

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

- Journalnummer:** 24-0442
- Klageren:** XX på egne vegne og på vegne af kæresten YY
4200 Slagelse
- Indklagede:** Movia
CVR-nummer: 29 89 65 69
- Klagen vedrører:** Kontrolafgift til dem hver på 1.000 kr. grundet manglende check ind på Rejsekort
- Parternes krav:** Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at billetappen ikke virkede, hvorfor de begge ville checke ind på hendes Rejsekort, hvilket heller ikke kunne lade sig gøre, og derefter gik hun ned efter sin pung for at købe billetter hos chaufføren, men der var mange passagerer med kufferter, så hun nåede det ikke
- Indklagede fastholder kontrolafgifterne, da klageren samme morgen ved check ud fik meddelelse om for lav saldo, hvilket var grunden til det manglende check ind, og de havde befundet sig i bussen i 11 minutter og 6 stop uden at skaffe sig rejsehjemmel, da de blev kontrolleret
- Ankenævnets sammensætning:** Nævnensformand, dommer Lone Bach Nielsen
Vibeke Myrtue Jensen
Rolf Høymann Olsen
Helle Berg Johansen
Dorte Lundqvist Bang

Ankenævnet for Bus, Tog og Metro har på sit møde den 20. februar 2025 truffet følgende

AFGØRELSE:

Movia er berettiget til at opretholde kravet om betaling af kontrolafgifterne på 2X 1.000 kr.

Beløbet skal betales til Movia, der sender betalingsoplysninger til klagerne.

Da klagerne 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.

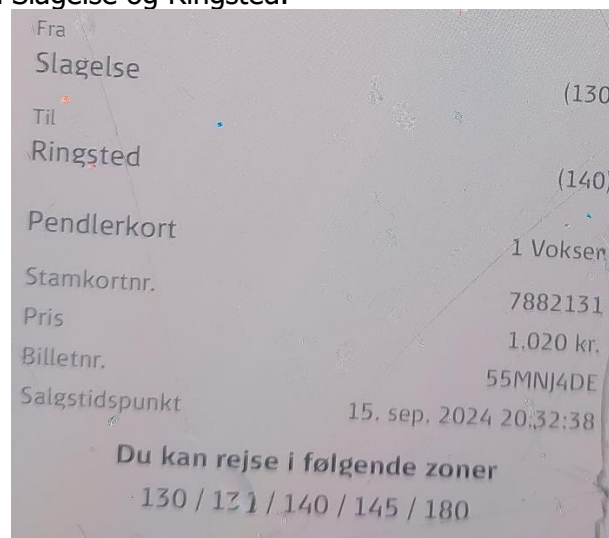
Klageren henvises til at søge yderligere oplysning om eventuel bistand i forbindelse med sagsanlæg fx på www.domstol.dk, www.advokatnoeglen.dk og /eller eget forsikringselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Ifølge klageren steg hun og kæresten den 27. september 2024 ombord på buslinje 5C i Kastrup Lufthavn, hvor klageren arbejder. Forinden forsøgte de forgæves at købe mobilbilletter i DSB-appen, men kunne ikke få det til at virke. Derfor besluttede de at ville checke dem begge ind på klagerens Rejsekort Anonymt. Men dette kunne de heller ikke få til at virke oppe i bussen. Klageren gik derfor efter sin pung i tasken for at købe kontantbilletter oppe hos chaufføren, men der var mange rejsende med kufferter og klapvogne, som gjorde det umuligt for hende at nå frem, inden der kom en kontrollør.

Ved stoppestedet Mosrosevej i zone 04, 6 stop og 11 minutter efter bussens afgang fra lufthavnen, var der steget kontrollører om bord.

Kontrolløren kunne se, at klagerens Rejsekort Anonymt om morgenen ved check ud var kommet ned på en saldo på 32,80 kr. Da der kræves 70 kr. pr. rejsende, i alt 140 kr., hvis de begge skulle være checket ind, var saldoen for lav, hvilket var baggrunden for, at det ikke havde været muligt at checke dem ind. Klagerens kæreste foreviste sit pendlerkort til kontrolløren, men dette var kun gyldigt til rejse mellem Slagelse og Ringsted.



Klageren og kæresten blev herefter hver pålagt en kontrolafgift på 1.000 kr. Klageren grundet manglende check ind, og kæresten grundet rejse uden for sit pendlerkorts gyldighedszoner. Dette klagede de over til Movia og gjorde gældende, som refereret ovenfor.

Movia fastholdt kontrolafgifterne, og anførte for så vidt angik mobilbilletter i app, at tekniske problemer med at købe billet kunne skyldes flere ting, som fx dårligt netværk, kundens manglende opdatering af appen, betalingskortforhold og problemer med Mobilepay. Movia skrev:

"We can understand that it can be upsetting to receive an inspection fee. Movia's ticketing system is based on self-service and it is therefore your own responsibility to have a valid ticket for the entire journey and to be able to present it upon request.

You inform us that you were not able to order a mobile ticket for your journey due to technical difficulties. Technical malfunctions can be caused by several factors like bad reception, the ticket app not being updated, payment card issues, problems with MobilePay, etc.

The rules regarding purchase of mobile tickets are very clear. Your mobile ticket needs to be received prior to entering the bus according to the joint national travel regulations. Unfortunately you cannot board the bus without a ticket - even if you try to purchase one after boarding.

If you experience problems purchasing mobile tickets, you must order a ticket somehow else before boarding the bus. You can buy tickets via DOT Billetter app, RejseBillet app, DSB app, via SMS 1415 or by using Rejsekort. Your Rejsekort had a low balance though at the time of your travel.

You can read the information at the bus stop on how to order tickets. At the airport you will also find ticket machines. You can also always ask the driver for guidance or purchase a cash ticket upon boarding. If you do not purchase a ticket in another way, you will need to exit the bus.

Since it was around 13 minutes from the bus left the airport until the ticket inspector entered the bus, we believe that you have had plenty of time purchase another ticket or exit the bus. You have not been able to show valid ticketing on the day in question. It is therefore correct, that an inspection fee has been issued."

Klageren indbragte sagen for ankenævnet, hvor Movia har fremlagt sagens logs.

Stoppstedsoversigt for buslinje 5C:

5C Københavns Lufthavn. - Herlev Hospital

Rute	Zone	Stoppsteder
Ellehammersvej Amager Strandvej	4	Københavns Lufthavn Skøjtevej Den Blå Planet Søvang Allé Kastruplundgade
Saltværksvej		Skottegårdsskolen Mosrosevej
Amager Landevej		Korsvejens Skole Randkløve Allé
Amagerbrogade		Willumsvej Vejlands Allé Sundbyvester Plads Smyrnavej
	3	



Bussens GPS:

#	Stoppested	Stopindikator	Pl. ank.	Pl. afg.	Obs. ank.	Obs. afg.
1	Københavns Lufthavn (42520)	● ●	16:00	16:00	16:00:26	16:02:01
2	Skøjtevej (1601)	● ●	16:02	16:02	16:05:54	16:06:08
3	Den Blå Planet (1602)	● ●	16:03	16:03	16:07:12	16:07:29
4	Søvang Allé (5499)	● ●	16:04	16:04	16:08:32	16:08:47
5	Kastruplundgade (5596)	● ●	16:05	16:05	16:09:49	16:10:09
6	Skottegårdsskolen (933)	● ●	16:07	16:07	16:11:42	16:11:55
7	Mosrosevej (52467)	● ●	16:08	16:08	16:12:56	16:13:18
8	Korsvejens Skole (792)	● ●	16:10	16:10	16:14:22	16:14:22
9	Randkløve Allé (793)	● ●	16:11	16:11	16:14:49	16:15:12

Klagerens rejsekorthistorik:

Rejsekorthistorik

Rejsenr.	Dato	Tid	Fra	Tid	Til	Beløb kr.	Saldo kr.
+ 32	27-09-2024	03:06	Slagelse St.	04:50	Københavns Lufthavn	-86,40	32,80
	27-09-2024	03:20	Kontrolmærke		Slagelse St.		32,80
	27-09-2024	16:14	Kontrolmærke		Linje : 5C Mosrosevej		32,80
	27-09-2024	16:15	Kontrolmærke		Linje : 5C Mosrosevej		32,80
	27-09-2024	16:16	Kontrolmærke		Linje : 5C Mosrosevej		32,80

Bussens Rejsekortstandere Check ind (CI) og Check ud(CU)

Vehicle 1602 @ 2024-09-27 16:08:00

		DC	0 (CU)	1 (CI)	2 (CU)	3 (CU)	4 (CU)	5 (CI)	6 (GCI)	7 (GCI)	8 (CU)	9 (CI)
Stop	Tid	111613	1334aa	135dce	134413	1336c8	133976	135c28	13f6fd	13f82d	131e8c	13361f
Københavns Lufthavn (42520)	15:58:22	0	0	1	0	1	0	0	0	0	0	0
Søvang Allé (5499)	16:08:38	0	0	1	0	0	0	0	0	0	0	0
Skottegårdsskolen (933)	16:11:55	0	0	0	0	0	0	1	0	0	0	0
Mosrosevej (52467)	16:13:12	0	0	0	0	0	0	1	0	0	0	0

De elektroniske kontrolafgifter:

Zone	004	Zone	004
Linje	5C	Linje	5C
Bus nummer (Gåseddel)	1602	Bus nummer (Gåseddel)	1602
Køretøjs nummer		Køretøjs nummer	
Endelig destination		Endelig destination	
Stop ID	52467	Stop ID	52467
Stop	Mosrosevej	Stop	Mosrosevej
Påstigning	27-09-2024 16:13:06	Påstigning	27-09-2024 16:13:06
Udstedt dato/tid	27-09-2024 16:17:41	Udstedt dato/tid	27-09-2024 16:24:11
Stået af	27-09-2024 16:25:20	Stået af	27-09-2024 16:25:20
Passager tal	37	Passager tal	37
Kontrol spørgsmål stillet	Ja	Kontrol spørgsmål stillet	Ja
Kunden har forespurgt chauffør	Nej	Kunden har forespurgt chauffør	Nej
Jeg har forespurgt chauffør	Nej	Jeg har forespurgt chauffør	Nej
Kort inddraget	Nej	Kort inddraget	Nej
Sprog	Dansk	Sprog	Dansk
Årsag	Rejsekort mgl. check ind	Årsag	Billet mgl. zoner
		Bemærkning	Kunden mangler zone. Kunden fortæller at han har prøvet at købe billet inde på DSB app. [REDACTED]

Check ud-standers besked ved for lav saldo. Hvis kortets sprog er sat til engelsk, vil teksten være på engelsk:



(eksempel)

Check ind-stander ved for lav saldo:

Saldo for lav	Balance too low
Du kan ikke checke ind Tank dit rejsekort op	You cannot check in Reload your Rejsekort

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Således som sagen foreligger oplyst, lægger ankenævnet til grund, at klageren ved check ud om morgenen den 27. september 2024 fik advarselslyden og -teksten om for lav saldo, og at Rejsekortet skulle tankes op, idet saldoen var kommet ned på 32,80 kr.

Klageren undlod at tanke kortet op, inden hun og kæresten besluttede at benytte Rejsekortet som rejsehjemmel for dem begge om eftermiddagen. Dette var baggrunden for, at der ikke kunne checkes ind, idet der krævedes en saldo på 140 kr. på Rejsekort Anonymt.

Klageren og kæresten befandt sig om bord på bussen i 11 minutter og 6 stop efter påstigning uden at skaffe sig rejsehjemmel på anden vis, hvorfor ankenævnet finder, at kontrolafgifterne blev pålagt med rette, og at der ikke har foreligget sådanne særlige omstændigheder, at kontrolafgifterne skal frafaldes.

RETSGRUNDLAG:

Ifølge lov om trafikkselskaber § 29 kan selskabet udstede kontrolafgift og pålægge ekspeditionsgebyr til en passager, der ikke på forlangende foreviser gyldig rejsehjemmel.

I de Fælles landsdækkende rejsereregler (forretningsbetingelser), som trafikvirksomhederne har vedtaget, præciseres hjemmelen til udstedelse af en kontrolafgift.

Det anføres således bl.a., at passagerer, der ikke på forlangende viser gyldig rejsehjemmel, herunder er korrekt checket ind på Rejsekort til deres rejse, skal betale en kontrolafgift på 1.000 kr. for voksne. Det gælder også, hvis passageren har købt rejsehjemmel via en mobil enhed, der ikke kan kontrolleres, f.eks. hvis denne er løbet tør for strøm eller gået i stykker. Det er passagerens ansvar, at rejsehjemlen er endeligt modtaget på den mobile enhed før påstigning.

I busser, hvor check ind sker om bord, skal check ind ske straks efter påstigning uden unødigt ophold, og inden passageren sætter sig ned.

Som passager uden gyldig rejsehjemmel betragtes også passager, der benytter kort med begrænset tidsgyldighed (f.eks. pensionistkort) uden for kortets gyldighedstid, eller hvis andre rejsebegrensninger ikke overholdes (f.eks. for hvornår cykler må medtages, eller om der er betalt metro-tillæg). Passagerer, der rejser alene på andres Rejsekort Personligt eller med en anden kundetype, end passageren er berettiget til, rejser uden gyldig rejsehjemmel. Kortindehaveren skal altid selv være checket ind på kortet på de rejser, hvor et Rejsekort Personligt benyttes.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

" Dear ABTM team I'm getting in contact with you regarding a problem I had in one of the Movia busses. Me and my boyfriend took a bus at the airport, (Københavns Lufthavn (Ellehammersvej) to Sundbyvester Pl., 10min ride) while we waited for the bus, we tried to buy tickets using the app, unfortunately it wasn't working. So I thought it wasn't a problem and I could use my Rejsekort to check in for both of us. Once inside, I tried to check in usng Rejsekort, for some reason it wasn't working, so I went back where we

seated and took some cash to pay the tickets from the buss driver. I also would like to mention that the bus came late and took awhile to leave as there was people carring suitcases and baby strollers.

It was one of those very long busses and we were seating on the back side because the bus driver didn't open the front door when we got inside, it was also very crowed as outside was raining heavily, and since it was a bus from the airport it was full of people with suitcasses, which make it hard to reach the bus driver, while I was trying to get to the driver, a Movia bus ticket inspector got in the bus right in front of me and asked me for our tickets, I explained the situation and he said he understood, but he has to issue the instec-tion fees anyways.

We explained also we both live in Slagelse, I work in Copenhagen airport, so I buy tickets everyday much more expensive that the 20kr (40kr both) the buss tickets would have costed, and my boyfriend works in Ringsted and has a pendlekort, so we know it's mandatory to buy tickets and we absoutely did not meant to travel for free.

We shown proof to the Movia ticket inspector that the app wasn't working properly and it leded to this issue, told us he understood the situation and wrote an internal note on the issued tickets so Movia could see it was not a fair reason to issue the tickets.

I also would like to mention that we have never got an inspection fee before because we have always pur-chased tickets in all public transport services.

This has never happened to us before.

I was travelling with [boyfriend]. His inspection fee ticket numer is 24[xxx]. His pendlekort number (stam-kortnr.) is 788[xx]. His rejsekort number is 308430 204 850 594 8.

I really would appreciate if you could look into this and waive those fees as they were issued under unfair conditions.

Indklagede anfører følgende:

" Movia hereby responds to the complaint regarding inspection fee 240[xx], issued in the bus 5C on the 27.09.2024. We enclose previous correspondence with the customer, as well as attachments. This case presentation also relates to the inspection fee 240[xxx], which was issued to [complainant's boyfriend], since her complaint deals with both inspection fees.

Movia maintains that the inspection fees are rightly imposed, and we do so on the grounds that [they] did not present any valid tickets on the inspectors' inquiry in the bus.

The cases relate to the fact that they made a journey from the airport without having ensured before boarding that the mobile tickets were received. In their complaints, they inform us that they tried to check in their Rejsekort with Anonymous settings. However, the balance was only at DKK 32,80 at the time of check in, which was less than half of the minimum limit for just 1 traveler. The couple decided to stay on the bus for 6 stops without acquiring tickets in any other way.

Cf. §.2.4.3 in the Joint National Travel Regulations a Rejsekort must be checked in immediately before the start of the journey, if it is to be considered as a valid travel document. If the card is not checked in, the cus-tomer has not paid for the journey and must accept a fine. As a user of Rejsekort, it is expected that the customer himself/herself often checks the balance to avoid situations like the one in question.

Cf. § 2.4.2 all mobile products must be received prior to boarding. That means, that the customer must en-sure that the actual ticket is ready to be presented before the boarding.

The Danish Transport System is based solely on self-service, and therefore it is always the customer's own responsibility to ensure that a valid travel document can be presented during the whole journey. Travel

documents imply among others check ins with physical cards, mobile tickets, cash tickets or digital check in apps. If the message low balance is shown during a check in attempt in the bus, the customer is forced to acquire another ticket. If another ticket is not purchased, the customer is in the risk of receiving an inspection fee.

The National Joint Travel Regulations:

2.2. Customer categories

It is the customer's responsibility to have a valid travel document issued for the correct customer category.

2.3. Purchase of travel documents

To be able to travel by train, bus and Metro, the customer must be in possession of a valid travel document.

2.4. Purchase of travel document

Public transport in Denmark is an open system with widespread self-service, and it is therefore always the customer's responsibility to have a valid travel document upon boarding, including by ensuring that the Rejsekort has been checked in correctly.

2.4.2. In particular concerning use of mobile products (delivered via text message or app) *It is the customer's responsibility to ensure that the travel document has been received on the mobile device before boarding. It is not sufficient that the order has commenced.*

2.4.3. Use of Rejsekort

Rejsekort, issued by Rejsekort Rejseplanen A/S, can be used as a travel document. A Rejsekort must be checked in before the start of the journey. For all means of transport for which check in takes place inside the means of transport, the customer must check in immediately after boarding, without any unnecessary delay, and before taking a seat.

If the customer does not adhere to the aforementioned check in rules, the customer will be deemed to be without a valid single ticket, which incurs an inspection fee.

2.6. Inspection of travel documents

If a valid travel document cannot be presented on request during inspection, it will not be possible to have to get a reduction or cancellation of an inspection fee by subsequent presentation of travel documents.

2.7.1. Inspection of travel documents

Customers who do not, when requested, present valid travel documents, including having checked in correctly on Rejsekort for their travel, must pay an inspection fee.

The inspection fee

The inspector boarded the bus 5C at Mosrosevej in the direction from the Airport at 16:13:06. When he scanned the couples Rejsekort during the inspection, he noticed that the card was not checked in due to low balance. As the couple did not have any other tickets, they were issued an inspection fee to each at 16:17:41 and at 16:24:11.

According to the two complainants, they boarded the bus at the airport 6 stops and 11 minutes earlier.

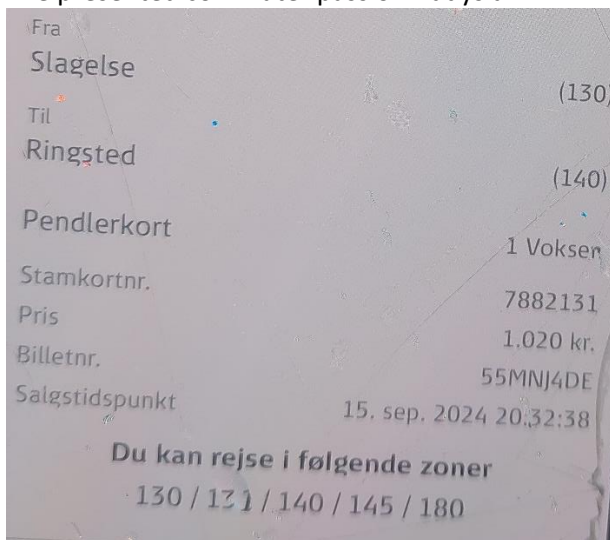
Where did you board the bus?: Ellershammervej (Airport)

Where did you get off the bus?: Sundbyvester Plads

Stop	Mosrosevej
Påstigning	27-09-2024 16:13:06
Udstedt dato/tid	27-09-2024 16:17:41
Stået af	27-09-2024 16:25:20

The reason for Patricia's fine was named "lacking check in" while Vladyslav's was named "lack of zones", as he presented a commuter pass only valid for an area on the western side of Zealand.

The presented commuter pass of Vladyslav.



Comments and decision


Movia finds it particularly relevant in the specific case that the couple stayed on the bus for 6 stops and 11 minutes.

According to the tour view of the bus, the bus departed from the airport at 16:02:01 and the bus reached Mosrosevej at 16:12:56 where the inspector boarded subsequently.

#	Stoppested	Stopindikator	Pl. ank.	Pl. afg.	Obs. ank.	Obs. afg.
1	Københavns Lufthavn (42520)	● ●	16:00	16:00	16:00:26	16:02:01
2	Skøjtevej (1601)	● ●	16:02	16:02	16:05:54	16:06:08
3	Den Blå Planet (1602)	● ●	16:03	16:03	16:07:12	16:07:29
4	Søvang Allé (5499)	● ●	16:04	16:04	16:08:32	16:08:47
5	Kastruplundgade (5596)	● ●	16:05	16:05	16:09:49	16:10:09
6	Skottegårdsskolen (933)	● ●	16:07	16:07	16:11:42	16:11:55
7	Mosrosevej (52467)	● ●	16:08	16:08	16:12:56	16:13:18
8	Korsvejens Skole (792)	● ●	16:10	16:10	16:14:22	16:14:22
9	Randkløve Allé (793)	● ●	16:11	16:11	16:14:49	16:15:12

The history of the Rejsekort:

Rejsekorthistorik

Rejsenr.	Dato	Tid	Fra	Tid	Til	Beløb kr.	Saldo kr.
	32	27-09-2024 03:06	Slagelse St.	04:50	Københavns Lufthavn	-86,40	32,80
		27-09-2024 03:20	Kontrolmærke		Slagelse St.		32,80
		27-09-2024 16:14	Kontrolmærke		Linje : 5C Mosrosevej		32,80
		27-09-2024 16:15	Kontrolmærke		Linje : 5C Mosrosevej		32,80
		27-09-2024 16:16	Kontrolmærke		Linje : 5C Mosrosevej		32,80

Kundenavn
Anonymt

CPR-nr. / CVR

Kundenr.

Kortnr.
308430 300

Korttype
Rejsekort anonymt

On the history of the Anonymous Rejsekort in question, we see that the balance reached 32,80 kr. after a journey earlier in the morning on the same day.

When the balance becomes too low after a journey, the card reader will emit a warning and the text “Low Balance” will appear. This is a reminder that you have to transfer credit to your Rejsekort before you commence a new journey.

The minimum balance for a Rejsekort with either Personal or Flex settings is DKK 25 and DKK 70 for a Rejsekort with Anonymous settings.

When a customer wants to travel with two persons on a card, the minimum balance must be doubled, which means that the balance would have had to be on at least 140 kr. for this anonymous card.

According to the terms and conditions for the Rejsekort Anonymous Cf. § 1.8.2, it is clearly stated that the bearer of this kind of card has a duty to regularly verify the entries of journeys including their price and the balance.

1.8.2 Rejsekort Anonymous

The bearer of a Rejsekort Anonymous has a duty to regularly and carefully verify the entries of journeys (historical journey data), their price and the card balance. Bearers of a Rejsekort Anonymous also have a duty to contact Rejsekort A/S (Rejsekort Customer Centre) as soon as possible, if such verification reveals any unauthorised or erroneous entries, or in case of journey prices which the Cardholder finds incorrect. On correct check out after the end of a journey, the price of the journey will appear on the card reader display. Cardholders may also verify the price of the past five journeys on a Rejsekort Vending Machine or by contacting a point of sale offering such service.

We have investigated the whole activity of check ins in the bus in question from the airport until Mosrosevej, where the inspector boarded the bus.

On the marked check ins, which is seen below, we see that 4 other passengers managed to check in during this journey, which indicates that check in was possible in the specific bus.

Vehicle 1602 @ 2024-09-27 16:08:00

		DC	0 (CU)	1 (CI)	2 (CU)	3 (CU)	4 (CU)	5 (CI)	6 (GCI)	7 (GCI)	8 (CU)	9 (CI)
Stop	Tid	111613	1334aa	135dce	134413	1336c8	133976	135c28	13f6fd	13f82d	131e8c	13361f
Københavns Lufthavn (42520)	15:58:22	0	0	1	0	1	0	0	0	0	0	0
Søvang Allé (5499)	16:08:38	0	0	1	0	0	0	0	0	0	0	0
Skottegårdsskolen (933)	16:11:55	0	0	0	0	0	0	1	0	0	0	0
Mosrosevej (52467)	16:13:12	0	0	0	0	0	0	1	0	0	0	0

Like other traffic companies, it is expected that the customer strives to buy a ticket in another way if the Rejsekort cannot be checked in due to either technical error, low balance, defective card reader or other problems. The customer can always ask the driver for guidance or buy a ticket in another way.

Extract from the appeal case

“Me and my boyfriend took a bus at the airport, while we waited for the bus, we tried to buy tickets using the app, unfortunately it wasn't working.”

Technical malfunctions can be caused by several factors like bad reception, the ticket app not being updated, payment card issues, problems with MobilePay, etc. All of these are outside the influence of Movia.

A customer knows easily when a ticket has been received or not. Therefore, boarding takes place at own risk if one is in doubt or even knows that the ticket has not been finally received. We will point out that it is not a condition that fraud or other deliberate evasion of payment has been involved in the reason for not having valid ticket before a fee is issued. The issuance is determined by whether the customer can present a valid ticket or not.

“So I thought it wasn't a problem and I could use my Rejsekort to check in for both of us. For some reason it wasn't working, so I went back where we seated and took some cash to pay the tickets from the buss driver.”

As presented, the cause for the lacking C/I was clearly due to low balance. We emphasize that the balance reached 32,80 kr. earlier the same day and we emphasize that the balance should have been more than double up just to check in 1 person.

“It was one of those very long busses and we were seating on the back side because the bus driver didn't open the front door when we got inside, it was also very crowed as outside was raining heavily, and since it was a bus from the airport it was full of people with suitcasses, which make it hard to reach the bus driver”

Based on the length of time the complainants were on the bus, we think that they had several options to either purchase a ticket in another way or leave the bus. Among other options they could have used The Dot app, SMS 1415, or Rejsebillet app. As it seems that both passengers, based on their mobile numbers, have a profile on the dot app, we find that they could at least have tried to purchase tickets using this app.

Movias conclusion

As the two complainants chose to continue their journey despite the too low balance on the Rejsekort, and despite not having acquired tickets in any other way, Movia considers that the fees are rightly imposed.

In this specific case, we are particularly concerned with the fact that they stayed in the bus for 6 stops and 11 minutes without obtaining a ticket and knowing that they had no tickets.

Movia also adheres to, that other customers during the journey from the airport to Mosrosevej were able to check in.

Movia does not take into consideration, whether the lack of a valid ticket is caused by intentional fraud, overlooking/forgetfulness or otherwise. An inspection fee is issued, when a costumer cannot present a valid ticket at the ticket inspection.

It is an area with a high risk of circumventing the rules on being able to present a valid ticket if it were accepted that you could travel on low balance without receiving a fee, since payment would not appear, and the traffic company would lose income.

Movia has not found any special circumstances that could have excused the couple from presenting valid ticket during the ticket inspection and therefore we maintain the inspection fees. ”

På ankenævnets vegne



Lone Bach Nielsen
Nævnformand