

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	26-0066
Klageren:	XX New Jersey, USA
Indklagede: CVR-nummer:	Metroselskabet I/S v/Metro Service A/S 21 26 38 34
Klagen vedrører:	Kontrolafgift på 750 kr. grundet manglende check ind i Rejsekort-appen før påstigning
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at hun checkede ind før påstigning og at der er fejl i tidsangivelserne i henholdsvis Rejsekort-appen og loggen fra Metroens døre Indklagede fastholder kontrolafgiften
Ankenævnets sammensætning:	Nævnnsformand, dommer Lone Bach Nielsen Dorthe Thorup Nikola Kiørboe Helle Berg Johansen Dorte Lundqvist Bang

Ankenævnet for Bus, Tog og Metro har på sit møde den 2. september 2026 truffet følgende

AFGØRELSE:

Metroselskabet I/S v/Metro Service A/S er berettiget til at opretholde kravet om klagerens betaling af kontrolafgiften på 750 kr.

Klageren skal betale beløbet til Metroselskabet I/S v/Metro Service A/S, der sender betalingsoplysninger til klageren.

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 fx på www.domstol.dk, www.advokatnoeglen.dk og /eller eget forsikringsselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren rejste den 14. januar 2026 med Metroen fra København Syd St. og blev pålagt en kontrolafgiften med begrundelsen, at klageren havde foretaget check ind i Rejsekort-appen efter påstigning.

Det fremgår af sagen, at klagerens check ind i Rejsekort-appen blev registreret kl. 18:15:15. Ifølge Metro Services oplysninger afgik det pågældende tog fra København Syd St. kl. 18:10:57, efter at dørene var lukket kl. 18:10:54.

Metro Service har fremlagt loggen fra toget, oplysninger fra Rejsekort-appen samt klagerens rejsehistorik, hvor det fremgår, at klagerens rejse begyndte på København Syd St., og at check ind blev foretaget ved Enghave Brygge St.

Klageren har gjort gældende, at der er uoverensstemmelser mellem Metro Services oplysninger og den rejsehistorik og kvittering, som fremgår af Rejsekort-appen. Klageren har navnlig anført, at kvitteringen angiver rejsens starttidspunkt til kl. 18:16, og at dette ikke kan forenes med Metro Services oplysninger om, at klageren steg på toget allerede kl. 18:10. Klageren har endvidere gjort gældende, at Metro Service ikke har fremlagt de nødvendige primære logoplysninger til at dokumentere hændelsesforløbet, herunder rå logdata fra kontrollørens PDA, backend-logfiler og dokumentation for tidsmæssig synkronisering mellem de anvendte systemer.

Metro Service har hertil oplyst, at tidspunktet kl. 18:16 på kvitteringen vedrører billetens tidsberegning og ikke rejsens faktiske begyndelse. Metro Service har fastholdt, at klageren steg på metroen på København Syd St. uden gyldig rejsehjemmel og først foretog check ind ca. 5 minutter senere under rejsen.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

"I respectfully request cancellation of inspection fee no. 01530059 due to material inconsistencies in the operator's own logged data, which have not been reconciled in the decision.

Metro Service states that I boarded a train that closed its doors at 18:10:54, and that my check-in in the Rejsekort app was completed at 18:15:14, allegedly after boarding.

However, the official Rejsekort journey record for 14 January 2026 shows the following for the disputed metro trip:

Journey: København Syd St. (Metro) → Rådhuspladsen St. (Metro)

Journey start time: 18:16

Journey end time: 18:23

Fare charged: DKK 19.00 (standard adult fare)

Traveller: Alicia Priest

Payment accepted and charged by Rejsekort & Rejseplan A/S

This journey appears in my Rejsekort app journey history and was invoiced and charged as a valid metro journey on the same date. The system did not reject, correct, or invalidate this journey. Documentation is available for your review at any time to confirm. My account # is RNG3MNW9.

These facts create a direct contradiction that has not been addressed:

If I boarded a train that closed its doors at 18:10:54, the corresponding journey would necessarily begin at or near that time — not at 18:16.

Conversely, if the journey began at 18:16, then the actual check-in completed at 18:15:14 and occurred before boarding of the journey that was actually registered and charged.

Both propositions cannot be correct simultaneously. Metro Service has not demonstrated, with coherent and factually verifiable logs, that I boarded prior to check-in for the journey that the ticketing system itself recognized.

The Appeals Board has consistently held that cases must be decided on the basis of factually verifiable and internally consistent information. Where the transport operator's own system records conflict, the resulting uncertainty cannot be resolved to the passenger's detriment.

Accordingly, the inspection fee should be cancelled and the assessment fee returned."

Indklagede anfører bl.a. følgende:

"In this case, the complainant was met with ticket inspection on January 14, 2026, at 18:15 following departure from Enghave Brygge St. heading towards Rådhuspladsen St.

Upon inspection, the complainant showed her mobile phone with a ticket purchased in The Rejsekort App which was checked / swiped in at 18:15:15. The complainant has attached this screenprint from her mobile phone.



Since the complainant did not have a valid travel document, an inspection fee was issued in accordance with applicable regulations. The inspector has noted on the inspection fee "Modtaget efter påstigning (received after boarding)"

All Metro trains are provided with an electronic record which registers all the trains' movements.

From the record from train no. 10 on which the complainant met the inspection it appears, as shown below, that train no. 10 departed from København Syd at 18:10:57 (Doors was closed at 18:10:54) - see below: (Ny Ellebjerg is the former name of København Syd St. and do still appears on the report)

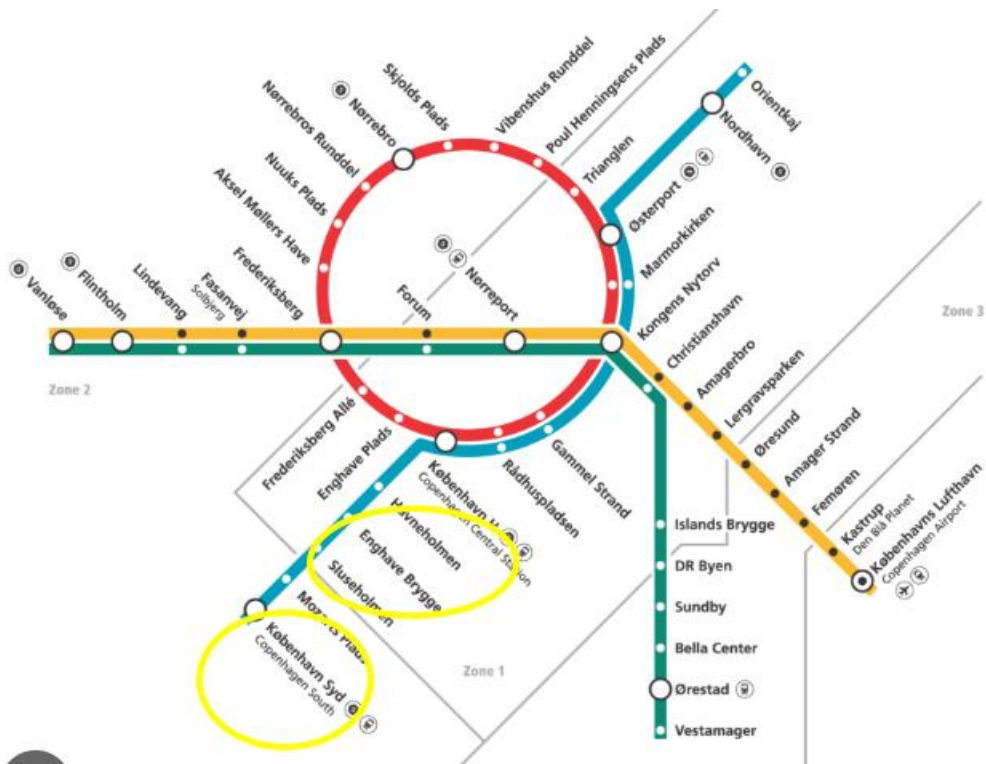


14/01/2026 18:12:22	010	Train Doors Opening	Mozarts Plads	Sluseholmen
14/01/2026 18:12:20	010	Train Arrival	Mozarts Plads	Sluseholmen
14/01/2026 18:10:57	010	Train Departure	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Train Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Platform Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Platform Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Train Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:37	010	Train Arrival	Ny Ellebjerg	Mozarts Plads

At 18:15 on the time for inspection Train no. 10 was according to the record at Enghave Brygge St.

14/01/2026 18:15:46	010	Train Departure	Enghave Brygge	Havneholmen
14/01/2026 18:15:43	010	Train Doors Closed	Enghave Brygge	Havneholmen
14/01/2026 18:15:43	010	Platform Doors Closed	Enghave Brygge	Havneholmen
14/01/2026 18:15:28	010	Platform Doors Opening	Enghave Brygge	Havneholmen
14/01/2026 18:15:28	010	Train Doors Opening	Enghave Brygge	Havneholmen
14/01/2026 18:15:26	010	Train Arrival	Enghave Brygge	Havneholmen

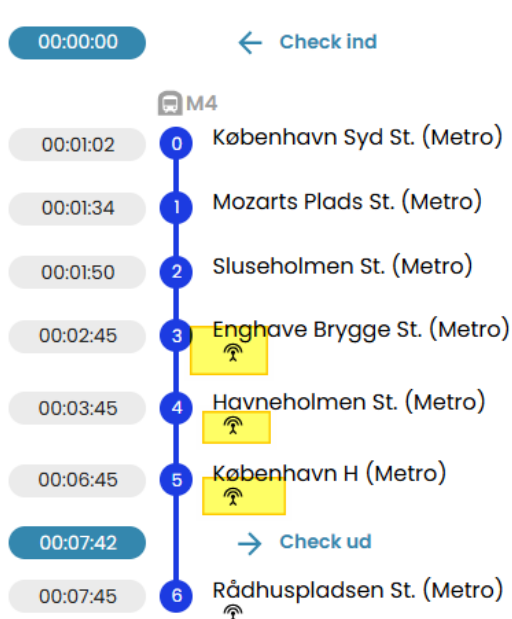
For your kind information Enghave Brygge is 3 stations after departure København Syd St. as shown below:



From BackOffice (Fairtiq) it appears that the ticket of the complainant was issued at 18:16:17

København Syd St. (Metro) → Rådhuspladsen St. (Metro)	
Rejse-id	 6967d0fb-ef3e-4000-8000-01da9aa3474b
Startede kl	14.01.2026, 18.16.17
Varighed	00:06:42
Rejsepris	19,00 kr.
Faktureret omkostning	19,00 kr.
Billetindstillinger	Fuld billetpris / Standard
Takstoplysninger	
Brugertype	Primær rejsende
Kundetype	Voksen
Udstedt kl	14.01.2026, 18.16
Takstsæt	Hovedstadsområdet
Antal betalte	2

The complainants travel history from BackOffice (Fairtiq) for the actual journey shows that the GPS has tracked the complainant on board Metro Line M4 from København Syd St., and the App has been active recorded by the beacon signals from Enghave Brygge St. just around the time where check in / swipe in has been activated as show below.



In her inquiry into Metro 16-01-2026 the complainant writes:

Although I unintentionally failed to manually check in prior to boarding, the app correctly identified my starting location, tracked my journey, and charged me the full and correct fare.

A GPS tracking is not an alternative to a valid check-in or ticket.

While we understand that complainant had no intention of travelling without a valid ticket and that this situation is unfortunate for the complainant, this is an area with great potential for circumventing the passengers' obligation to pay for their journey, if it is accepted that a ticket purchase can be completed after boarding, during the journey or when meeting ticket inspection. In this case, there is no doubt that complainant swiped her check in after boarding and just upon the time of inspection.

It does not affect the outcome of the case, whenever after boarding the train, the ticket has been issued.

With above in mind and as we want to treat all passengers equally, we therefore maintain that the inspection fee has been imposed correctly and that the subsequent case processing is also in accordance with applicable regulations we state that the inspection fee has been given in accordance with the applicable regulations and that the decision made by our customer service is correct.

We maintain our demand for payment of inspection fee no. 01530059 of DKK 750, -."

Til dette har klageren anført:

"As the documentation from the transit authority I submitted clearly shows different than what the [customer service manager] claims below.

Having just now received the documentation related to this, I would ask consideration for additional time to review.

Once again, if the receipt from the transit authority is conflicting with what is shown on the ticket below – and the timing on the ticket presented to you further is in conflict, how is the fine accurate?

The potential to circumvent the system is something I agree the MTA should review and insert controls to guide individuals to act properly.

Considering this was NOT an attempt to circumvent everything, further proven by the full fare of the ticket paid at the initial stop, the intention of the policies, the time stamps on the tickets, and the fact that you are tracking individuals every physical move that allows access to the app – the multitude of factors together do not make sense.

I asked in a previous communication, what indeed is the purpose of tracking if not to allow the app to do its job? Why is that feature permitted? Would very much appreciate your response. "

Til dette har indklagede bl.a. anført:

As the complainant has repeated the GDPR related questions also to the Data Protection Officer (DPO) in Metro Service, the answers in this matter will come directly from the DPO

This answer will only include the facts in the casehandling.

Referring to terms and conditions for the Rejsekort App [Terms-and-conditions-for-the-Rejsekort_app-20250902.ashx](#) which the complainant has accepted as shown:

Konto-id	RNG3MWN9	Sidst set	27.01.2026, 19.16 - Rejsekort 1.4.14 (iOS 18.7.1)
Fornavn	Alicia	Vilkår accepteret den	14.01.2026 - (version 2024-07-10)
Efternavn		Privatlivspolitik accepteret den	14.01.2026 - (version 2024-07-10)
Fødselsdato	26.06.1983	Status	Aktiv

It appears from bellowed marked with yellow that the complainant has accepted the use of GPS-tracking which furthermore is mandatory for using the App.

1.1. Prerequisites for purchasing electronic tickets

To purchase electronic tickets in the Rejsekort app, the following conditions must be met:

1. You must have downloaded and installed the app on a mobile phone, created a profile, and be logged in to the app
2. The provided user information must always be correct
3. Your profile is personal and may only be linked to one phone number, one email, and one customer/person
4. You must have added a valid means of payment
5. Your phone must use an official version of Android (Google) or iOS (Apple), meaning the operating system must not have been technically modified or unlocked ("rooted" or "jailbroken"). You can see which operating system versions are required to use the app in the App Store (on iPhone), Google Play (on Android), or at www.rejsekort.dk
6. Your phone must have an active, operational SIM card that ensures mobile data can be sent and received via a mobile network
7. Your phone must remain switched on throughout your journey
8. Location services (high accuracy) must be activated on your phone for the entire journey. It is a requirement for using the app that you allow location sharing on iOS and Android phones as "While using the app."
9. You must have enabled the app's access to the motion sensors built into your phone

This is why the app can track a passenger's movements before and after travelling to ensure the correct ticket and payment. The Rejsekort app searches for data for the complete journey through the motion sensors built into the phone – also when swipe in has been activated too late.

In the actual situation, the app has just as is its purpose, after the complainant swiped in, through the information from the motion sensors from the complainant's phone tracked the movements before the swipe in.

Metro Service do not see any inconsistencies in the documentation / facts sent in our last reply:

First on the complainant's request we here resend the ticket issued (which was also attached in our reply to the complainant together with the electronic inspection fee).

Kontrolafgift/Inspection fee: 01530059-47

Dato: 14.01.2026

Fra station: NEL

Til station: RHP

CPR-nr: 0670-1983

Signature:

☒ Voksen, 750 kr. ☐ Barn, 375 kr.

☐ Cykel, 250 kr. ☐ Hund, 375 kr.

from Metro Service

ics during ticket

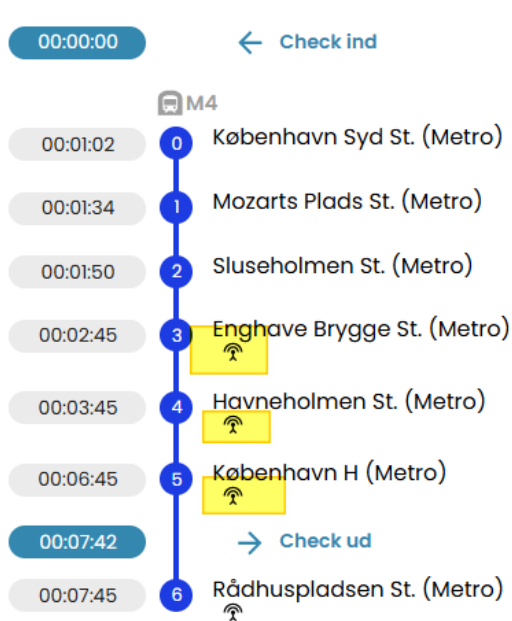
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The ticket states that it has been issued 14.01.2026 and the complainant has with her signature stated, that her journey went from "NEL" (København Syd) to "RHP" (Rådhuspladsen)

The screen dump of the complainant's mobile phone states that the complaint has swiped in and received the ticket on the app at 18:15:15



The travel history from Backoffice state that the app has been activated at Enghave Brygge St. as marked with yellow in the history below, and that the motion sensors has tracked the journey to start at København Syd – 3 stations before swipe in.



The electronic log from train 10 which the complainant was on board has left København Syd / Ny Ellebjerg at 18:10 and that the train at 18:15 was at Enghave Brygge St.

14/01/2026 18:12:22	010	Train Doors Opening	Mozarts Plads	Sluseholmen
14/01/2026 18:12:20	010	Train Arrival	Mozarts Plads	Sluseholmen
14/01/2026 18:10:57	010	Train Departure	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Train Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Platform Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Platform Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Train Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:37	010	Train Arrival	Ny Ellebjerg	Mozarts Plads

14/01/2026 18:15:46	010	Train Departure	Enghave Brygge	Havneholmen
14/01/2026 18:15:43	010	Train Doors Closed	Enghave Brygge	Havneholmen
14/01/2026 18:15:43	010	Platform Doors Closed	Enghave Brygge	Havneholmen
14/01/2026 18:15:28	010	Platform Doors Opening	Enghave Brygge	Havneholmen
14/01/2026 18:15:28	010	Train Doors Opening	Enghave Brygge	Havneholmen
14/01/2026 18:15:26	010	Train Arrival	Enghave Brygge	Havneholmen

Combined with the complainant's own information, in her inquiry into Metro 16-01-2026:

Although I unintentionally failed to manually check in prior to boarding, the app correctly identified my starting location, tracked my journey, and charged me the full and correct fare.

The essential facts in this case are that the complainant swiped in 3 stations / 5 minutes after boarding train 10 at København Syd St. on the 14-01-2026 and did not follow the requirements instructed in the travel rules and has boarded the train without a valid ticket. This will always without any exemption lead into an inspection fee."

Til dette har klageren anført:

"However, your explanation continues to rely on internally inconsistent data which has not been reconciled, and therefore cannot form a reliable factual basis for the inspection fee.

1. Contradiction between alleged boarding time and recorded journey

You state that:

- I boarded train 10 at København Syd at 18:10, and

- Swiped in at 18:15:15 at Enghave Brygge (3 stations later).

However, the official Rejsekort billing record for this exact journey shows:

- Journey: København Syd → Rådhuspladsen
- Journey start time: 18:16
- Fare charged and accepted

If I had boarded at 18:10, the journey could not logically begin at 18:16. Conversely, if the journey began at 18:16, then the swipe at 18:15:15 occurred before the journey that was registered and charged. These two timelines cannot both be correct.

 **rejsekort**

Invoice – 14 Jan 2026

Payment method: Amex
Reference: raajJxV9K9spH5HSAY

Overview

Journeys	Ticket	Amount
14 Jan 2026		
08:34 Rådhuspladsen St. (Metro) → 08:59 Carl Jacobsens Vej (Gammel Køge Landevej)	Standard	DKK 23.75
Travellers		
	Adult	
18:16 København Syd St. (Metro) → 18:23 Rådhuspladsen St. (Metro)	Standard	DKK 19.00
Travellers		
	Adult	

Payment Summary

Subtotal	DKK 42.75
Amount charged	DKK 42.75

 Do you have an issue with your journey?

2. Conflicting definitions of journey origin

You state that:

- The app was activated at Enghave Brygge,
- While motion tracking assigns the journey start to København Syd,

- And the billing record also defines the journey as starting at København Syd.

This results in two different concepts of “start” being applied simultaneously:

- A retrospective, inferred start (based on motion tracking), and
- An official, charged journey start (18:16 from København Syd).

Only one can be relied upon for enforcement. The operator cannot selectively rely on inferred data when it conflicts with the official ticketing record used for billing.

3. Validity contradiction in the journey record

You confirm that my journey was from NEL (København Syd) to RHP (Rådhuspladsen).

This is precisely the journey that:

- Was registered,
- Was accepted, and
- Was charged by the Rejsekort system.

At the same time, you assert that I was travelling without a valid ticket for that same journey. These positions are incompatible.

If the system recognizes and charges the journey from København Syd to Rådhuspladsen, then it has accepted that journey as valid. The operator cannot simultaneously rely on that same journey record while asserting that I did not have a valid travel document for that journey.

4. Reliance on inferred movement versus ticketing records

Your conclusion relies on motion sensor data reconstructing movement prior to swipe-in. However, enforcement must be based on coherent and verifiable ticketing records, not inferred pre-ticket movement that conflicts with the system’s own recorded and billed journey.

In this case:

- The ticketing system defines the journey,
- The system assigns the origin,
- The system charges the fare,

Yet a separate inferred timeline is used to impose a penalty that contradicts that same record.

5. Lack of a coherent factual basis

The enforcement of this case relies on precise timing (e.g., alleged boarding at 18:10 and check-in at 18:15:15).

However, the documentation provided to me does not contain a clear, verifiable timestamp that allows independent confirmation of these critical events.

The conclusion therefore depends on internal system logs that are not transparently reflected in the issued documentation, limiting the ability to verify the sequence of events relied upon.

6. Clarification regarding prior statements

You refer to my earlier statement as confirmation that I boarded at København Syd. Any statements I made were based on my understanding at the time and without access to the underlying system data now being relied upon. This matter must be determined based on objective, verifiable records, not informal statements made without full information. Where the operator’s own data contains unresolved inconsistencies, such statements cannot be treated as determinative evidence.

7. Lack of a coherent factual basis

Your position requires all of the following to be true simultaneously:

- Boarding at 18:10
- Check-in at 18:15:15
- Official billing record of journey start at 18:16
- Journey recorded and charged from København Syd

These statements are not internally consistent and cannot be reconciled.

8. Conclusion

This case turns on data consistency and evidentiary reliability, not intention. Where the operator's own systems produce conflicting timelines and definitions of the same journey, the matter cannot be resolved to the passenger's detriment.

I therefore request that inspection fee no. 01530059 be cancelled."

Til dette har indklagede anført:

"We have read the complaints further comments and information and will inform that we do still not find any reason to change our decision.

The print of the receipt which the complainant attached in her latest comment is the receipt for the ticket not the travel-plan

The validity of the ticket is from swipe in until check out. Price calculation for tickets in Copenhagen Greater Area is based on a combination of zones and duration of the journey. Minimum charge is 2 zones with a validity up to 1 hour and 15 minutes. For every extension of the duration more than 1 hour and 15 minutes a journey will be added one zone extra for every next 15 minutes.

Furthermore, we should pay the attention that København Syd St. is in zone 2 and Enghave Brygge is in zone 1. If the App did not act correct and start in zone 2 but in zone 1 the price of the ticket could have been calculated wrong.

As the complainant swiped in 18:15:15 the ticket is valid from the time of swipe – but the calculation for the time-calculation always will start on the next number of minutes – in this case 18:16 so any passengers will not get less than 1 hour and 15 minutes before an extra zone / price will be added. By this it is important to mention, that the validity of tickets purchased on Rejsekort App will terminate just after swiping out / check out and duration cannot be extended after a swipe out.

We should kindly repeat the essential in this case:

- The Complainant has informed that she unintentionally failed to check in prior to boarding from København Syd St.
- The Complainant has boarded train no 10 which due to the train log (mentioned in previous reply) has left København Syd St. at 18:10:57 and swipe the App 18:15:15
- The Complainant was met by ticket inspection resulting in an inspection fee due to "check in after boarding" due to the national travel regulations

- The Rejsekort som App has in accordance with the purpose through the motion sensors as also accepted by the complainant in terms and condition, registered the travel to start at København Syd St. but first swiped in about 5 minutes and 3 stations after boarding the train

We can hereby conclude that there is full consistency between the train log, the complainants journey log, the complaints one information about the journey and the issuing / validity of the ticket.

- Travel from start to end destination has been registered correct
- Ticket validity has been registered correct.
- The App has acted very precisely and is in full living up to its purpose for correct registration and calculation.

We will kindly repeat, that we understand that the complainant had no intention of travelling without a valid ticket and that this situation is unfortunate for the complainant, this is an area with great potential for circumventing the passengers' obligation to pay for their journey, if it is accepted that a ticket purchase can be completed after boarding, during the journey or when meeting ticket inspection. In this case, there is no doubt that complainant swiped her check in after boarding and just upon the time of inspection

Metro Service maintain our demand for payment og inspection fee no. 01530059 of DKK 750, -."

Til dette har klageren anført:

"I understand your position is that Rejsekort as an app requires check-in ("swipe") before boarding and that mobile travel authority must be received on the device before boarding, not merely "commenced." The complaint is evidentiary: Metro Service has not produced a complete and verifiable log chain — especially the inspector PDA log with exact inspection/issuance timestamps and the backend event logs distinguishing check-in initiated vs confirmed — while relying on a multi-source reconstruction (train log + app timestamp + motion-sensor reconstruction + "minute rounding"). ABTM precedent confirms that the operator bears the burden to prove it was entitled to issue and maintain a control fee, and where conflicting or differently logged times cannot be reconciled and technical causes cannot be excluded, ABTM has cancelled the fee.

Facts (as stated by Metro Service; supported by previously attached correspondence):

Metro Service states that train 10 departed København Syd at 18:10:57; that my Rejsekort App check-in was recorded at 18:15:15; that receipt validity/time calculation may show 18:16 due to "next-minute rounding"; and that motion sensors reconstructed the journey as starting at København Syd. Metro also asserts I checked in after boarding and "just upon the time of inspection," but Metro has not provided the exact inspection timestamp from the inspector PDA log.

Issues:

- A) Has Metro proven on a coherent, testable evidentiary record, that I boarded before successful check-in, as required for liability? (No.)
- B) If material timestamps and event sequences are inconsistent or unexplained, has Metro carried its burden of proof? (No.)

Burden of proof and conflicting/incomplete electronic evidence:

ABTM has stated that the operator must prove it was entitled to issue and maintain a control fee, and ABTM could not exclude that app problems or app-to-payment communication issues caused "differently logged timestamps"; in that situation ABTM cancelled the fee. ABTM has also found operators failed to

carry their burden where record retention/proof was inadequate and better procedures could preserve documentation.

Here, Metro relies on multiple systems and explanations (train log, app timestamp, motion reconstruction, minute rounding), but it has not produced the decisive logs that would allow ABTM to verify the decisive chronology, especially the inspector PDA log (exact inspection/issuance timestamp) and the backend event logs distinguishing check-in initiated vs confirmed and when the QR ticket became available.

ABTM expects log-based, testable timelines in late check-in cases:

In Metro cases, ABTM has decided the breach question by treating electronic logs as decisive (departure time vs check-in time) when those logs are coherent. ABTM's secretariat has also sought granular app-event logging (e.g., when the app was opened and what happened until check-in), confirming that the event chain can be probed and must be documented.

Because Metro claims I checked in "just upon inspection," the exact inspection timestamp is essential. Without it, Metro's conclusion cannot be tested.

Probative value of timestamps requires consistent time standards and synchronization:

Metro's reconstruction depends on comparing timestamps across train telemetry, inspector devices, backend systems, and customer-facing records. Credible logging guidance requires logging systems to have synchronized time with an accurate source and all logs to have accurate timestamps; NTP is a widely used protocol for time synchronization. Where Metro also relies on "minute rounding" to explain apparent time differences, Metro should produce the specification and the journey-specific calculation trace; otherwise, timestamp inconsistencies undermine evidentiary weight—consistent with ABTM's approach to "differently logged times."

Transparency and consumer-law support (as a secondary concern)

ABTM has cancelled a Rejsekort-app control fee when customers were not given sufficiently clear information in the app about the requirement to swipe before boarding (reference below). Consumer-law principles also require clarity and favor the consumer in ambiguity (Aftaleloven §38b), and prohibit presenting essential information unclearly or ambiguously (Markedsføringsloven §6). While I primarily contest the sufficiency of Metro's proof, these principles support ABTM requiring strict documentation before upholding a punitive fee where the operator relies on internal rounding and reconstruction logic that is not transparent to the passenger.

Requested production (minimum necessary evidence for proof)

I request ABTM require Metro Service to produce:

- (1) inspector PDA log extract: exact inspection/control timestamp, any scan/check timestamp, and issuance timestamp for the fee (time zone/time standard),
- (2) inspector device time synchronization proof (NTP/MDM policy, last sync),
- (3) Rejsekort backend event logs: check-in initiated vs confirmed, QR generated/available, check-out, and adjustments,
- (4) Train 10 run log excerpt + time standard/synchronization description,
- (5) motion-sensor reconstruction record + method/confidence thresholds, and
- (6) fare-calculation "minute rounding" specification + journey-specific calculation trace."

Til dette har indklagede anført:

"As we have read the complaints' new comments, we must inform that there is no new information which would lead us to change our decision and we will not waive the inspection fee either considering the questions in the complaints' latest comments have already been answered in our previous replies.

When boarding a transportation without a valid ticket it will consequently lead into an inspection fee – for an adult DKK 750, - by ticket inspection due to the Joint National Travel Regulations.

Checking in on Rejsekort as App after boarding is considered as abuse.

As a kindness to the complainant, we will refer to the complainant's own information of the situation in the inquiry to Metro Customer Service from 16-01-2026:

Summary of Facts:

I traveled on the Metro on 14 January 2026 from København Syd St. (Metro) to Rådhuspladsen St. (Metro).

I am using the new Rejsekort app, with location access enabled at all times.

Although I unintentionally failed to manually check in prior to boarding, the app correctly identified my starting location, tracked my journey, and charged me the full and correct fare.

The complainant confirms by her own description of the situation that she boarded the metro at København Syd st. without a valid ticket and this alone confirms that the inspection fee has been issued in accordance with the Joint National Travel Regulations **and the case could be closed and settled by this information only.**

We can confirm from the above information provided by the complainant that the reliability of the registrations mentioned below from the app/ Train-log and PDA are of a high quality.

As confirmed in our earlier replies to the complainant Metro train no. 10 left København Syd st. at 18:10

14/01/2026 18:12:22	010	Train Doors Opening	Mozarts Plads	Sluseholmen
14/01/2026 18:12:20	010	Train Arrival	Mozarts Plads	Sluseholmen
14/01/2026 18:10:57	010	Train Departure	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Train Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:54	010	Platform Doors Closed	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Platform Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:39	010	Train Doors Opening	Ny Ellebjerg	Mozarts Plads
14/01/2026 18:10:37	010	Train Arrival	Ny Ellebjerg	Mozarts Plads

The complaint's ticket was swiped and issued at 18:15:15



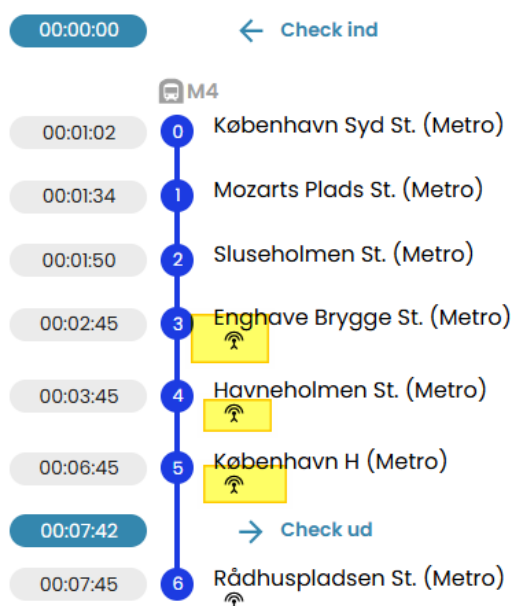
As also stated by the train-log from train 10 – at 18:15:15 the train was arriving Enghave Brygge st. This means that the complainant swiped after boarding the train and while the train was in motion which is considered abuse:

2.8. Abuse of travel document

Travel documents must not be abused. For example, it is considered abuse if:

- One checks in on Rejsekort as an app after boarding.
- One checks out while the journey is in progress.

The travel history from the Rejsekort Backoffice state that the App has been activated at Enghave Brygge st. as marked with yellow in the history below, and that the motion sensors has tracked the journey to start at København Syd – 3 stations before swipe in.



We will not omit to mention that the complainant also swiped out as shown above before the train arrived at Rådhuspladsen st. which also is considered abuse.

Hereby follow the print of the PDA which states the inspection fee to be issued at 18:15 in train no. 10 which according to the above train-log was at Enghave Brygge st. at the time of inspection 18:15.

Dato	14-01-2026	Modt. dato	14-01-2026	Henv. via	PDA
Tid	18:15	Afgiftsnr.	01530059	Anket	☒ Ryk Automatisk ☐
Voksen	1 750,00	Udestående	750,00	ABTM Sagsnr.	26-0066
Barn	0 375,00	Billettype	Digital	Infobrev t. Værge	
Hund	0 375,00	Årsag udst.	Modtaget efter påstignii	Hos SKAT	☐ Direkte SKAT ☐
Cykel	0 250,00	Fra	København Syd	Giro Ej Udleveret	☐ Betalt til Steward ☐
Linje	M3/M4	Til	Rådhuspladsen	Stw ID	21669
Kontrolspg.				Tognr.	10
Tognr.				CPR tjekform	Manuel indtastning
Beskrivelse					

The ticket / receipt from the complainant's record is, as also mentioned, the time-validity of the ticket 18:16, not the actual journey which beyond any doubt has started at København Syd at 18:10. The complainant should please be aware of the difference between at the ticket receipt which states the validity of the ticket and a journey mapping. All documents in this case sent by the complainant shows that her ticket is valid from 18:15:15 – about 5 minutes after she boarded the train at København Syd.

The complainant refers to previous cases handled by ABTM:

After reading the decisions Metro finds no comparison with the complainant's actual case.

Furthermore, Metro will have no further comments to this case and are now awaiting the Appeal Board decision.

Metro maintains inspection fee no. 01530059 and demands full payment of DKK 750,-“

Til dette har klageren anført:

“Thank you for your final comments submitted to ABTM. Since Metro states it will provide no further comments, I request the outstanding primary records required to verify the chronology on which you rely. This is fundamentally a logs-and-timestamps verifiability issue — please provide primary records and a unified time standard across all systems referenced.

Outstanding records requested (for inspection fee 01530059):

1. Inspector PDA raw event log with second-level timestamps for:
 - control start,
 - passenger check/scan event (if any),
 - fee issuance,
 - reason code,
 - train/run ID,
 - device time zone/time standard.
2. PDA scan/check event records (if QR was scanned) and issuance workflow logs.
3. Backend event logs (Rejsekort back office) distinguishing:
 - check-in initiated vs confirmed,
 - QR ticket generation/availability timestamp,
 - complete check-out event record (manual swipe-left vs Smart Check-Out/system flag),
 - any system adjustments.
4. Train run raw log for the relevant service, including:
 - time standard/time zone,
 - synchronization basis.
5. Motion-sensor reconstruction record, including:
 - method,
 - inputs,
 - time window analyzed,
 - thresholds and confidence,
 - whether pre-check-in data was used.
6. Fare-calculation/minute-rounding documentation, including the journey-specific calculation trace.
7. Documentation/attestation of clock synchronization across the systems cited.

Screenshots/prints are uncertified; time-standard clarification needed

Metro has relied on screenshots/prints (app screen and PDA print) without certification of completeness or accuracy.

I provide an alternative travel-history screenshot (attached) which:

- does not display the alleged swipe details in the manner asserted, and

- presents the journey timeline in a format consistent with a **different time-zone representation**.

Accordingly, please:

- a) confirm whether the screenshots are complete and unedited, and how completeness and integrity were validated,
- b) identify the time standard/time zone used in each screenshot/print, and
- c) provide the underlying export/log entries from which each screenshot was derived.

Request to pause collection

As ABTM has scheduled the case for 2 September 2026, I request that Metro pause any collection escalation (reminders, additional fees, or enforcement actions) pending final determination by ABTM. If Metro provides no further evidence, I respectfully request that ABTM note that the necessary primary logs have not been produced to verify the asserted chronology, and that the case should therefore not be treated as fully disclosed."

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Ankenævnet lægger efter de foreliggende oplysninger til grund, at klageren steg på Metroen på København Syd St. uden først at have foretaget check ind i Rejsekort-appen.

Ankenævnet har herved lagt vægt på Metro Services toglog og oplysningerne fra Rejsekort-appen, hvorefter toget afgik fra København Syd St. kl. 18:10:57, og klagerens check ind først blev registreret kl. 18:15:15, mens toget befandt sig ved Enghave Brygge St.

Det forhold, at kvitteringen angiver tidspunktet 18:16, kan efter Metro Services forklaring om billettens tidsberegning ikke føre til en anden vurdering. Ankenævnet finder ikke grundlag for at tilsidesætte denne forklaring eller for at antage, at den dokumentation, Metro Service har fremlagt, er indbyrdes uforenelig.

Klagerens indsigelser om manglende fremlæggelse af yderligere systemlogfiler, rå logdata og dokumentation for tidsmæssig synkronisering kan ikke føre til et andet resultat. Ankenævnet finder, at de fremlagte oplysninger udgør et tilstrækkeligt grundlag for at fastslå, at check ind skete efter påstigning.

Da klageren først foretog check ind efter påstigning, var Metro Service berettiget til at pålægge klageren en kontrolafgift på 750 kr.

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. Ifølge § 2 i lov nr. 206 af 5. marts 2019 om ændring af lov om trafiksselskaber og jernbaneloven fremgår det, at jernbanelovens § 14, stk. 1, affattes således:

»Jernbanevirksomheder, der via kontrakt udfører offentlig servicetrafik, kan opkræve kontrolafgifter, ekspeditionsgebyrer og rejsekortfordringer.«

§ 14, stk. 2 og 4, ophæves, og stk. 3 bliver herefter stk. 2. Stk. 3 har følgende ordlyd:

"Passagerer, der ikke er i besiddelse af gyldig rejsehjemmel, har pligt til på forlangende at forevise legitimation for jernbanevirksomhedens personale med henblik på at fastslå passagerens identitet."

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 750 kr. for voksne.

Det er passagerens ansvar, at rejsehjemlen er endeligt modtaget på den mobile enhed før påstigning. 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 metrotillæg). 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.

På ankenævnets vegne



Lone Bach Nielsen
Nævningsformand