

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	2016-0215
Klageren:	XX på egne vegne og på vegne af de 3 medrejsende England
Indklagede:	Metroselskabet I/S v/Metro Service A/S
CVRnummer:	21263438
Klagen vedrører:	4 x 750 kr. i kontrolafgift for manglende check ind på rejsekort anonymt grundet for lav saldo. Var information tilstrækkelig?
Parternes krav:	Klageren ønsker kontrolafgifterne annulleret eller at kun han bliver på- lagt en kontrolafgift Indklagede fastholder alle fire kontrolafgifter
Ankenævnets sammensætning:	Nævnensformand, landsdommer Tine Vuust Asta Ostrowski Torben Steenberg Bjarne Lindberg Bak Alice Stærdahl Andersen

Ankenævnet for Bus, Tog og Metro har på sit møde den 7. marts 2017 truffet følgende

AFGØRELSE:

Metro Service er berettiget til at opretholde kravet om betaling af kontrolafgifterne på hver 750 kr.

Beløbet skal betales til Metro Service A/S, som sender et girokort til klageren og de medrejsende.

Da klageren ikke har fået medhold i klagen, tilbagebetales klagegebyret ikke, jf. ankenævnets vedtægter § 24, stk. 2, modsætningsvist.

- oOo -

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, www.advokatsamfundet.dk og /eller eget forsikringssselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren og hans ægtefælle er englændere med en søn boende i København. Inden udfasningen af klippekortene, anvendte de altid disse til rejse med metroen rundt i København, når de besøgte sønnen. Efter udfasningen af klippekortene foreslog sønnen, at klageren anskaffede sig et rejsekort.

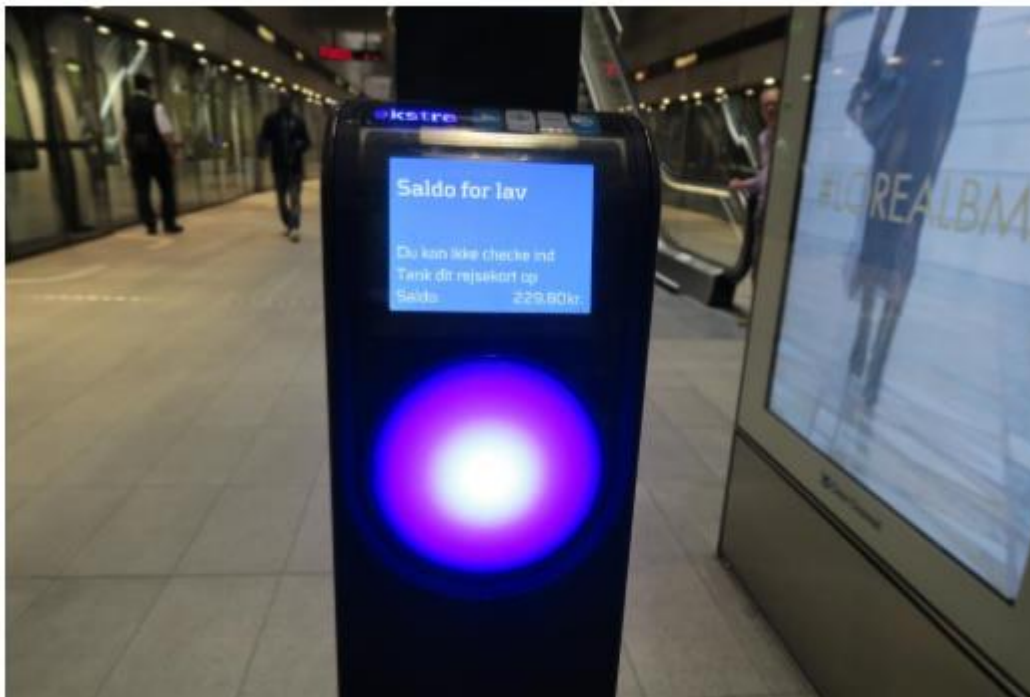
Klageren købte derpå i en kiosk på Nørreport st. den 17. december 2015 et rejsekort anonymt, hvor han ifølge klageren fik at vide, at der altid skulle være en saldo på 70 kr. for at checke ind. Sproget på rejsekortet var indstillet til engelsk, hvilket indebærer, at displayets tekst på rejsekortstanderne "det blå punkt" vises på engelsk og ikke dansk.

Den 10. august 2016 kl. 17:45 ankom klageren og ægtefællen til København med fly. Kl. 18:16 blev rejsekortet omstillet til dansk på en rejsekortautomat i Lufthavnen, hvorefter der blev checket 2 voksne ind kl. 18:43 mod Forum st. Baggrunden for dette var ifølge klageren, at han fik hjælp af en dansker til at fylde 200 kr. på rejsekortet, og denne person må have omstillet sproget til dansk, hvilket klageren ikke opdagede, før han blev gjort opmærksom derpå i forbindelse med den efterfølgende ankenævns sag.

Både den 11., 12. og 13. august 2016 checkede klageren 2 voksne ind på rejsekortet.

Klageren og ægtefællen mødtes herefter med et engelsk vennepar i København, som de den 14. august 2016 skulle rejse med metroen sammen med fra Kgs. Nytorv st. Saldoen på rejsekortet udgjorde på daværende tidspunkt 229,80 kr.

Da rejsekort anonymt kræver en saldo på minimum 70 kr. per person, der checkes ind på kortet, var det nødvendigt med en saldo på 280 kr., når der skulle checkes fire rejsende ind. Standerens display viste derfor på dansk følgende:



Da klageren og de tre medrejsende ikke forstod teksten, steg de om bord, uden at rejsekortet var checket ind.

Efter at Metroen havde forladt Nørreport st., var der kontrol af deres rejsehjemmel, og da rejsekortet ikke var checket ind, blev de hver pålagt en kontrolafgift på 750 kr. i tidsrummet kl. 17:10 – 17:16.

Samme dag anmodede klageren Metro Service om at annullere kontrolafgifterne med den begrundelse,

at han ved køb af rejsekortet af sælgeren havde fået oplyst, at saldoen minimum skulle være 70 kr., for at kortet var gyldigt,

at han checkede de fire rejsende ind velvidende, at den rejse, som de skulle foretage, kun kostede 12 kr. pr. person,

at saldoen var over 200 kr., hvilket var et godt stykke over de 70 kr., som var krævet, samt

at teksten på skærmen ved check ind blev vist på dansk, hvorfor de ikke vidste, hvad der stod.

Metro Service fastholdt kontrolafgiften den 8. september 2016 med henvisning til selvbetjeningssystemet, de gule opkaldspunkter og Rejsekort Rejseregler, hvorefter der på rejsekort anonymt kræves en forudbetaling på rejsekortet på 70 kr. per person, hvis check ind skal være muligt, samt at saldoen på klagerens rejsekort ikke havde gjort det muligt at checke fire rejsende ind.

ANKENÆVNETS BEGRUNDELSE:

Ankenævnet lægger til grund som oplyst af klageren, at han den 14. august 2016 på Nørreport st. fik ovennævnte skærbillede på rejsekortstanderen ved forsøg på check ind af fire rejsende på rejsekort anonymt.

Ankenævnet har fra Metro Service modtaget oplysninger fra Back Office om klagerens rejsekort, som bekræfter oplysningerne om, at saldoen udgjorde 229,80 kr., og at der ikke var checket ind på klagerens rejsekort, inden de fire rejsende steg om bord på metroen.

På baggrund af det anførte har ankenævnet ikke grundlag for at konstatere, at klageren havde checket sit rejsekort korrekt ind på den pågældende rejse, hvor kontrollen foregik, idet check-ind ikke var noteret på rejsekortet eller fremgår af oplysningerne i Back Office.

Det fremgår af Rejsekort Rejseregler, som var gældende på daværende tidspunkt, at rejsekort anonymt skal checkes ind ved rejsens begyndelse, og at det er passagerens eget ansvar at være checket korrekt ind.

Kontrolafgifterne for manglende check-ind blev derfor pålagt med rette.

Dette er et område med stor mulighed for omgåelse af passagerens pligt til at sørge for betaling af sin rejse, hvis det accepteres, at der er checket ind på rejsekortet, uanset at dette ikke er sket.

Ankenævnet bemærker, at klageren i dagene op til den 14. august 2016 flere gange havde checket to personer ind på rejsekortet. Det er derfor ankenævnets opfattelse, at klageren måtte være bekendt med, hvorledes lyden og teksten "OK" fremstod på kortlæseren. Klageren burde endvidere på rejserne foretaget efter den 10. august 2016, hvor sproget blev ændret til dansk, have været opmærksom på dette. Når korrekt check ind sker, vises teksten "god rejse" ud over beskeden "OK".

Da klageren forsøgte at checke de fire rejsende ind, fik han ikke den vanlige tekst eller den vanlige lyd for korrekt check ind, og klageren var herefter ikke berettiget til at antage, at der var foretaget et korrekt check ind, uanset at teksten fremkom på dansk. De rejsende tog derfor en risiko ved at stige om bord på metroen uden at have fået samme lyd og tekst som de foregående dage.

Som følge af det anførte har der ikke foreligget sådanne særlige omstændigheder, at kontrolafgifterne skal frafaldes.

Imidlertid finder ankenævnet på baggrund af det stigende antal klagesager fra ikke-dansktalende passagerer, som af den ene eller anden årsag har rejst uden gyldig rejsehjemmel, at Metro Service med de øvrige trafikvirksomheder bør sikre, at der ved salget af rejsekort anonymt gives de vigtigste oplysninger; herunder om minimumssaldoen per rejsende. Dette kan ske i form af en lille brochure på engelsk eller en henvisning til www.rejsekort.dk.

RETSGRUNDLAG:

Ifølge § 2, stk. 1, jf. § 3 nr. 3 i lovbekendtgørelse nr. 686 af 27. maj 2015 om lov om jernbaner, gælder loven også for metroen. Af § 14 stk. 1, fremgår jernbanevirksomhedernes adgang til at opkræve kontrolafgift og ekspeditionsgebyr for passagerer, der ikke foreviser gyldig rejsehjemmel (billetter og kort). Jf. § 14 stk. 4, fastsætter transportministeren nærmere regler om jernbanevirksomhedens adgang til at opkræve kontrolafgift og ekspeditionsgebyr, jf. stk. 1.

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

Trafikselskaberne i Hovedstadsområdet har vedtaget fælles rejseregler, hvori hjemmelen til udstedelse af kontrolafgift fremgår. Det anføres således bl.a., at passageren skal have gyldig rejsehjemmel til hele rejsen, og at denne skal kunne vises frem for kontrolpersonalet under hele rejsen, ved udstigning, i metroen indtil metroens område forlades, og i S-tog og lokalbanetog indtil peronen forlades.

Passagerer, der ikke på forlangende viser gyldig billet eller kort, herunder korrekt ind-checket rejsekort, skal betale en kontrolafgift på 750 kr.

Fra de dagældende Rejsekort Rejseregler:

"3.1.3 Rejsekort anonymt

Rejsekort anonymt kan du købe til disse kundetyper:

- Voksen (fra og med 16 år)
- Barn (under 16 år)
- Hund
- Cykel

Et rejsekort anonymt kan anvendes af hvem som helst, der har det i hånden. Du skal blot sørge for, at kundetyper på kortet er korrekt, dvs. at kundetyper svarer til den person, der rejser på kortet. Du kan ændre kundetyper midlertidigt i en rejsekortautomat, på udvalgte salgssteder eller i en bus. (Se afsnit 3.9-3.10.) Vil du ændre kundetyper permanent, kan det ske på udvalgte salgssteder

Du kan vælge en af de fire kundetyper³ ovenfor, når du ændrer kundetyper

. Vær opmærksom på at indstille

kundetyper rigtigt. Ellers rejser du uden gyldig billet, og du risikerer at få en kontrolafgift.

Du har ikke mulighed for at indgå en tank-op-aftale på et rejsekort anonymt, men skal tanke kortet op i en rejsekortautomat eller på udvalgte salgssteder

. Bemærk, at hvis du mister et rejsekort anonymt, kan du ikke få et erstatningskort, ligesom du heller ikke kan spærre et rejsekort anonymt.

3.3 Sådan checker du ind

Inden rejsen begynder, skal du holde dit rejsekort hen på Det Blå Punkt på en af de kortlæsere, der er mærket 'Check ind'. Når displayet viser teksten "God rejse", har du checket korrekt ind. Hvis displayet ikke viser teksten "God rejse", har du ikke checket korrekt ind. Prøv igen. Hvis du rejser med bus, skal du checke ind i bussen. Rejser du med tog eller metro, skal du derimod checke ind på en af stationens check ind-kortlæsere eller på en rejsekortautomat på stationen.

Når du begynder din rejse, skal saldoen på dit rejsekort altid som minimum svare til forudbetalingen. Ellers kan du ikke rejse på dit rejsekort. På rejsekort.dk kan se størrelsen på forudbetalingen for de forskellige kort- og kundetyper³.

3.3.2 Forudbetaling

Når du checker ind, bliver der trukket et midlertidigt beløb på dit rejsekort. Det beløb kaldes for 'forudbetalingen'. Ved check ud bliver prisen for hele din rejse beregnet. Hvis din rejse koster mindre end forudbetalingen, får du tilbageført det overskydende beløb til dit rejsekort. Hvis din rejse derimod koster mere end forudbetalingen, trækker vi det manglende beløb fra dit rejsekort.

Forudbetalingen sikrer, at der altid betales et beløb for rejsen, selvom du af en eller anden grund ikke får checket ud.

Har du et rejsekort anonymt, skal du være opmærksom på, at det skal opgraderes til 'Landsdækkende/Høj forudbetaling', når du rejser mellem områderne Sjælland inkl. Lolland-Falster, Fyn, Syddjylland, Midtjylland og Nordjylland.

Det kan du gøre i en rejsekortautomat eller i en bus.

Forudbetalingen kan også variere for forskellige kunde- og korttyper. På rejsekort.dk kan du se størrelsen på forudbetalingen for de forskellige kort- og kundetyper.

3.11 Når I rejser flere sammen


Du kan indstille dit rejsekort ved Check ind, så det gælder for mere end én rejsende. Det kan ske ved Check Ind Ekstra kortlæsere og rejsekortautomater på stationer og hos chaufføren. (Se afsnit 3.9-3.10.) Dine medrejsende kan være voksne, børn, hunde og cykler. Når dit rejsekort er indstillet, checker du ind som normalt. Vær opmærksom på, at der skal være penge på dit rejsekort til forudbetaling for alle rejsende.

..."

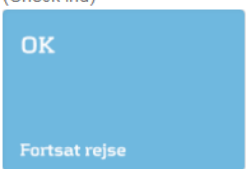
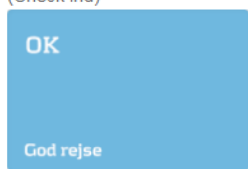

Fra www.rejsekort.dk:

Når du checker ind eller ud, vil du høre én af de tre lyde, der er vist herunder.

Til hver lyd findes forskellige skærmbeskeder, som vil forklare hvad lyden betyder.

▶ **Alt er OK** Hør lyd  Hvad betyder lyden? ▲

Disse skærmbeskeder vises på kortlæseren, når du hører lyden for

(Check ind)	▶ (Check ind)	(Check ud)
		
Vis mere om denne besked	Vis mere om denne besked	Vis mere om denne besked

Fra www.rejsekort.dk den engelske version:

How to use rejsekort

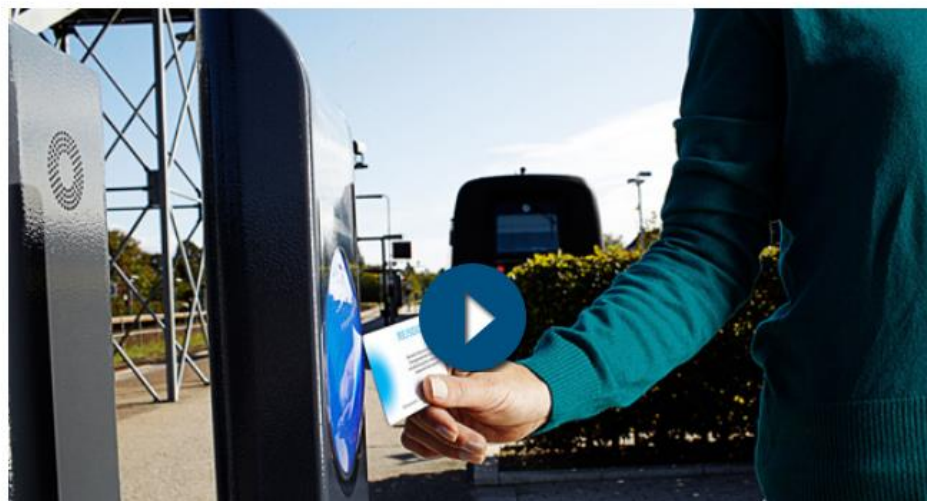
› Visitor to Denmark?

› **How to use 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
- › Rejsekort for the disabled

A new way to travel – Check in and check out

When using rejsekort travelling is slightly different than what you are used to. You have to check in when you start your journey and when you change between different means of transport en route to your destination – and you have to check out at the end of your journey. You check in and out at a card reader on stations and in buses. Click Play to view a brief introduction to travelling with rejsekort.



Prepayment

- > 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
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- > How to change the settings on your Rejsekort
- > Fare inspections
- > Rejsekort for the disabled

Prepayment before every journey

When you start your journey and check in, a prepayment is deducted from your Rejsekort account. The prepaid 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.

How it works

When you check out at the end of your journey, the prepayment is offset in the price of the journey. If your journey has cost more than the prepayment, the difference between your prepayment and the price of the journey is deducted from the balance on your Rejsekort. If your journey has cost less than the prepayment, the difference between your prepayment and the price of the journey is added to the balance on your Rejsekort.

For example:

You want to make a three-zone journey in the Copenhagen metropolitan area. Your journey costs DKK 19. When you start your journey, a prepayment of DKK 25 is deducted from your Rejsekort account. When you check out at the end of your journey, DKK 6 of the DKK 25 prepayment (DKK 25 less 19) is refunded to your Rejsekort account. You can see the price of your journey and the balance on your Rejsekort account on the card reader display screen when you check out.

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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

- > 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.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

"It is undisputable that I did not check in correctly, as the evidence shows. However, the substance of my original complaint stands, and does not appear to have been considered. I have since learned, by searching for 'Copenhagen Metro – Rejsekort system', that it is very poorly rated; widely regarded as overly complicated, particularly for tourists/others who use it for the first time or infrequently; that, from the Dkr millions in fines collected, and the punitive level of the fine (in my case Dkr750 – about 50 times the fare, for failing to check in correctly on a 2-stop journey, Kongens Nytor-Forum, it seems as much aimed at increased revenue from its user-unfriendliness; and that it makes no concession to users making genuine first-time – and in my case trivial in amount – errors. The more I think about it, the more genuinely put out I feel about the fine. In paying the Dkr160 to pursue my complaint, I feel I have made sufficient recompense for my mistake, have learned the lesson, and wish to hear no more of it.

1. Since 2005, my wife and I have visited Copenhagen at least twice/year to visit our son, his Danish wife and family, who live near the Forum Metro station. Until it was withdrawn, we used the 2-Zoner 10-clip card system for travel on Metro or Bus, mainly between Airport and Forum (1-return

journey per trip) or between Forum and Kongens Nytorv or Frederiksberg or Norreport. I still have one unused, and one partly used, 2zoner 10 clip card from 2014, which I am told I can reclaim. The point is that we ALWAYS travel with a valid ticket.

2. On our first visit after the 10-clip card system was withdrawn, my son suggested that I purchase a Rejsekort card, to avoid having to (sometimes queue to) purchase a ticket for each journey. This I did, from the Kiosk at Norreport Station. At the time, it was explained that I needed to have at least 70 DKr on the card for it to be valid for use (it was not stated that this was a per person amount); nor did I understand that any 'error' messages would be in Danish. Thereafter, I always ensured there were sufficient funds on the card. In particular, when departing for the UK, I ensured that the card had sufficient funds for use by my wife and I on arrival at the airport on our next visit.

3. On our latest visit (10-16 August), I added 200DKr to the card at Norreport on 11 August, at which time the card had 385.80 DKr value.

4. My wife and I used the card, on short single or 2-person journeys, between 11 and 14 August. The last 'valid' journey was by my wife and me, on the 2A bus, on 14 August, from Forum to City Hall. We went to meet friends who were also visiting from the UK, but staying at the Marriot Hotel.

5. As my son and his wife had invited us and our friends to dinner on the evening of 14 August, after shopping in town, we decided to travel by Metro from Kongens Nytorv to Forum. Accordingly, I checked in for 4 persons on the Rejsekort card, knowing that the card had over 200DKr of value, and that the journey cost would be 4x12 DKr, ie leaving well above the 70DKr I understood to be the minimum required.

6. Between Norreport and Forum stations, I was asked by one of two ticket checkers for my ticket/card. When I showed them the card, explaining that there were four of us travelling, I was told that there was no valid check-in/'ticket' for any of us to travel. When the card was checked, it was found to have 229 DKr of funds. It was explained that it needed to have 4x70 DKr of funds for four persons to travel. When we all got off at Forum station, I showed the ticket checker how I had input for 4-person travel check-in at Kongens Nytorv. He confirmed that this was correct, but that the reader showed – IN DANISH – which neither my wife nor I, nor our friends, understand, that the card had insufficient funds for our journey.

See the image above, which the ticket official helped me to take and which he himself said would present a strong case for any fine being dismissed.

We were then shocked to be issued with 4 x 750 DKr Fine Notices. In particular, compared with the previous 10-clip system, the Rejsekort system is particularly user-unfriendly for tourists who do not understand Danish.

7. In summary, my complaint is that I believe it to be unfair and punitive to have received initially 4 x 750 DKr fines (for which I am responsible as my friends trusted that I knew the system), now reduced to 750DKr, when we had more than sufficient funds on the card for 4 x 12DKr journeys, when I knew that there was over 200DKr on the card, and when the 'rejection' at Kongens Nytorv was in Danish. In these circumstances, and as regular visitors to Copenhagen who always travel with a valid card, I believe still that the level of the fine – in all 750DKr – is excessive and inappropriate, and consider that any further action by Rejsekort to pursue will be both counter-productive and administratively cost-ineffective.

We will continue to visit our son and his family in Copenhagen, and travel with a valid ticket as we are used to doing – now with the additional knowledge of the need to maintain 70 DKK per passenger on account – if we continue to use the Rejsekort card, or dispense with it in favour of one of the alternatives.

It might also be useful if the English-language messages are made more accessible on screens such as the one above, as currently the system appears to have been designed to take advantage of tourists like us.”

Indklagede anfører følgende:

“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 DKK 750,-. 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 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 complainant, his wife and 2 friends received a fine each, as they were not checked in on the anonymous Rejsekort, presented to the steward. As the complainant tried to perform a check in for himself and his company, the check in was unsuccessful as the balance on the anonymous Rejsekort was DKK 229,80 – the minimum balance needed to check in 4 person is DKK 280,00 (DKK 70,- per person).

The used Rejsekort has been bought at Nørreport station (DSB salgspoint) in 2015. We have no way of knowing nor are we able to find out exactly what has been said to the complainant when we bought the Rejsekort. We must assume that he was told, that the prepayment on an anonymous Rejsekort is DKK 70,- per passenger checked in.

The complainant says – and we can see from the history - that he obtained his Rejsekort from a previous journey to Denmark. We are therefore of the belief that the complainant has had plenty of opportunities to read about his anonymous Rejsekort on www.rejsekort.dk, and were the following information is available:

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- > Rejsekort for the disabled

Prepayment before every journey

When you start your journey and check in, a prepayment is deducted from your Rejsekort account. The prepaid 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.

How it works

When you check out at the end of your journey, the prepayment is offset in the price of the journey. If your journey has cost more than the prepayment, the difference between your prepayment and the price of the journey is deducted from the balance on your Rejsekort. If your journey has cost less than the prepayment, the difference between your prepayment and the price of the journey is added to the balance on your Rejsekort.

For example:

You want to make a three-zone journey in the Copenhagen metropolitan area. Your journey costs DKK 19. When you start your journey, a prepayment of DKK 25 is deducted from your Rejsekort account. When you check out at the end of your journey, DKK 6 of the DKK 25 prepayment (DKK 25 less 19) is refunded to your Rejsekort account. You can see the price of your journey and the balance on your Rejsekort account on the card reader display screen when you check out.

When the complainant bought the Rejsekort it was in English, which means that all text on the equipment (check in, check out etc.) was written in English.

Of unknown reason the complainant himself change the language on the Rejsekort August 10th, 2016 on a RVM in the airport.

RVM = Rejsekort Validation Machine.

The languages was done as a permanent change:

Rejsekorthistorik									
Rejsenr.	Dato	Kl.	Fra	Kl.	Til	Beløb kr.	Saldo kr.		
-	10-08-2016	18:16	Permanent ændring på rejsekort		Københavns Lufthavn.		217,80		
Konfiguration			Før	Efter					
Kortsprog			Engelsk	Dansk					
Korttype			Ikke defineret		Rejsekort anonymt				
Klik her for at se detaljerede transaktioner for denne handling									
Udskriv denne handling									
+	13	10-08-2016	18:22	Københavns Lufthavn.	18:43	Forum St.	-32,00	185,80	

Kundenavn
CPR-nr. /
Postnr.
Kortnr.
308430
Korttype
Rejs
Kortstatus

The complainant claims that he did not understand the messages in Danish in the display, and that he thought the message just showed the balance of the Rejsekort.

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. Especially as it was not the first time he made a check in.

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.

Call points for contacting are available for use, if in doubt.

Information of call points 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 and the folder "Rejseregler" provide more information.

We must point out that we do not take into consideration whether the lack of a valid ticket/enough zones is due to a conscious or unconscious act. Since we want to treat all passengers equally, we only consider the fact that it is the customer's responsibility - before boarding the train - to secure a ticket or valid card, which can be presented on demand.

Based on the above, we are still of the believe that the complainants cannot have been in doubt that the check in failed.

We therefore find the 4 fare evasion ticket correctly issued and maintain our claim of DKK 750,- each.

Finally we would like to draw the attention to earlier decisions made by the Board of Appeal in complaint case 2015-0092 and 2015-0113.

We find this cases very similar to the one in question and both cases has been declined in favor of the respondent company."

Hertil har klageren yderligere anført:

As stated elsewhere in my complaint, it is now obvious that I was mis-informed and inadequately advised on the conditions of use of the Rejsekort Anonymous card at the time of purchase. In support of this latest input re my complaint, I have now accessed the rejsekort website, and another site which came up from a web search, and where appropriate provide what I believe to be relevant extracts (which appear within ' ... ' marks, with my own comments (in bold), in what follows.

1. Extracts from www.rejsekort.dk/rejsekort:

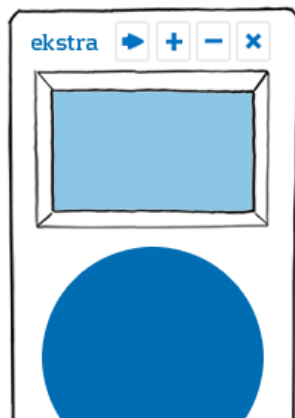
'If you are only in Denmark for a short period of time you can buy a [Rejsekort Anonymous](#). This type of travel card does not require an address or any personal details. The card costs DKK 80 (the card price is non-refundable). Please note that you must expect to add DKK 170 to the balance to cover the cost of travel. [Click here to see were you can buy a Rejsekort Anonymous](#).'

Comment: there is no mention here that there must be 70DKK on the card per person being checked in. When purchasing the card, I was told only that there must be a minimum of 70 DKK on the card for it to be valid for travel.

'Rejsekort Anonymous is ideal if you don't wish to give us your personal data when you order a rejsekort. You can share a Rejsekort Anonymous with others. If the card is lost or stolen, the card and the balance on the account will be lost. You get less discount on Rejsekort Anonymous than you get when you travel on other types of rejsekort. When you buy a Rejsekort Anonymous, you deposit a sum of money to cover the cost of travel. You cannot buy

Rejsekort Anonymous online. Rejsekort Anonymous is available from [selected points of sale](#).

‘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.’

Comments:

1. **there is mention that rejsekort anonymous can be shared with others – just as applied for the 10-clip 2-zoner system previously used by my wife and I. But again, there is no mention of the 70DKK/person requirement for the card to be valid for use for group travel.**
2. **My wife and found, when we first made a bus journey using the rejsekort anonymous, that the driver took responsibility from us to ensure that we were both correctly checked in – we had not hitherto been aware of this difference between Metro and bus travel using rejsekort.**

‘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.’

‘Prepayment before every journey

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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.'

Comment: No mention here that the requirement is for a 70DKK prepayment for every passenger checked in on a rejsekort anonymous card used for group travel.

In the circumstances which gave rise to the fine, with 229DKK prepayment on my rejsekort anonymous card, ie enough to cover the fares for 3 of the 4 passengers, it seems to me that, in the event that any fine is considered justifiable, it should be at most 1x750DKK applied to me.

'Fare inspections

The transport operators carry out Rejsekort fare inspections using specially designed hand-held devices. To read the Rejsekort travel regulations, click here. The individual transport operators' travel regulations are available on their respective web sites.

Your Rejsekort may be inspected by bus, train and metro staff carrying a hand-held terminal. Among other things, the inspector can see whether and where you checked in. After the inspection, the inspector attaches an inspection mark to your Rejsekort signifying that the inspection has been made.

Don't forget

Don't forget to check in every time you begin (or continue) a journey with a rejsekort. If you have not checked in, you are travelling without a valid travel document. If you meet an inspector en route to your destination, you will be fined for fare evasion. The same applies if you travel on a Rejsekort with an incorrect customer type (unless, of course, you travel on a more costly customer type, e.g. a child travelling on a Rejsekort with customer type set to Adult).'

Comment:

I was not concerned about the fare inspection which occurred when my friends and I were travelling between Kongens Nytor and Forum, because I believed we had checked in correctly, and knew that I had over 200DKK on the card.

Extract from universitypost.dk/article/rejsekort - how to use the puzzling Danish travel card

'Are you a part of the frustrated multitude, or are you a secret fan? The roll-out of the new Danish electronic travel rejsekort has not been a success by any measure.

Introduced in 2012, it was intended to smoothen the transportation of commuters, but complaints about the rejsekort have numbered approximately **500 complaints per day** between July and September this year.

It is unpopular and complicated. The Rejsekort company took home DKK 40 million in fines from the consumers for **forgotten check-outs between January and November 2014.**

On the international review platform for ecommerce Trustpilot the Rejsekort system consumers give it a **disastrous one out of five stars**.

Obviously lapses in information and efficiency exist.

Regardless of whether these complaints are from curmudgeonly travelers that despise change or **because of misinformation from the company** and too many 'out of order' machines, this guide will make you an expert in the recently changed Danish public transportation system.'

Comment: It is now clear that I was mis-informed, and also inadequately informed, on the use of the card at the time of purchase at the Norreport Rejsekort booth. There was a queue of people waiting for advice/support, so the staff on hand were, perhaps naturally, more focussed on avoiding too long a queue building up, or people having to wait too long. But for whatever reason, I WAS NOT ADVISED by word of mouth, or given a leaflet in English to read, or referred to look at a website, or to find instructions on the walls of Metro stations – and as a result, I assumed that there was no requirement to do so – wrongly thinking that the card was simple to use, as a direct replacement of the 10-clip 2-zoner card system which the rejsekort system replaced.

It seems to me facile and wrong for the system provider, in these circumstances, to assume that an anonymous rejsekort card purchaser, particularly one who is an occasional overseas, non-Danish speaking visitor, be held solely responsible for the genuine error which was the result of the above failings of the card issuer. There must also, surely, be a burden of responsibility on the Rejsekort system provider/operator to ensure that users are provided with relevant information on system. I believe that, as an individual consumer, I should have at least as much, if not more, right to make this assumption, as the system provider/operator has to assume that all users are adequately informed at the time of purchase of the card.

'Alternatives to rejsekort

...

Alternatively, you can purchase a **FlexCard** for 7 days (DKK 250 kroner) or 30 days (DKK 450). The greatest benefit of this card is that it is not a personal card and can in fact be shared between multiple people (although not on the same trip, obviously).'

Comments:

Had I known of this option on our first visit after the 10-clip 2-zoner card system had been withdrawn, I might have realised that this was more relevant to the needs of my wife and me; to date, our visits to Copenhagen have always been 7 days or less. However, as for the rejsekort anonymous, I do not know if I would have been adequately informed about the use of the card, applicable penalties etc.

When I made enquiries at the Norreport Rejsekort booth about a suitable replacement for the 10-clip 2-zoner card system which my wife and I had been accustomed to using, the alternatives – such as the 7-day Flexcard – were not explained to me. I believe that the Metro Service, in the interests of avoiding confusion, particularly for non-Danish speaking visitors, should always have on hand leaflets in the relevant language (at least English) which explain all the conditions of use, with references to websites/other sources of information.

På ankenævnets vegne



Tine Vuust
Nævnshoved