

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

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| Journalnummer: | 25-0529 |
| Klageren: | XX Budapest |
| Indklagede: | Movia |
| CVR-nummer: | 29 89 65 69 |
| Klagen vedrører: | Kontrolafgift på 1.000 kr. grundet rejse uden billet |
| Parternes krav: | Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at hun havde glemt sin billet, der hvor hun var indkvarteret, men efterfølgende indsendte en kopi af den til Movia Indklagede fastholder kontrolafgiften |
| Ankenævnets sammensætning: | Nævnensformand, 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 17. juni 2026 truffet følgende

AFGØRELSE:

Movia er berettiget til at opretholde kravet om betaling af kontrolafgiften på 1.000 kr.

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

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

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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 forsikringssselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren, der er bosiddende i Ungarn, rejste den 6. november 2025 med Movias buslinje 2A i København. Efter det oplyste steg klageren på bussen ved Københavns Hovedbanegård.

Klokken 13:38:30 steg kontrolløren på bussen for at foretage billetkontrol. Ved kontrollen kunne klageren ikke forevise gyldig rejsehjemmel. Kontrolløren noterede på kontrolafgiften, at klageren oplyste at have glemt sin billet der, hvor hun var indkvarteret.

Klageren blev herefter klokken 13:42:02 pålagt en kontrolafgift på 1.000 kr. for manglende billet.

Klageren indsendte efterfølgende et billede af en City Pass-billet til Movia og anmodede om annullation af kontrolafgiften under henvisning til, at hun havde købt gyldig billet inden rejsen, men havde glemt den.

Foto af billetten:



Movia fastholdt kontrolafgiften med henvisning til, at billetten ikke blev forevist ved kontrollen, samt at den efterfølgende indsendte billet var en upersonlig billet, som ikke kunne knyttes til klageren.

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Ankenævnet lægger til grund, at klageren ved kontrollen den 6. november 2025 ikke kunne forevise gyldig rejsehjemmel.

Det følger af de fælles landsdækkende rejseregler, at passageren selv har ansvaret for at være i besiddelse af gyldig rejsehjemmel under hele rejsen og for at kunne forevise denne på forlangende.

Ankenævnet bemærker, at den efterfølgende indsendte City Pass-billet er en upersonlig billet, som ikke er knyttet til en bestemt person. Det er derfor ikke muligt efterfølgende at fastslå, om den pågældende billet tilhørte klageren eller blev anvendt af en anden person på kontroltidspunktet.

Ankenævnet finder på denne baggrund, at Movia var berettiget til at pålægge klageren en kontrolafgift, og at der ikke foreligger sådanne særlige omstændigheder, at kontrolafgiften skal frafaldes.

Forbrugerrådets repræsentanter udtaler kritik af kontrolafgiftens størrelse:

”Forbrugerrepræsentanterne finder, at kontrolafgifter over 750 kr. ikke står rimeligt i forhold til forseelsens omfang. Mange brugere af den kollektive transport pålægges kontrolafgifter, selvom de har forsøgt at betale korrekt, men har begået mindre fejl i et selvbetjeningssystem, der bliver mere og mere komplekst. Det er desuden bekymrende, at trafikskaberne – som monopolliggende virksomheder – selv fastsætter kontrolafgifternes størrelse. Dette giver selskaberne mulighed for at indføre kontrolafgifter, som ville være forretningskadelige, hvis der var reel konkurrence på markedet. Forbrugerrepræsentanterne indgiver derfor en mindretalsudtalelse vedrørende kontrolafgiftens størrelse. Denne udtalelse er en mindretalsbemærkning og er udtryk for forbrugerrepræsentanternes principielle holdning. Udtalelsen ændrer ikke afgørelsen i den konkrete sag og medfører ikke en nedsættelse af kontrolafgiften.”

RETSGRUNDLAG:

Ifølge lov om trafikskaber § 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. 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 rejsebegrænsninger 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:

"I purchased a valid public transportation pass for my stay in Copenhagen. On the second day, I accidentally left the pass at my accommodation. I took the bus believing I was covered by the valid pass I had already purchased. During the ride, an inspector asked to see my ticket. I explained that I had a valid pass but had forgotten it, and the inspector told me that I could appeal the fine by presenting the pass afterward. I submitted my appeal with proof of the valid pass, but it was rejected with the explanation that a ticket must be shown at the time of inspection. I believe this is unfair because I had already paid for valid travel, acted in good faith, and followed the inspector's instructions regarding the appeal process. The rejection contradicts the information I was given during the inspection.

I request that the fine be cancelled, as I had a valid pass at the time of travel and was acting in accordance with the guidance the inspector provided. I also hope the company will ensure consistent information is given to passengers regarding appeals when valid tickets cannot be shown during inspection."

Indklagede anfører følgende:

"Movia hereby responds to the complaint regarding inspection fee 25108733 issued on the bus 2A on 06.11.2025 for no ticket presented. We enclose previous correspondence with the customer, as well as attachments.

Movia maintains the inspection fee, and we do so on the grounds that she did not present a valid ticket on the inspectors' inquiry on the bus.

The case concerns complainant who traveled without a valid travel document and subsequently attempted to submit a City Pass as proof of entitlement. According to Section 2.6 in the Joint National Travel Regulations – Inspection of Travel Documents of the applicable travel rules:

"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."

City Passes are not personal tickets and cannot be linked to a specific passenger. Therefore, it is a fundamental requirement that travel documents be presented at the time of inspection. Submitting a City Pass after the fact with the purpose of having an inspection fee reduced or canceled does not comply with the rules, and a reduction or annulment cannot be expected under these circumstances.

Movia also refers to § 2.4 in where it is stated that any customer travelling in the public transport must agree with the Travel Regulations before departure. The transport system is an open system with widespread self-service, and it is the customer's own responsibility to carry a valid travel document. The customer must ensure herself that everything is in accordance with the requirements.

Joint National Travel Regulations:

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.

2.6. 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.

Inspection fee

The inspector entered the bus 2A at 13:38:30 on 06.11.2025 to make a ticket inspection on the bus.

According to complainant, she boarded the bus at Central Station, which was 2 stops earlier.

Where did you board the bus?: Hovedbanegarden

During the inspection, the complainant was only able to present an identity card. The inspector noted in the report that the passenger stated that she had forgotten her travel pass at home. The complainant therefore boarded the bus knowing that she did not have a valid travel ticket.

Her inspection fee was issued at 13:42:02.

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| Stop | Stormbroen, Nationalmuseet |
| Påstigning | 06-11-2025 13:38:30 |
| Udstedt dato/tid | 06-11-2025 13:42:02 |
| Stået af | 06-11-2025 13:51:45 |

The reason for the fee was titled “Ingen billet fremvist” – “No ticket presented”.

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| Årsag | Ingen billet fremvist |
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Comments and decision

As the complainant did not present any tickets at the time of inspection, we attempted to verify her profile in our system. Unfortunately, no profile exists in the DOT app, which is the platform through which City Passes are purchased.

The photo subsequently submitted by the complainant provides no identifying information, such as a phone number, email address, or name—information that is typically absent for non-personal tickets like City Passes. Consequently, Movia has no means of confirming whether the ticket actually belongs to the complainant or to another individual.



Requirement to Present a Valid Ticket at Inspection

Passengers are required to be able to present a valid travel ticket to a ticket inspector upon request at any point during their journey. This obligation applies regardless of the reason the ticket cannot be presented at the time, including technical issues such as low battery, screen problems, app updates, or other malfunctions.

It is not permitted to submit tickets after the fact to dispute or reduce inspection fees. This is particularly relevant for tickets that are not personal and can be used by multiple people, such as City Passes or other transferable products. Because these tickets cannot be linked to a specific individual, they must be presented at the moment of inspection. Allowing subsequent submission of such tickets would undermine the fundamental principles of the ticketing system.

If passengers were permitted to retroactively submit tickets that are not tied to a specific individual, it would open the system to abuse. People could travel on tickets belonging to friends, family, or others, knowing that they could later submit them to contest fines. Such a practice would drastically reduce revenue for the transport authority and compromise the integrity of the entire fare collection system. The rules are therefore designed to ensure that all passengers are accountable for presenting valid travel documents during inspection, maintaining both fairness and operational sustainability.

Movia refers to Section 2.6 in the Joint National Travel Regulations, which clearly states that no reduction or cancellation of an inspection fee can be granted by the transport company in cases where travel documents are presented after the inspection.

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.

Movias conclusion

At the time of inspection, the complainant was only able to present her national ID card. She had already boarded the bus without a valid ticket, which indicates that she was aware, at the time of boarding, that she was starting her journey without proper travel entitlement. This risk was therefore taken at her own responsibility.

When an inspection fee is issued, we have no reason to believe that it is anything but a regrettable mistake, but on the other hand, Movia has no way of assessing whether the missing travel document is due to a mistake, attempt at deliberate cheating, oversight, or other things.

However, as outlined in the case presentation, allowing the retroactive submission of non-personal tickets would have severe negative consequences, as it would undermine the credibility and integrity of the entire ticketing system. Since there is no way to link the subsequently submitted ticket to the complainant, Movia upholds the inspection fee.”

På ankenævnets vegne



Lone Bach Nielsen
Nævnensformand