

**AFGØRELSE FRA  
ANKENÆVNET FOR BUS, TOG OG METRO**

**Journalnummer:** 2015-0092

**Klageren:** XX på vegne af A, B og C, Tyskland

**Indklagede:** Metroselskabet I/S v/Metro Service A/S  
**CVRnummer:** 21 26 38 34

**Klagen vedrører:** 3 kontrolafgifter á 750 kr. grundet manglende check-ind på rejsekort anonymt, da saldoen var for lav.

**Ankenævnets  
sammensætning:** Nævnensformand, landsdommer Tine Vuust  
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**SAGSFREMSTILLING:**

**Klagerens datter reklameret til indklagede:** Den 30. marts 2015

**Klagegebyr modtaget i ankenævnet:** Den 9. maj 2015

**Sagens omstændigheder:**

Klagerens datter og hendes to veninder, som alle er tyskere, besøgte den 30. marts 2015 i København, hvor de rejste med metroen. Som rejsehjemmel medbragte de et rejsekort anonymt som klageren havde købt til dem. Et rejsekort anonymt er et upersonligt rejsekort, som kan anvendes af ihændehabereren. Kortet kan ikke erhverves online. Ved rejsekort anonymt skal der være 70 kr. på kortet, som trækkes i forudbetaling ved check-ind. Dette gælder for hver rejsende, således at der ved check-ind af 3 rejsende skal være 210 kr. på kortet.

Efter metroen havde forladt Amagerbro st. var der kontrol af deres rejsehjemmel, hvor de foreviste rejsekortet, men dette var ikke checket ind.

De blev derfor henholdsvis klokken 10.54, 10.57 og 11.04 hver pålagt en kontrolafgift på 750 kr. På kontrolafgifterne noterede stewarden: "intet forevist".

Klagerens datter anmodede den 30. marts 2015 Metro Service om annullering af de 3 kontrolafgifter og anførte til støtte følgende:

"We are three students from Aachen. The father of one of us bought us an anonymous rejsekort. We used it today, but we did not know that there must be 70 kr. on it for everyone. This fact is not mentioned on the English website of rejsekort.dk. We were told that it is in the Danish version, but not the English! We could not have known this! We do not think that we made a mistake, because we tried to pay and we thought that it worked. We are first time visitors and first time users of the system."

### **Information indsendt af klageren om forudbetaling fra Rejsekortet.dk:**

#### **"Prepayment before every journey**

When you start your journey and check in, a prepayment is deducted from your Rejsekort account. The pre-paid amount depends on the type of Rejsekort and whether you are an adult, child, pensioner or young person/student. For example, the prepayment on a standard journey between Zealand, Funen, Central Denmark Region, Southern Jutland and Northern Jutland for an adult travelling on a Rejsekort Personal or Rejsekort Flex is DKK 25. If you take the same journey with Rejsekort Anonymous, the prepayment sum is DKK 600. **For journeys within one of these regions the prepayment with a Rejsekort Anonymous is 70 DKK.** Naturally, the card reader does not know your destination when you check in. The prepayment is charged to ensure that there is credit on your Rejsekort account to cover the cost of at least part of your journey. "

Metro Service fastholdt den 8. april 2015 kontrolafgifterne og anførte følgende:

"Thank you for contacting us.

You have received a fine on the Metro, because you did not check in correctly with your Rejsekort.

Like all other means of public transportation in the greater Copenhagen area, the Copenhagen Metro employs a self-service system, where the passenger is responsible for being in possession of a valid ticket before boarding the train.

Yellow call points are available at all our stations. These call points can be used in case the passenger requires assistance or guidance. The call point will connect the passenger directly to an operator in our control tower, which is manned 24 hours.

It is the customer's own responsibility to make him- or herself acquainted with our business terms, including the rules when travelling on a Rejsekort. You will find the Rejsekort travel regulations on the following website:

[www.rejsekort.dk](http://www.rejsekort.dk). Go to the blue banner at the bottom of the site for an English version. Furthermore, the Rejsekort vending machines at all stations has the feature of choosing the instructions in English. On these machines you are also able to check in your Rejsekort.

On the website [www.rejsekort.dk](http://www.rejsekort.dk) it is possible to get all the information about using the Rejsekort in English.

### Compare the different types of Rejsekort

There are three different types of Rejsekort to choose from. Compare the different types of Rejsekort here to see which type best meets your needs.

P =

Rejsekort Personal

F =

Rejsekort Flex

A =

Rejsekort Anonymous



<b>Card price</b>	<b>0 kr.</b>	<b>50 kr.</b>	<b>80 kr.</b>
<b>Prepayment</b>	<b>25 kr.</b>	<b>25 kr.</b>	<b>70 kr.</b>
<b>Prepayment (national)</b>	<b>25 kr.</b>	<b>25 kr.</b>	<b>600 kr.</b>

The balance on your Rejsekort did not make a Check in possible because of the required prepayment.

Considering the above, you will be charged the full amount of the fine, which we request that you pay as soon as possible. Enclosed you will find a new payment form. Further complaints can be directed to the Appeal Board for Bus, Train and Metro - [www.abtm.dk](http://www.abtm.dk) (information, protocols and previous rulings can also be found on the above mentioned website).

If we have not received a confirmation of a further complaint from the Appeal Board within three weeks from today, or received payment from you, our normal collection procedure will continue."

### PARTERNES KRAV OG BEGRUNDELSER OVER FOR ANKENÆVNET:

**Klageren:** Ønsker kontrolafgifterne annulleret og har til støtte herfor gjort følgende gældende:

"We are three students from Aachen, Germany. The father of one of us bought us an anonymous rejsekort. We used it, but when we were controlled, the controller said it didn't work because we

should have posted 70 kr. on the card for everyone of us. This fact is not mentioned on the English website of [rejskort.dk](http://rejskort.dk). We are told now by the telephone service that it is mentioned in the Danish version, but it is not mentioned in the English version. We are tourists and we do not read Danish. There was no way we could have known this. We do not think that we have made a mistake, because we did our best to pay. There was more than 140 kr. on the rejskort. We thought that we were doing the right thing and that we were legally using the metro. We are first time visitors to Copenhagen and first time users of the rejskort system.

After we complained officially about the fee, we received this reply:

"It is the customer's own responsibility to make him- or herself acquainted with our business terms, including the rules when travelling on a Rejskort. You will find the Rejskort travel regulations on the following website: [www.rejskort.dk](http://www.rejskort.dk). Go to the blue banner at the bottom of the site for an English version."

Obviously the person who has replied to our complaint did not read our complaint carefully. The English version does not mention the fact that we have to deposit 210 kr. on the card before using it. We can prove this with screenshots from the website. There was no way that we could have known this. We feel that since we actually deposited 140 kr. on the card and tried to use it, the fee of 750 kr. for each one of us would be unnecessarily hard. We have checked the webpage again. It still does not include the information:  
[http://www.rejskort.dk/koeb-rejskort/voksen/rejskort-anonymt.aspx?sc\\_lang=en](http://www.rejskort.dk/koeb-rejskort/voksen/rejskort-anonymt.aspx?sc_lang=en)"

**Indklagede:** Fastholder kravet om betaling af kontrolafgiften og har til støtte gjort følgende gældende:

"As other means of public transportation in the Greater Copenhagen area, the Metro is a self-service system, where it is the responsibility of the passenger to ensure holding a valid ticket, and being able to present it upon request.

In cases where a valid ticket cannot be presented upon request, the passenger must accept a fine, which currently is 750 DKK. This basic rule is a premise for the self-service system used in the Metro. This information can be found in the common travel regulations found on [www.m.dk](http://www.m.dk) as well as on the Information walls on all stations. The Information walls are all in both Danish and English language.

In the case in question the three complainants received a fine each, as they were not checked in on the anonymous Rejskort, presented to the steward. Unfortunately we have not got the Rejskort number, but apparently the balance was less than 210 DKK – the minimum balance needed to check in 3 passengers on an anonymous Rejskort.

The complainants claim having received the anonymous Rejskort from ones father, without being aware that the prepayment on an anonymous Rejskort is 70 DKK per passenger checked in. The complainants furthermore claim, that this information is not available on the Rejskort webpage. The information *is* however available on the Rejskort webpage – please see attached document "From Rejskort webpage.docx".

When performing an attempt to check in with insufficient balance, the display shows the message below, accompanied with a negative warning tone.



Even though the text in the display is in Danish, we are of the opinion that when both the OK is missing and a tone clearly signals that something is not correct, the complainants therefore must have known, that the check in did go wrong.

From the information boards available on the stations, the following information is available:

#### Travel card

When using a travel card in the Metro:

- Make a **Check-in** at the start of the trip on **The Blue Point**. **Check-in** is registered on the chip in your travel card, when the card reader returns a "ding" and an **OK** on the card reader screen.
- If you remove your travel card too quickly from **The Blue Point**, the chip is not registering your **Check-in**, and you will hear a "dong" and the message **Error. Please try again**.
- Make a **Check-in** whenever you change mode of transport
- Make a **Check-out** at the end of the trip and wait for the screen to show the cost of the trip and an **OK**.

If you do not make a **Check-in** at the start of the trip or when changing mode of transport, you do not have a valid ticket, and you risk getting a fine in accordance with applicable travel regulations.

If you forget to make a **Check out**, you will lose the prepayment.

Callpoints for contacting are available for use, if in doubt.

Information of callpoints are given at the information boards on each stations

#### Contact and further information

You can get additional assistance, by using the yellow dial locations that you find on both platforms and in the trains or you can use the info button on the ticket vending machine.

Alternatively [www.m.dk](http://www.m.dk) and the folder "Rejseregler" provide more information.

”

**Klager:** hertil har klager anført følgende:

"1) The Metro states that the web-page shows that we should have paid 210 Kr in advance on the anonymous rejskort. To support this, they send a detail of the webpage. However, if you look at that detail, you will see that it does not say that we should have prepaid 210 Kr. It says only that 70 Kr should be prepaid. It does nowhere state that this means "per person". We have asked three Danish friends to find the detailed instructions for the use of anonymous rejskort by more than one person. None of them were able to locate it on either the Danish or the English webpage. We therefore continue to maintain that it was completely impossible for us to know that we should have prepaid 3x70 Kr.

2) The Metro webpage has several pages and several sub-pages. The sub-pages again have several subpages. Despite their rather confusing structure, we actually made an effort before we visited Copenhagen to inform us in detail about the use of rejskort. We then asked our host in Copenhagen to buy such a card for us in advance. What the Metro asks us, the tourists, to do, is to study their complicated webpage, to understand the different signals of the login station, to further refer to a board of information, and to make a call to an information hotline. This may be legally correct, but is that, in its entirety, not a bit too much to ask from tourist who come for only 48 hours to Denmark?

3) We did in fact understand that something might be wrong, but we did not find out what was wrong. We therefore asked 7 or 8 Danish people at the station to help us. Their unanimous reply was: "This system is crazy. Everyone is complaining about it." We were time-pressed, because we had to catch a train at the main station. We therefore finally entered a metro train and directly went to a conductor who was on that train. That is: we contacted him, he did not "catch us". At no point did we try to cheat or hide.

In conclusion, we feel that although legally the Metro may be right (except for their claim about prepaying 210 Kr), we are actually victims of a half-baked system (this is apparently also what the Danish press is saying about the system). We strongly feel that 300 Euros is a disproportionately harsh fine for tourists/students who actually had made a lot of effort to do the right thing, starting with buying an anonymous rejskort for 80 kr. (non refundable) and depositing ca. 110 Kr on it.

We therefore kindly ask you to withdraw the fine, or to give us a fine that is proportional to what we feel was a very minor fault."

**Indklagede:** hertil har indklagede anført følgende:

"The forwarded details from a webpage is from [www.rejskort.dk](http://www.rejskort.dk)

The information about the balance must correspond to at least the prepayment of everyone that are checked in is also available:



# Group travel on your rejsekort

Check in and go

Check out and pay

Group travel on your rejsekort

Reload

Reload agreement

Repayment

How to use Online Self-service

Get your journey history

Rejsekort devices

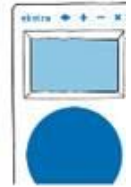
How to change the settings on your rejsekort

Free inspections

Rejsekort for the disabled

## Group travel on your rejsekort

You can check fellow passengers, a large dog or a bicycle in on your rejsekort. You can do this by checking in at a check in extra card reader or at a Rejsekort ATM. The check in extra card readers are almost identical with the normal check-in card readers. However, in addition to the display, there are four buttons on top of the reader. There are no check in extra card readers on buses. Here you have to ask the driver to help you check extra passengers in on your rejsekort.



Passengers travelling free of charge don't have to check in

Two children under 12 years of age can travel free of charge when they travel and are accompanied by an adult paying and travelling on a rejsekort. One child under 12 years of age can travel free of charge when travelling with another child paying and travelling on a rejsekort. Passengers travelling free of charge do not have to check in.

### NB

- ▶ Group travel is a temporary setting, which is cancelled when you check out. This means that you start on a new journey next time you check in after having checked out with a group.
- ▶ Any volume discount you may have earned will not be given to any fellow passengers you check in on your rejsekort.
- ▶ The balance sum on your rejsekort account must correspond at least to the prepayment for everyone you check in.

However the card owner / card purchaser should have informed you of these matters.

The complainant states, that "We did in fact understand that something might be wrong, but we did not find out what was wrong." We interpret this as the complainant chooses to board the train, knowing they did not have a valid ticket.

As mentioned in our previous reply, information is available on the information boards, that call points can be used for assistance.

It is also mentioned, that:

### Penalty

Remember it is your responsibility to have a valid ticket or travel card for both you and your potential companions. Lack of ticket or card and travelling during curfew (pensioners and/or bicycles) will per 1. January 2013 result in a penalty charge of 750 DKK per adult, 375 DKK per child/dog and 100 DKK per bicycle and onward travel in this period is not allowed. We refer you to [www.m.dk](http://www.m.dk) and the travel rules for applicable penalty charges.

Despite we understand the frustration from the complainants, we are still of the opinion, that the complainants did not carry out reasonable efforts for obtaining valid tickets prior to the journey, as they boarded the train knowing they did not have valid ticket for the journey."

**Til dette anførte klageren følgende:**

"Regarding the statement of the webpage "The balance sum on your rejsekort account must correspond at least to the prepayment for everyone you check in": When we called the Metro hotline immediately after we received the fine, the woman there was able to find such a remark on the Danish webpage, but she was unable to find the same on the English page. She said that she would notify her superiors about the missing passage. Thus, she was either unable to find it, like everyone else we asked, or it is there now only because we pointed it out to the Metro.

Regarding your statement that you still think we "did not carry out reasonable efforts," why do you than "understand the frustration from the complainants"? We have done so much, we simply don't understand how you treat your foreign visitors."

**Til dette anførte indklagede følgende:**

"We cannot answer, why the employee in the callcentre was unable to find the information on the web-page.

However we are still of the believe that the complainant was aware that they did not possess valid ticket prior boarding the train.

When stating: "We did in fact understand that something might be wrong, but we did not find out what was wrong.", the complainant should have done something to obtain either another ticket or assistance in order to get a correct check in on the rejsekort.

For Danish citizens as well as for tourists the same rules applies. Our way of handling this complaint is therefore treating visitors/tourists in the same way as anybody else.

We therefore maintain our claim towards the complainants for paying the fines of 750 DKK each."

**SEKRETARIATETS BEMÆRKNINGER:**

Udskrift af rejsekortets saldo på det omhandlede tidspunkt:



30-03-2015 11:04:46	30-03-2015 11:15:06	01-03-2015	Permanent ændring på rejsekort	64,00	0,00	
30-03-2015 10:42:25	30-03-2015 16:24:45	01-03-2015	Kontrolmærke	0,00	0,00	0,00
30-03-2015 10:41:35	30-03-2015 14:32:50	01-03-2015	Kontrolmærke	0,00	0,00	0,00
30-03-2015 10:40:56	30-03-2015 16:24:45	01-03-2015	Kontrolmærke	0,00	0,00	0,00
30-03-2015 10:40:42	30-03-2015 16:24:45	01-03-2015	Kontrolmærke	0,00	0,00	0,00
29-03-2015 20:23:42	29-03-2015 20:38:18	01-03-2015	Check ud	64,00	-58,00	70,00
29-03-2015 20:12:50	29-03-2015 20:23:23	01-03-2015	Check ind	6,00	0,00	0,00
29-03-2015 20:03:33	29-03-2015 20:23:17	01-03-2015	Check ind	6,00	70,00	70,00

## ANKENÆVNETS BEMÆRKNINGER:

Ankenævnet har tidligere anmodet Rejsekort A/S om oplysninger om, om det er muligt, at standrens tekst og lyd ikke svarer overens. Rejsekort A/S har svaret således:

”Rejsekortlæserne er konstrueret således at det i sammenhængen korrekte par af lyd og tekst anvendes.

Dvs. at f.eks. lyden for ”ok” anvendes sammen med teksten for ”ok” og lyden for ”afvist” anvendes sammen med teksten for ”afvist”.

Redegørelse vedrørende anvende par af lyd og tekster er tidligere fremsendt til Ankenævnet, hvori fremgår hvilke par, der anvendes og i hvilke situationer.

Spørgsmål kan ikke belyses nærmere på baggrund af de indsamlede data vedrørende spørgsmålet om hvorvidt der er foretaget og registreret checkind eller checkud, da der ikke foretages særskilt logning af anvendt lyd i forhold til tekst, idet kortlæserne er konstrueret således at lyd og tekst følges ad i de definerede par.”

### **Retsgrundlaget:**

Ifølge § 2, stk. 2, i lovbekendtgørelse nr. 1249 af 11. november 2010 om lov om jernbaner, gælder loven også for metroen. Af § 23 fremgår det, at transportministeren fastsætter regler om jernbanevirksomhedernes adgang til at opkræve kontrolafgift og ekspeditionsgebyr for passagerer, der ikke foreviser gyldig rejsehjemmel (billetter og kort).

I henhold til § 4 i bekendtgørelse nr. 1132 om kontrolafgifter af 08. september 2010, fastsætter jernbanevirksomheden bestemmelser om kontrolafgift i forretningsbetingelserne.

Fra de fælles rejseregler for Hovedstadsområdet:

#### 2.3 Generelle principper

Kunden skal ved modtagelsen af rejsehjemmel sikre sig, at det udleverede svarer til det ønskede.

Kunden skal have gyldig rejsehjemmel til hele rejsen. Det er kundens ansvar at sikre sig dette. Dette gælder også ved rejser med bus. Chaufføren udfører ikke systematisk billetkontrol, men kan give vejledning på kundens forespørgsel.

Rejsehjemmel giver ikke adgang til en bestemt afgang, medmindre dette fremgår af billetten, og der garanteres ikke en siddeplads. For visse tog kan DSB opkræve særlige tillæg. Dette vil fremgå af køreplanen for det pågældende tog.

Hvis rejsehjemlens tidsgyldighed udløber under rejsen, gælder den ikke længere end til førstkomende endestation. For rejsekort gælder dog særlige regler.

### 2.3.2 Særligt om rejsekort

Rejsekort, udstedt af Rejsekort A/S, kan benyttes som rejsehjemmel. Rejsekort skal være checket ind, inden rejsens start. Rejsekort skal også checkes ind hver gang der stiges ind i en bus, et tog eller i metro, og checkes ud ved rejsens afslutning. Det er kundens ansvar, at rejsekort er korrekt indstillet til den/de kunder, der rejser på kortet.

For rejser med rejsekort gælder reglerne i rejsekort kortbestemmelser og rejsekort rejseregler, jf. [www.rejsekort.dk](http://www.rejsekort.dk).

### 2.6 Kontrolafgift

Kunder, der ikke på forlangende viser gyldig rejsehjemmel, herunder korrekt ind-checket rejsekort til deres rejse, skal betale en kontrolafgift. Det gælder også, hvis kunden har købt rejsehjemmel via en mobil enhed, og denne er løbet tør for strøm eller gået i stykker.

Som kunde uden gyldig rejsehjemmel betragtes også kunder, der benytter kort med begrænset tidsgyldighed (f.eks. pensionistkort) uden for kortets gyldighedstid, eller hvis andre rejsetidsbegrænsninger ikke overholdes (f.eks. for hvornår cykler må medtages). Kunder, der rejser på andres personlige kort eller med en anden kundetype, end kunden er berettiget til, rejser også uden gyldig rejsehjemmel.

Kontrolafgiften udgør 750 kr. for voksne og 375 kr. for børn og hunde. (...)

Kunder, som ikke har checket rejsekort ind ved skift af transportmiddel, rejser også uden gyldig rejsehjemmel. I denne situation udgør kontrolafgiften 50 kr.

Kunden skal legitimere sig ved kørekort eller andet retsgyldigt dokument med foto og kvittere for modtagelse af kontrolafgift, hvoraf fremgår navn, adresse, fødselsdato og underskrift. Der kan foretages opslag i CPR-registeret til identifikation eller kontrol af kundens oplysninger. Kunden skal ved sin underskrift bekræfte rigtigheden af de angivne oplysninger.

Selskaberne kan nedsætte kontrolafgiften til 125 kr. mod samtidig betaling af den ordinære billetpris, hvis særlige forhold gør sig gældende. (...)

Selskaberne kan ændre størrelsen af kontrolafgifter og ekspeditionsgebyrer.

Selskaberne kan opkræve gebyr for at sende betalingspåmindelser. Betales gælden ikke efter en eller flere rykkere, overdrages fordringen til inddrivelse via SKAT. Ved overtagelse af gælden beregner SKAT sig et gebyr, der tillægges gælden.

Enhver indbetaling på kontrolafgiften anvendes først til dækning af eventuelle påløbne, ikke-betalte renter og gebyrer og dernæst til afdrag på selve hovedstolen.

## Fra Rejsekort kortbestemmelser:

### 1 Om rejsekort

#### 1.1 Hvad er et rejsekort?

Et rejsekort kan bruges til at betale for rejser, og når det er checket ind, tjener rejsekort som rejsehjemmel (billet) for rejser med transportmidler hos de trafikvirksomheder, der er tilsluttet rejsekortsystemet. Ved første check ind på hver rejse, trækkes en forudbetaling for rejsen på det anvendte rejsekort.

Et rejsekort kan ikke anvendes, hvis saldoen på kortet ved rejsens start ikke mindst svarer til størrelsen af forudbetalingen. Den til enhver tid gældende forudbetaling kan ses på [www.rejsekort.dk](http://www.rejsekort.dk) under "aktuelt prisblad for rejser".

Et rejsekort anonymt skal indstilles til "landsdækkende rejse" for at være gyldigt til rejser mellem landsdelene. Se om opdelingen i landsdele og hvordan kortet indstilles på [www.rejsekort.dk](http://www.rejsekort.dk).

Ved at gøre brug af rejsekort som rejsehjemmel accepterer kortihænderen at være underlagt både de rejseregler, som gælder specifikt for at benytte et rejsekort som rejsehjemmel (Rejsekort Rejseregler) og de regler, der gælder for benyttelsen af transportmidlerne hos de enkelte trafikvirksomheder (de tilsluttede trafikvirksomheders generelle rejseregler/forretningsbetingelser).(...)

### 2 Kortsaldo og tank-op

#### 2.1 Rejsekorts saldo

Et rejsekort har til enhver tid en saldo bestående af det beløb, der kan foretages rejser for. Rejsekorts saldo øges, når rejsekort tankes op, og mindskes, når rejsekort benyttes til at rejse med. Kortprisen, jf. afsnit 1.4, udgør ikke en del af saldoen.

Saldoen dækker ikke altid den fulde rejsepris. Dermed kan saldoen på rejsekort blive negativ. Kortindehaveren er forpligtet til straks at udligne en negativ saldo.

Et rejsekort kan ikke anvendes, hvis saldoen på kortet ved rejsens start ikke mindst svarer til forudbetalingen, jf. afsnit 1.1. Der henvises i øvrigt til Rejsekort Rejseregler.

### Fra rejsekort.dk english:

Ved søgning på den engelske version under FAQ fremkommer spørgsmålet:

## Check in and check out

- > General questions
- > Reload and reload agreement
- > Questions regarding prices
- > Self service
- > Miscellaneous

### Check in and check out

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Is a prepayment charged every time I check in during the same journey? >

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How do I know if I have checked in or out correctly? >

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Can I check fellow passengers in on my Rejsekort? >

You can bring fellow travellers, a dog or a bicycle with you when you travel using your Rejsekort. [Read more here.](#)

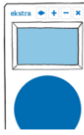
Herefter vises siden ved tryk på "read more":

## Group travel on your rejsekort

- > Check in and go
- > Check out and pay
- ▼ Group travel on your rejsekort
- > Reload
- > Reload agreement
- > Prepayment
- > How to use Online Self-service
- > Get your journey history
- > Rejsekort devices
- > How to change the settings on your Rejsekort
- > Fare inspections
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### Group travel on your rejsekort

You can check fellow passengers, a large dog or a bicycle in on your rejsekort. You can do this by checking in at a check in extra card reader or at a Rejsekort ATM. The check in extra card readers are almost identical with the normal check-in card readers. However, in addition to the display, there are four buttons on top of the reader. There are no check in extra card readers on buses. Here you have to ask the driver to help you check extra passengers in on your rejsekort.



Passengers travelling free of charge don't have to check in

Two children under 12 years of age can travel free of charge when they travel and are accompanied by an adult paying and travelling on a rejsekort. One child under 12 years of age can travel free of charge when travelling with another child paying and travelling on a rejsekort. Passengers travelling free of charge do not have to check in.

**NB**

- ▶ Group travel is a temporary setting, which is cancelled when you check out. This means that you start on a new journey next time you check in after having checked out with a group.
- ▶ Any volume discount you may have earned will not be given to any fellow passengers you check in on your rejsekort.
- ▶ The balance sum on your rejsekort account must correspond at least to the [prepayment](#) for everyone you check in.

**Den konkrete sag:**

Det fremgår af de fælles rejseregler for Hovedstadsområdet, at passageren som udgangspunkt bærer ansvaret for at sikre sig gyldig rejsehjemmel.

På et rejsekort anonymt er forudbetalingsbeløbet 70 kr. per person.

Klagerne kunne i metroen den 30. marts 2015 ikke forevise gyldig rejsehjemmel, da de ikke var checket ind på deres rejsekort anonymt.

På baggrund af oplysningerne fra Rejsekort A/S om, at der altid vises en tekst suppleret med lyd-signal ved korrekt check-in og check-ud, finder ankenævnet, at det er vigtigt, at passagerer med rejsekort vænner sig til ud over at lytte efter lyden om korrekt check ind tillige at kigge på standen, idet standerens display giver besked om korrekt eller afvist check-ind eller -ud, og om der er lav saldo på kortet, uanset at teksten er på dansk.

Klagerne har oplyst, at de havde indbetalt den krævede startsaldo, men det fremgår af udskrift fra historikken på rejsekortet, at saldoen alene androg 64 kr. Herefter kunne der ikke engang checkes én rejsende ind. Der har således ikke på skærmen forekommet teksten "ok" med lyden for korrekt check-ind, men derimod teksten "for lav saldo" sammen med lyden for manglende check ind.

De rejsende steg ombord på metroen, selv om de måtte være vidende om, at de ikke havde gyldig rejsehjemmel.

Kontrolafgiften blev dermed pålagt med rette.

Det er ankenævnets opfattelse, at turister må sætte sig ind i billetsystemet på forhånd, så de ikke under tidspres skal tage chancer og rejse uden rejsehjemmel. Den engelsksprogede informationen vedrørende prisen på forudbetalingen af check ind på et anonymt rejsekort findes tilstrækkelig, omend der skal foretages en række søgninger, før oplysningen fremkommer.

Det kan ikke føre til et andet resultat, at de rejsende ikke selv oprettede rejsekortet.

Ankenævnet finder på baggrund af ovenstående, at der ikke har foreligget sådanne særlige omstændigheder, at de rejsende skal fritages for kontrolafgifterne.

Ankenævnet træffer herefter følgende

**AFGØRELSE:**

Metroselskabet I/S v/Metro Service A/S er berettiget til at opretholde kravet om de 3 rejsendes betalinger af kontrolafgifterne på hver 750 kr. Beløbet skal betales inden 30 dage jf. ankenævnets vedtægters § 15. Metro Service sender et girokort til hver af de 3.

Da klagerne ikke har fået medhold i klagen, tilbagebetales klagegebyret ikke, jf. ankenævnets vedtægter § 26, stk. 4, modsætningsvist.

Hver af parterne kan anlægge sag ved domstolene om de forhold, som klagen har vedrørt.

Klageren henvises til at søge yderligere oplysning om eventuel bistand i forbindelse med sagsanlæg på [www.domstol.dk](http://www.domstol.dk), [www.advokatsamfundet.dk](http://www.advokatsamfundet.dk) og /eller eget forsikringsselskab om eventuel forsikringsretshjælp.

På ankenævnets vegne, den 4. januar 2015



Tine Vuust  
Nævnensformand