

## AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

**Journalnummer:** 25-0113

**Klageren:** XX  
2400 København NV

**Indklagede:** Movia  
**CVR-nummer:** 29 89 65 69

**Klagen vedrører:** Kontrolafgift på 1.000 kr. grundet manglende check ind ved at swipe i Rejsekort-appen inden påstigning på bussen

**Parternes krav:** Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at han checkede ind ved at swipe straks efter påstigning i den nye Rejsekort-app, da hans fysiske Rejsekort havde lav saldo, samt at det ikke er oplyst tilstrækkeligt tydeligt, at check ind med swipe i appen skal ske inden påstigning modsat det fysiske Rejsekort, hvor check ind i bussen skal ske straks efter påstigning

Indklagede fastholder kontrolafgiften

**Ankenævnets sammensætning:** Nævnshoved, dommer Lone Bach Nielsen  
Nikola Kiørboe  
Dorthe Thorup  
Helle Berg Johansen  
Dorte Lundqvist Bang

Ankenævnet for Bus, Tog og Metro har på sit møde den 7.maj 2025 truffet følgende

### **AFGØRELSE:**

Movia skal frafalde kontrolafgiften, og skal som tilsluttet selskab betale 10.000 kr. i sagsomkostninger til ankenævnet for behandling af sagen, jf. vedtægterne § 25, stk. 1 og 2.

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

-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](http://www.domstol.dk), [www.advokatnoeglen.dk](http://www.advokatnoeglen.dk) og /eller eget forsikringsselskab om eventuel forsikringsretshjælp.

## SAGENS OMSTÆNDIGHEDER:

Klagen angår en kontrolafgift på 1.000 kr., som klageren blev pålagt den 10. marts 2025 for manglende check ind inden påstigning på bussen.

Klageren var vant til at bruge fysisk Rejsekort som rejsehjemmel, men den pågældende dag var saldo for lav til check ind på hans fysiske Rejsekort og han anvendte derfor Rejsekort-appen, hvilket han kun havde gjort en enkelt gang tidligere.

Klageren var af den opfattelse, at man som med det fysiske Rejsekort, kunne stige om bord og først oppe i bussen swipe sit check ind i Rejsekort-appen.

Fra Rejsekort.dk:

”

### Start rejsen



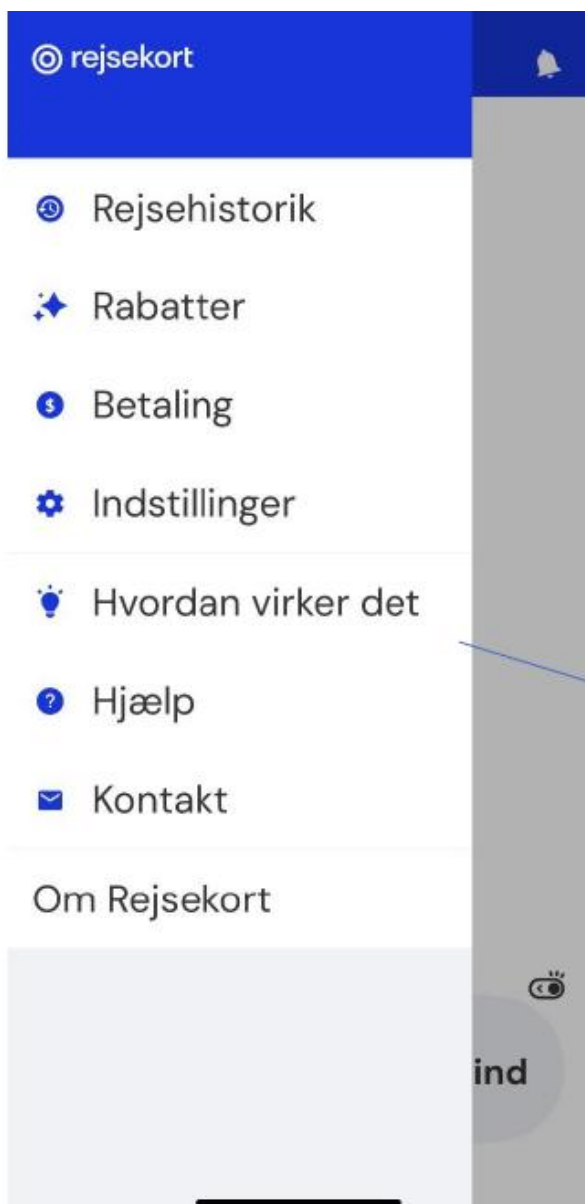
Når du står på stationen eller stoppestedet, skal du checke ind ved at swipe til højre. Det er vigtigt, at du checker ind, før du stiger ombord. Appen registrerer automatisk, om rejsen foregår med bus, tog, metro eller letbane.

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Når man åbner appen for at checke ind, får man nedennævnte som det første skærmbillede:



Hvis man trykker på de tre hvis linjer øverst til højre kommer følgende oversigt:



Først når man trykker på "Hvordan virker det", popper billedet til højre op med information om at checke ind ved at swipe inden påstigning.

Klagerens rejse foregik med buslinje 5C, og klageren steg ombord på bussen ved stoppestedet, Bellahøj, som bussen forlod kl. 11:02:04.

Klageren swippede sit check ind i Rejsekort-appen kl. 11:02:05.

Kontrolløren loggede sin påstigning på bussen kl. 10:58:30 ved stoppestedet, Brønshøj Torv, og var således ombord på bussen, da klageren steg på ved Bellahøj.

Kontrolafgiften blev udstedt kl. 11:05:23 med den begrundelse, at klageren ikke havde swipet sit check ind inden påstigning.

Klageren anmodede efterfølgende Movia om at annullere kontrolafgiften og begrundede det med, at han havde checket ind Rejsekort-appen ved Bellahøj og havde vist sit aktive check ind til kontrolløren. Han var derfor af den opfattelse, at der måtte være sket en misforståelse i kontrolsituationen. Klageren oplyste, at han ikke havde kunnet redegøre for dette over for kontrolløren i bussen, da han havde fået et panikanfald i situationen. Klageren henviste derudover til sin Rejsekort-historik fra sit fysiske Rejsekort, hvor det ville fremgå, at han har for vane at checke ind ved stoppestedet, Bellahøj, som er tættest på hans bopæl.

Movia fastholdt kontrolafgiften og begrundede det med, at klagerens check in i Rejsekort-appen var gennemført 1 sekund efter bussens afgang fra stoppestedet og dermed for sent jf. rejsereglerne.

Derfor har klageren indbragt sagen for ankenævnet, hvor han yderligere har anført, at han er af den opfattelse, at det ikke er tilstrækkeligt, at en så vigtig oplysning om, at check ind i Rejsekort-appen skal ske inden påstigning, ikke fremgår på første side i selve appen, men kun på rejsekort.dk, som Movia har henvist til.

Klageren har endvidere gjort gældende, at han har en psykisk lidelse, som var årsag til, at han var i en tilstand, hvor han ikke var fuldt bevidst om sine handlinger og handlede på "auto-pilot".

Bussens turhistorik:

Linje	Tur	Fra stop	Til stop	Stop nr.	Stop	EDDT	TADT	TDDT	AADT	ADDT
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1966	Kobbelvænget	10:43	10:53:53	10:54:02	10:54:15	10:54:32
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2008	Veksøvej	10:44	10:55:09	10:56:00	10:56:04	10:56:20
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2009	Astrupvej	10:45	10:57:10	10:57:21	10:57:15	10:57:34
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2010	Brønshøj Torv	10:46	10:58:09	10:58:30	10:58:20	10:58:34
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2012	Hyrdevangen	10:48	11:00:02	11:00:15	11:00:01	11:00:19
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2149	Bellahøj	10:50	11:01:34	11:01:46	11:01:41	11:02:04
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2150	Hulgårds Plads	10:51	11:02:43	11:02:58	11:02:46	11:03:25
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1968	Glasvej	10:53	11:04:31	11:04:42	11:04:37	11:04:59
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2151	Nørrebro St.	10:56	11:06:28	11:06:58	11:06:38	11:07:31
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1969	Nørrebrohallen	10:57	11:07:56	11:08:06	11:08:18	11:08:50

Kontrollørens logning i PDA (udstyr):

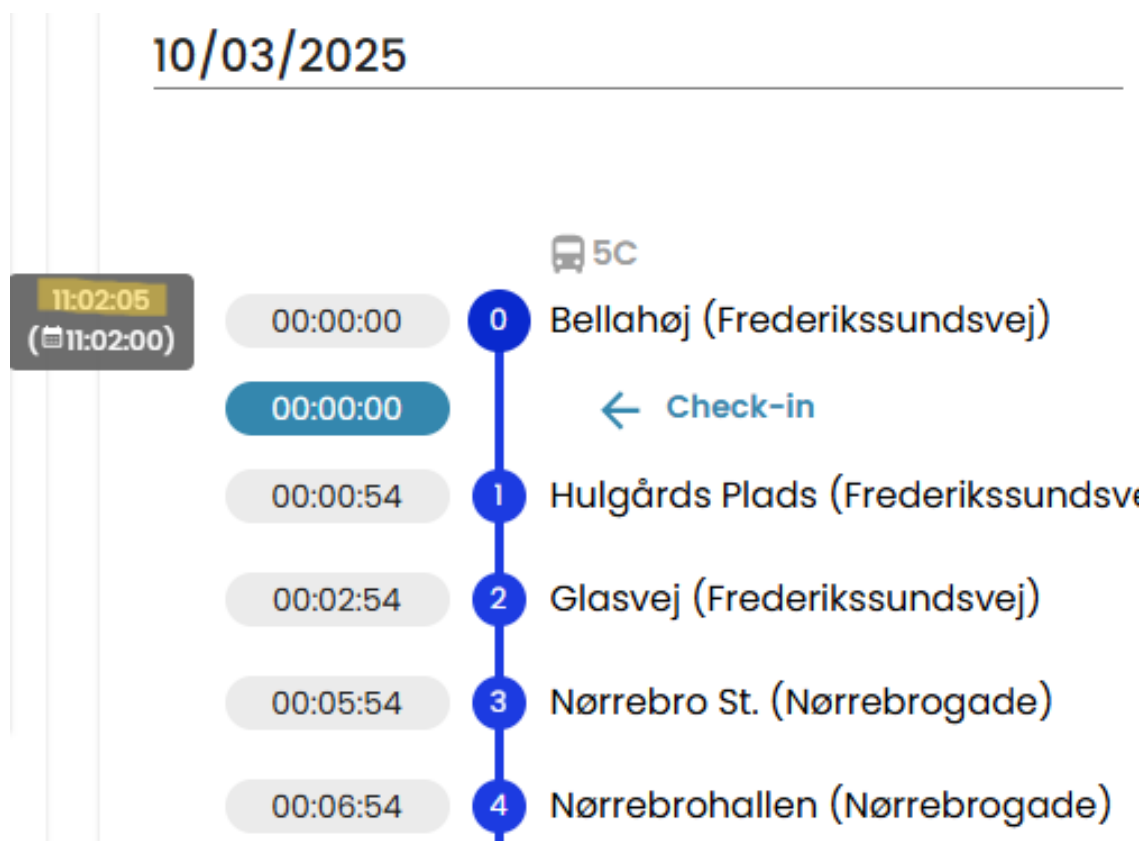
Stop	Brønshøj Torv
Påstigning	10-03-2025 10:58:30
Udstedt dato/tid	10-03-2025 11:05:23
Stået af	10-03-2025 11:43:34

Kontrollørens notat:

Kunde påstiger bussen ved Bellahøj, kunde de swiper efter påstigning, jeg forklare kunde rejsereglerne samt at man skal have købt og modtaget gyldig rejsehjemmel inden påstigning

10-03-2025 11:06:41

Rejsekorthistorikken for den pågældende rejse:



#### ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Når kunden benytter Rejsekort-appen, er kunden omfattet af de gældende vilkår for produktet. Check ind med Rejsekort som app skal ske inden passagerens påstigning, jf. de Fælles lands-dækkende rejseregler pkt. 2.4.

Der er således med Rejsekort-appen sket den væsentlige ændring i forhold til det fysiske Rejsekort, at check ind skal ske, inden kunden stiger om bord på bussen, hvorimod check ind på det fysiske Rejsekort foretages oppe i bussen på rejsekortudstyret.

Der skal i forbrugerforhold gives tydelige oplysninger til forbrugeren om væsentlige og byrdefulde vilkår. Ankenævnet finder, at det nye vilkår for brug af Rejsekort som app er byrdefuldt, når konsekvensen af ikke at have swipet i tide kan være en kontrolafgift på 1.000 kr.

Det er derfor ankenævnets opfattelse, at oplysningen til kunderne om, at de skal swipe deres check ind i Rejsekort-appen inden påstigning, er en vigtig og nødvendig oplysning for, at kunden kan sikre sig at have gyldig rejsehjemmel til rejsen.

Derfor bør informationen om at swipe inden påstigningen gives tydeligere end tilfældet er nu, og bør gives som det første, når kunden åbner Rejsekort-appen for at swipe. I stedet for den vigtige information om at swipe inden påstigning, bruges pladsen til et piktogram af nogle bygninger. Det er ankenævnets opfattelse, at der ikke umiddelbart er nogen særlig begrundelse for denne prioritering af informationen til kunden.

Som den nuværende udformning af appen er, er informationen om at swipe før påstigningen kun tilgængelig for kunden, når kunden aktivt vælger at klikke på de tre streger øverst til venstre, og derefter aktivt vælger underpunktet "Sådan virker det".

Rejsekort-appen anvendes allerede af mange kunder, og selskaberne bag Rejsekort-appen ønsker at antallet øges.

Ankenævnet modtager stadigt flere klager over kontrolafgifter, der er udstedt grundet manglende swipe i Rejsekort-appen inden påstigning. Ankenævnet tager dette som udtryk for, at kunderne *ikke* får tilstrækkelig tydelig information om at swipe inden påstigningen ved brug af appen.

Klageren swippede sit check ind 1 sekund efter, at bussen havde forladt stoppestedet og dermed blev kontrolafgiften i situationen pålagt med rette.

Men som følge af det anførte om den manglende information i Rejsekort-appen om kravet om check ind inden påstigning, finder ankenævnet, at Movia efterfølgende skulle have foretaget en konkret vurdering af sagen, herunder klagerens manglende erfaring med Rejsekort-appen samt hans historik med det fysiske Rejsekort, og derefter frafaldet kontrolafgiften.

Ankenævnet bemærker, at såfremt klageren havde rejst med sit fysiske Rejsekort, ville hans check ind have været registreret rettidigt, da han ifølge det oplyste foretog check ind 1 sekund efter bussens afgang, og inden han havde taget plads i bussen.

En generel omgåelsesrisiko imødegås ved en tydeligere forbrugerinformation. Der er desuden ikke risiko for konkret omgåelse, da klageren nu er vidende om, at check ind i Rejsekort-appen skal ske inden påstigning.

Ankenævnet bemærker, at Midttrafik informerer kunderne ved mærkater uden på bussen om, at check ind i den nye Rejsekort app skal ske ved at swipe inden påstigning.

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

I busser, hvor check ind sker via Rejsekort app, skal passageren swipe sit check ind inden påstigning, idet Rejsekort på app fungerer som mobilbilletter, der skal være modtaget på telefonen inden passagerens påstigning på bussen. Dette fremgår af tillæg til rejsereglerne af 9. april 2024:



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## Tillæg til Fælles landsdækkende rejseregler pr. 9. april 2024

Rejsekort & Rejseplan A/S lancerer pr. 9. april 2024 Rejsekort som app.

Rejser, der foretages med Rejsekort som app, vil være omfattet af ”Vilkår for Rejsekort som app, Gyldig fra 2. april 2024 (Version 1)” samt de Fælles landsdækkende rejseregler med nedenstående afvigelser:

### 2.4 Brug af rejsehjemmel

Det er kundens ansvar at sikre, at Rejsekort som app er checket ind (check ind sker i appen ved at swipe den grønne startknap til højre) inden ombordstigning.

#### 2.4.4. Brug af Rejsekort som app

Rejsekort som app kan benyttes som rejsehjemmel dog undtaget på Bornholm og mindre øer. Se rejser på [www.rejseplanen.dk](http://www.rejseplanen.dk).

Rejsekort som app skal være checket ind (Jævnfør oversigt over valideringsregler nedenfor) inden rejsens start og checkes ud efter rejsens afslutning. Der skal ikke foretages skifte-check-ind hvis der undervejs på rejsen stiges om til et andet transportmiddel.

Der er ved lancering af Rejsekort som app ikke mulighed for at medtage medrejsende på Rejsekort som app.

#### *Maksimumtid*

Maksimumtiden er det antal timer, som maksimalt må forløbe fra check ind på rejsen til check ud. Maksimumtiden er forskellig fra takstområde til takstområde. Se mere på [www.rejsekort.dk](http://www.rejsekort.dk).

Hvis maksimumtiden overskrides, vil kunden fortsat have gyldig rejsehjemmel, men betalingen for rejsen vil blive opdelt så der betales for to (eller flere) delrejser.

### 2.8. Misbrug af rejsehjemmel

Rejsehjemmel må ikke misbruges. Det betragtes eksempelvis som misbrug, hvis

- Man checker ind på Rejsekort som app efter påstigning
- Man checker ud, mens rejsen er i gang.

”

Fra [www.Rejsekort.dk](http://www.Rejsekort.dk):



## Kom godt i gang med at bruge Rejsekort som app

Du kan bruge appen på rejser, hvor du i dag er vant til at bruge dit Rejsekort. Få mere information i vores brugerguides og videoer.

Læs mere →

## Kom i gang med at rejse med Rejsekort som app



Inden du påbegynder din rejse, skal du checke ind i Rejsekort som app ved at swipe til højre.



Når du er checket ind, kan du se din billet ved at klikke på 'Vis billet'.



Sådan ser din billet ud. Du skal vise din billet i forbindelse med billetkontrol. Kontrolløren kan desuden forlange, at du skal vise ID.

”

### PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

"I am writing to formally appeal the fine issued to me by an inspector while traveling on bus 5C from Bellahøj (Frederikssundsvej) bus stop to Rådhuspladsen (Vesterbrogade) bus stop on the 10th of March 2025. I previously submitted a complaint to the company, but unfortunately, I did not receive a satisfactory response.

I boarded the bus at Bellahøj Station at 11:02 AM, which is the bus stop closest to my home address for 5C. You may verify my travel history through my physical Rejsekort (number: 308430 xxx xxx x). Due to my Rejsekort being out of credit, I used the Rejsekort app for the second time in my life to check in, which is an alternative method I rarely need to use. As the bus departed, the inspector boarded and requested my ticket. I showed her the app, which indicated that I was checked in and the time was actively counting. However, the inspector insisted that I had not checked in prior to boarding.

You can verify that I checked in at Bellahøj Station through the app's location tracking and the invoice reference (xxxxxx), which confirms that I checked in at that station.

Unfortunately, I was experiencing an acute panic attack at the time. For the past month, I have been struggling with severe anxiety. This can be confirmed by my general practitioner if you want evidence of medication issued to me on the 28th of february. As the inspector asked for my ID to issue the fine, I became confused and frightened. Her hand motion towards a button on her chest pocket, which I interpreted as a signal to security forces, further triggered my panic attack. I became too scared to respond and handed over my ID without fully understanding what was happening.

Afterward, I reviewed the situation and realized that I had a valid ticket. I subsequently sent an objection to Movia, attaching proof of my valid ticket and providing an explanation of the circumstances, along with other supporting documentation. In response, I received an email from Movia, which states:

"...The bus departed bus stop Bellahøj at 11:02:04 and your check in was not initiated until 11:02:05. You did therefore not check in before you got on the bus. ... You need to be checked in prior to entering the bus, according to the Joint National Travel Regulations. It is your own responsibility to have a valid ticket for the entire journey and to be able to show upon request. ... 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."

While I understand that the company considers even a 1-second discrepancy as a violation of the rules, I would like to clarify that, as previously mentioned, my Rejsekort was out of credit, and I used the app to check in, which is an acceptable payment method under the regulations. I was not aware of the specific requirement on the company's website that passengers must check in before stepping on the bus, as I usually do not need to use the online app and have primarily relied on my physical Rejsekort. Consequently, I was unaware of this precise detail, and my intention was never to violate any rules.

However, the timing of my check-in, which occurred just one second after the bus's departure, was a minor and isolated error. Given that I was in the process of checking in before the bus left, I believe this minimal delay should not be considered a violation of the rules.

The company's response suggests I did not have a valid ticket for the entire journey, but my check-in at Bellahøj serves as clear evidence that I did, in fact, have a valid ticket for the full journey. The fine was issued at 11:05 AM, which further substantiates that I was able to present a valid ticket at that time, as the app had already registered my check-in.

Furthermore, my travel history, both for this journey and all previous journeys, consistently shows that I have always had a valid ticket for my trips originating from Bellahøj. Since I began using the Rejsekort, I have consistently complied with all regulations. The discrepancy on this particular journey was a rare and unintentional error, and I have never had any previous violations or issues with my travel records. This demonstrates that I am committed to following the rules.

I kindly request that you reconsider the fine based on the circumstances outlined above. I hope you take into account my valid ticket, my health condition at the time, and my consistent history of compliance with the rules."

**Indklagede anfører følgende:**

"Movia thinks that the fee is rightly imposed, and we do so on the grounds that complainant, XX, did not present a valid ticket on the inspectors' inquiry in the bus.

On the day in question, he did not perform his digital check in until after the bus had departed the bus stop, which is contrary to the rules for the new digital check in app.

By purchasing the new app, the customer expressly agrees to the relevant conditions, which very importantly imply that check-in must take place before boarding, just as is the rule with regular mobile tickets.

Therefore, we refer to the Joint National Travel Regulations § 2.4.2 where it is stated that it is the customer's own responsibility to ensure that the travel document has been received before boarding.

In the case of digital C/i, this means that the C/i must be done before boarding. The rule differs from the physical travel card, where on buses you have the option of first entering the bus before checking in cf. § 2.4.3.

Movia also refers to the Joint National Travel Regulations § 2.4, where it says that the Danish Travel System is based on self-service exclusively. That means that a customer is responsible for carrying a valid ticket and the customer can present it during the whole travel. A traveler must ensure that the ticket is in accordance with requirements; hereby ensure that the ticket fits with the customer type and the valid time.

## **The Joint National 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**

*A Rejsekort must be checked in (see the list of validation rules below) 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

## 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.

#### Start rejsen



Når du står på stationen eller stoppestedet, skal du checke ind ved at swipe til højre. Det er vigtigt, at du checker ind, før du stiger ombord. Appen registrerer automatisk, om rejsen foregår med bus, tog, metro eller letbane.

## Inspection fee

On the day in question, the inspection team boarded the bus 5C at Brønshøj Torv at 10:58:30. Two stops later, at Bellahøj, complainant boarded the bus. The complainant agrees with this in his complaint.

**Where did you board the bus?:** Bellahøj (Frederikssundsvej)

The inspector confirms complainant's boarding point in her note, which also states that she sees the complainant swipe after boarding, after which she should have explained the travel rules to him.

Kunde påstiger bussen ved Bellahøj, kunde de swiper efter [REDACTED] 10-03-2025 11:06:41  
påstigning, jeg forklare kunde rejsereglerne samt at man skal have købt og modtaget gyldig rejsehjemmel inden påstigning

Complainant was issued a fine at 11:05:23, as he was not checked in prior to boarding.

Stop	Brønshøj Torv
Påstigning	10-03-2025 10:58:30
Udstedt dato/tid	10-03-2025 11:05:23
Stået af	10-03-2025 11:43:34

### Comments and decisions

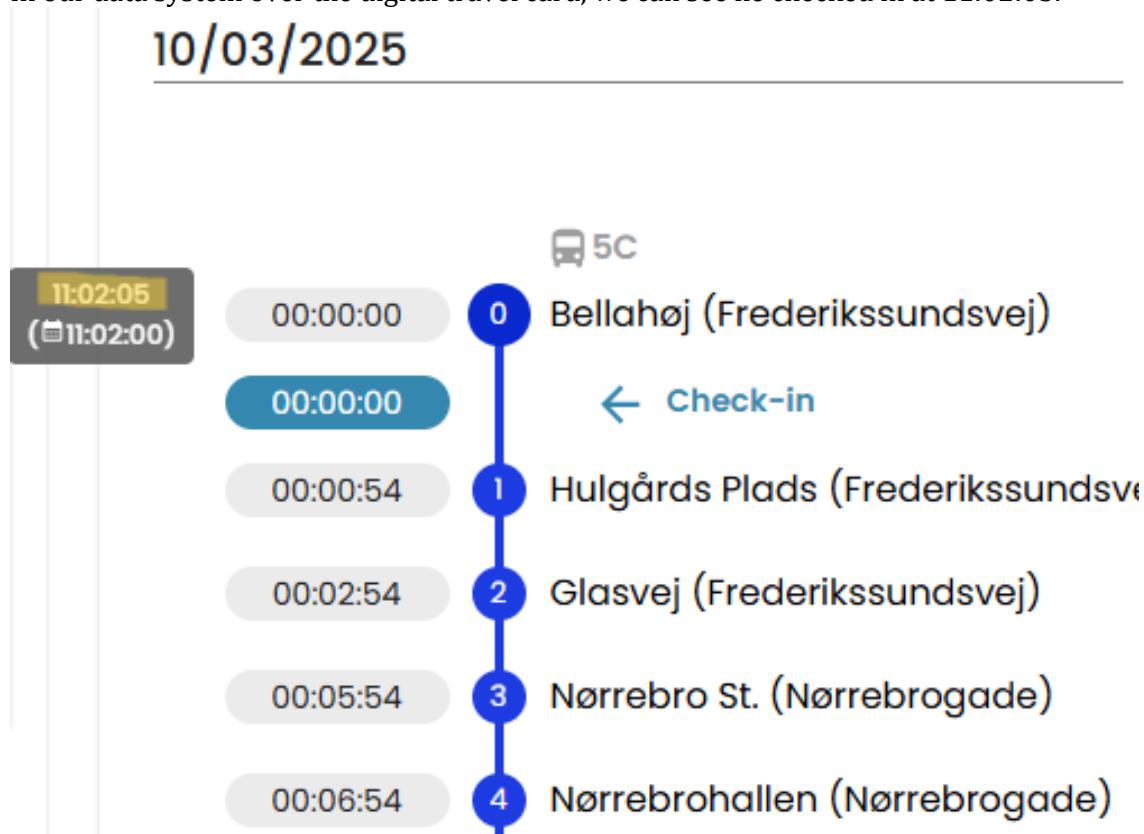
We read in the complaint that he believes that he checked in before boarding. We explained to him in our decision that he checked in after boarding while we presented the data. Nevertheless, he chose to appeal to the appeal board.

### Extract from the appeal case:

*"the inspector insisted that I had not checked in prior to boarding, which is not true."*

### **Data:**

In our data system over the digital travel card, we can see he checked in at 11:02:05.



The tour overview of the bus in question shows that the bus departed bus stop "Bellahøj" at 11:02:04.

Linje	Tur	Fra stop	Til stop	Stop nr.	Stop	EDDT	TADT	TDDT	AADT	ADDT
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5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1966	Kobbelvænget	10:43	10:53:53	10:54:02	10:54:15	10:54:32
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5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1968	Glasvej	10:53	11:04:31	11:04:42	11:04:37	11:04:59
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	2151	Nørrebro St.	10:56	11:06:28	11:06:58	11:06:38	11:07:31
5C	45	Herlev Hospital, Sløjfen	Københavns Lufthavn	1969	Nørrebrohallen	10:57	11:07:56	11:08:06	11:08:18	11:08:50

Based on the data, complainant made his C/I on the bus just after departure.

We refer to the Joint National Travel Regulations § 2.4.2:

**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.*

Movia's conclusion

As the bus left Bellahøj at 11:02:04, while the complainant checked in at 11:02:05, he checked in while he was on the bus.

No matter how big or small the number of seconds is, the rule is important to avoid customers only swiping if they see an inspector. Therefore, the rule is crucial to avoid payment evasion.

Boarding takes place at own risk if one is in doubt whether the digital C/i has been finally done before boarding. 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.

It is always the customers own responsibility to ensure that the digital C/I has been completed before entering the bus. Only when having ensured that the C/I has been done correctly, a customer should board the bus.

In situations where valid tickets cannot be presented upon request, it is expected to pay a fine. This basic rule is a prerequisite for the self-service transport system, which takes place in the Capital area.

Since the data clearly shows that complainant checked in after the bus had departed from the stop, Bellahøj, we believe that the fee has been rightly imposed."

**Til dette har klageren gjort gældende:**

"Thank you for informing me of the appeal board's decision, which, unsurprisingly, favors the transport company. I also appreciate the advice to withdraw my complaint to receive a reimbursement of the complaint fee. However, I must stress once again that I firmly believe this fine was



wrongly imposed. There are several key points that the company has failed to address or take into account.

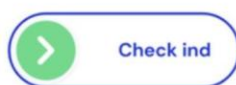
First, the company's email referred to the rule under "2.7.1. Inspection of Travel Documents" with a screenshot, which, as you can see, includes information explaining why passengers must check in before boarding. However, the screenshot provided is from the company's own system, which shows specific instructions. The image I received from my Rejsekort app on my phone does not include the same information on the check-in page. This glaring inconsistency suggests that the company is failing in its responsibility to ensure clear and consistent communication with passengers. There are two sets of rules being presented—one for the company staff, and another for customers—which is frankly a failure on your part to properly inform your users, especially the ones who are doing the things on an auto-pilot mode since they are going through severe anxiety crises with derealisation from the real world.

See first picture (from the company's own system) and the second picture (from my rejsekort account which is for passengers).

### ***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.*

Start rejsen



Når du står på stationen eller stoppestedet, skal du checke ind ved at swipe til højre. **Det er vigtigt, at du checker ind, før du stiger ombord.** Appen registrerer automatisk, om rejsen foregår med bus, tog, metro eller letbane.





As a passenger experiencing severe anxiety, I must add that this issue goes beyond a mere technicality. The company conveniently ignored my mental health situation, which, as I've mentioned before, played a significant role in this event. The impact of anxiety, including symptoms of derealisation (as I'll quote below from an academic resource that you can read in the attached pdf in the email), drastically impaired my ability to function in everyday situations. If this is not something the company can understand, I am happily providing more medical documentation to clarify this. For clarity, I am also including my doctor's report that details my condition, medication, and referral to Psychiatry under article 66 of the Danish Health System for emergency situations.

To explain further, before taking the bus, I had an appointment with my family doctor, which is evident from the medical report dated 10.03.2025. I was experiencing extreme anxiety, panic attacks, and derealisation, which caused me to be in a state of what can only be described as "auto-pilot." In this state, I was unable to process or act with full awareness of my actions. Therefore my friend, who took the bus at the same stop and checked in with a physical card, was assisting me. I am sure the camera footage of the bus will clearly show that my reactions to the fine were anything but typical. I kindly ask you to review these records carefully and assess whether my behavior can reasonably be attributed to someone in a state of good mental health. Is it truly appropriate for the company to impose such a fine without understanding the impact of such a health crisis on the individual involved?

To reiterate, I believe the following points were not adequately considered:

**1. The Rejsekort App:** The app does not display the same crucial information that the company has presented in its screenshot. It is the company's responsibility to ensure that all passengers have access to clear, consistent, and accurate information on the check-in page, in line with what the company itself has outlined in its own screenshot."

**2. Mental Health Consideration:** The company's total disregard for my mental health situation is nothing short of alarming. The rules should be communicated in a way that even individuals suffering from derealisation can understand them, particularly when they are operating in a state where even basic actions feel like they are being done on "auto-pilot."

Is the goal of these rules to make public transport safer and life easier both for passengers and the company or to complicate things for individuals already going through a mental health crisis? This is not merely about a 1-second discrepancy in check-in; it is about basic human understanding and compassion.

The fee has not been rightly imposed, and I feel like I am being treated like a robot rather than a human being with valid concerns. I again request the appeal board to read my documents, reconsider this decision and revoke the fee."

### **Til dette har Movia gjort gældende:**

"Movia recognizes that some passengers have a harder time than others on public transport. However, we are not trained doctors and cannot take personal health circumstances into account in our assessments of cases.

The travel system is assessed at your own risk, which is why you as a customer should be able to check whether you can comply with the requirements. Our basic position is that you must be able to obtain a valid ticket if you are able to use public transport.

Movia has found data from the complainant's ticket in our own system, as he did not present anything during the ticket inspection, as per the case. We have therefore had to investigate his check-in ourselves, as he did not present anything other than his health insurance card."

### **Til dette har klageren gjort gældende:**

"I recognise that the inspectors are not trained doctors and cannot understand the circumstances related to health. I also understand that they do not take health issues in their assessment of cases. However, this is a related issue in this case and this is why a trained doctor's report is in my documents.

I understand and respect the company's basic position that all passengers must be able to obtain a valid ticket for their journey. As I previously mentioned, I checked in on the rejsekort app (Account number: xxxx, Reference: xxxxx). When the inspector asked for my ticket, I showed her the app which was showing my check-in and then I presented my valid ticket based on her request. The reason why the inspector fined me was because I checked in 1 second late.

Movia sent a document that illustrates a screenshot of the check-in page from their own system. There was significant information under the check-in button, under the 2.7.1 Inspection of Travel Documents, which mentions:

*"Når du står på stationen eller stoppestedet, skal du checke ind ved at swipe til højre. **Det er vigtigt, at du checker ind, før du stiger ombord.** Appen registrerer automatisk, om rejsen foregår med bus, tog, metro eller letbane."*

However, the same information was not visible on the passenger app's check-in page when I was starting my journey, as I added the screenshot from my account. This crucial information should have been on my check-in page at the time when I was checking in. If this information wasn't there, how could I know the rule firsthand that I had to check in before stepping on the bus? This is why I checked in like how I was checking in with a physical card. I still believe that Movia did not provide me with the right information on the rejsekort app, such as how the check-in on mobile app can be navigated.

This is why I am requesting the appeal board to revoke the fine which I received from Novia. I have chosen to proceed with the appeal and this is my final decision despite the risk of losing the case and the fee."

### **Til dette har Movia gjort gældende:**

"We emphasize again that it is the responsibility of the user of an app to familiarize themselves with the terms and conditions.

You accept these yourself when purchasing.

A C/i is not to be considered valid, even if you have checked in during the inspection. C/i must be carried out before boarding, and thus also before the inspection starts.

Movia does not focus on the number of seconds, but on the fact that C/i has occurred before or after boarding.

We await the decision of the Appeals Board.”

På ankenævnets vegne



Lone Bach Nielsen  
Nævnshoved