

## **“Lights, Sirens, and Liability: How Burnout Impacts Emergency Response Driving and Decision-Making”**

First responder apathy and burnout don't happen overnight, and more importantly, they don't stay harmless. They develop gradually in high-demand environments where call volume is relentless, staffing is tight, and recovery time is minimal. Over time, even highly motivated and experienced firefighters and EMS providers can begin to shift from engaged, proactive decision-makers to task-oriented responders simply trying to get through the next call.

That shift is where legal exposure begins to take shape.

Apathy and burnout become a liability issue the moment they affect decision-making, situational awareness, or adherence to standard of care. Courts don't evaluate whether a responder was tired, overworked, or mentally drained, they evaluate whether the actions taken met what a reasonable and similarly trained professional would have done under the same circumstances.

When complacency sets in, it often shows up in subtle but critical ways: Incomplete scene size-ups, failure to reassess changing conditions, skipping steps in patient assessment or fireground operations, delayed or absent decision-making, over-reliance on routine rather than critical thinking. But one of the most dangerous and often overlooked areas where burnout manifests is emergency response driving.

Driving under emergency conditions is not a routine task. It is a high-risk, high-liability operation that requires constant attention, discipline, and judgment. Yet, for busy responders running multiple calls per shift, it can become exactly that—routine.

That's where the problem begins.

Burnout and apathy behind the wheel often present as: Rolling through intersections without full clearance, excessive speed beyond what conditions justify, failure to adjust driving for traffic, weather, or visibility, overconfidence in lights and sirens “clearing the way,” reduced scanning and anticipation of civilian driver behavior, and treating transport or response as a time-pressure race rather than a risk-managed operation.

From a legal standpoint, emergency vehicle collisions are rarely defended successfully with “we were responding to a call.” Courts consistently focus on whether the driver operated the vehicle with due regard for the safety of all people, regardless of emergency status. Lights and sirens may grant certain privileges, but they do not eliminate responsibility.

This is where burnout becomes especially dangerous: A fatigued or disengaged driver is far more likely to default to habit instead of judgment. And unlike some fireground or EMS errors, driving mistakes often result in immediate, catastrophic consequences, serious injury, civilian fatalities, or multi-vehicle collisions. These incidents attract intense scrutiny and frequently lead to high-value litigation.

From a liability perspective, this expands exposure in several directions: Individual negligence for the operator, agency liability for training, policy enforcement, and supervision, policy violations related to speed, intersection control, or response protocols, and pattern evidence of prior near-misses or unsafe driving behaviors were known but uncorrected.

Just like with patient care or fireground operations, burnout does not excuse unsafe driving behavior. In fact, it can make it more predictable—and therefore more preventable.

Negligence in these cases often comes down to a simple question:

*Was this an unavoidable emergency response risk, or a preventable decision failure?*

If complacency, fatigue, or a “we run this all the time” mindset influenced the way that apparatus was operated, the legal argument becomes much harder to defend.

The reality is this: Burnout is human, but liability is legal.

Departments that ignore the operational and psychological toll on their personnel are not just risking morale and retention, they are increasing their exposure to litigation, especially on the roadway, where the public is directly impacted.

Mitigating that risk requires more than policy on paper. It demands: Strict adherence to emergency vehicle operator policies, reinforcement of intersection discipline and speed management, ongoing driver training and scenario-based evaluation, active supervision and correction of unsafe habits, and a cultural emphasis that arriving safely is part of the job, not separate from it.

Because whether it's on the fireground, in patient care, or behind the wheel—complacency is where liability begins. And on the roadway, it's often where it ends.