



CHANGES TO FEDERAL / STATE LAW & MEGAREGION PLANNING

Federal and state transportation laws form the foundation of domestic transportation policies. However, as currently drafted federal laws are not sufficiently developed to support a megaregion transportation regime and will require a formalized approach to be created so that MPOs and DOTs can scale efforts beyond traditional boundaries. This project forms part of a series of analysis of how megaregional planning can be achieved. It analyzed the United States Constitutional powers of spending, regulating commerce and preemption and provided recommendations for how federal law could be used to conduct megaregional planning at a federal level with recommendations for developing transportation policy.

This project provides a groundwork compendium focuses on federal constitutional powers and how they can provide a rationale for federal megaregion planning. The current federal transportation structure represents the individual interests of states, cities, and counties. However, it currently lacks the ability to address the nation's increasingly interconnected megaregions. To better address megaregions planning, the government must define the boundaries of existing megaregions, craft guidelines for how to connect them, and provide funding streams for megaregion planning and improvements.

Going forward, the Spending Power will continue to be the strongest tool the federal government can use to affirmatively shape American transportation planning and investment. Within the scope of its enumerated powers, the federal government can create the framework for 21st century megaregion development to occur at all levels of American government occur at all levels of American government.

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Assessing Changes to Federal and State Law for Megaregion Planning (#CM2-1)

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Project Information Form:

<http://sites.utexas.edu/cm2/files/2018/03/Year-1Lisa-Loftus-Otway-Assessing-Changes-to-Federal-and-State-Law.pdf>

Final Project Report:

<http://sites.utexas.edu/cm2/files/2018/03/Year1-HunnLoftus-Assessing-ChangesPart12.pdf>



TEXAS

The University of Texas at Austin

Preemption can be a powerful tool for allowing federal oversight of megaregions to prevail over insular local interests, supporting focused top-down planning.

Preemption, based on the supremacy clause of the U.S. Constitution, allows federal law to displace state law in any field in which it can constitutionally operate.