing position as the world's most populous nation, China, with over 1.4 billion people, has collectively transitioned into a modern society. This population scale exceeds the combined total of the existing developed countries, constituting an unprecedented accomplishment in the history of human development. By 2022, China's urbanization rate had reached 65.2%, with the country boasting 21 super-sized and mega cities. In connection to this, China currently holds a prominent position on the global stage with at least five major cities featuring metro systems that rank among the world's tops in terms of operation mileage and passenger volume. This surpasses the renown of past benchmarks such as the New York City Subway and the Moscow Metro. Without a doubt, attaining the title of the "world's safest" urban rail transit system is among the paramount goals of China's ambitions to be a transportation power.

Urban rail transit trains operate within relatively confined spaces, with high speeds, large passenger volumes, and dense populations. In case of accidents, evacuation and rescue efforts become challenging due to these factors, leading to potential substantial loss of life and property, as well as significant negative societal impacts. Therefore, urban rail transit safety has become a key focus of government regulation and safety research in our country. It should be noted that adhering to the rule of law and relying on technological progress are fundamental pathways to ensuring safety.

Internationally, developed countries such as the United States, the United Kingdom, and European Union member states have established legal safety regulatory systems in urban transportation construction and management through technological regulations, specifications, and standards. For instance, the United States has issued the 'State Safety Oversight of Rail Transit Systems-Final Rule', while the European Union has established a unified rail safety regulatory system among its member states through the 'Railway Safety Directive'. The United Kingdom has enacted the 'Railways and Other Guided Transport Systems (Safety) Regulations 2006'. As China currently lacks specific urban rail transit safety regulations, there are several aspects that can be referenced and considered from the safety regulations of developed countries in the field of rail transit:

1) Special Legislation for Urban Rail Transit Safety. China has only issued a mandatory national standard 'Project Code for Engineering of Urban Rail Transit' (GB 55033—2022) and policy documents timely released. Noticeably absent are legal elements such as safety entities, safety responsibilities, regulatory bodies, operational norms, and notably, the essential component of regulations-penalties. In an industry filled with intricate technical aspects, when emphasizing 'strengthening preventive measures' and allocating responsibilities, the unique technical safety characteristics of urban rail transit should be adequately reflected, and a solid basis should be provided for efficient law enforcement.

2) Establishing a Dedicated Regulatory Body. Regulations issued by the US, Europe, and the UK have established or clarified regulatory bodies. Regulatory bodies are responsible for ensuring that rail transit operation enterprises comply with safety regulations, reviewing the adequacy of their safety systems, conducting periodic assessments, and urging continuous improvement in safety management. In China, enterprises only emphasize 'managing production means managing safety', and the vague term 'management' blurs the distinction between regulatory bodies and operating enterprises.

3) Establishing a Safety Information Disclosure System. Legislation in countries such as the US, Europe, and the UK mandates the public disclosure of rail transit safety information. Establishing and publishing safety information and statistical data is an effective way to reduce and adjust media concerns, alleviate public anxiety, and ensure the public's right to be informed. In the current era of information, public disclosure of safety information can provide abundant resources and extensive research prospects for safety science and technology. Based on information, safety theories, and methods, the US, Europe, and the UK have established safety indicators, safety goals, and safety methods in accordance with the law, effectively enhancing the safety level of urban rail transit. Up to now, there hasn't been a requirement for urban rail transit operation enterprises in China to disclose safety information. With no knowledge of the actual safety status, safety research remains at a relatively low level of productivity. The establishment of a safety information disclosure system for urban rail transit in China is a requirement of the times.

In adherence to the principles of people-oriented and life-oriented conduct, in accordance with the strategy of governing the country by law, and to achieve long-term safety and security in urban rail transit, ensuring the safe travel of millions of passengers daily, and building a strong transportation power, the urgency of accelerating the establishment of a new urban rail transit safety deployment is self-evident, because safety forms the foundation for high-quality development, and the new development pattern must be underpinned by a new safety paradigmatic framework to provide assurance.

(Translated by ZHANG Liman)