

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	26-0186
Klageren:	XX 2630 Taastrup
Indklagede:	Movia
CVR-nummer:	29 89 65 69
Klagen vedrører:	Kontrolafgift på 500 kr. grundet manglende billet til hund
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at han rejste med sin hund placeret i en taske og derfor ikke havde købt billet til den 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 2. september 2026 truffet følgende

AFGØRELSE:

Movia er berettiget til at opretholde kravet om betaling af kontrolafgiften på 500 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 forsikringsselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren rejste den 13. marts 2026 med Movias buslinje 400S med en mindre hund.

Ved billetkontrol blev der udstedt en kontrolafgift på 500 kr. med den begrundelse, at klageren ikke kunne forevise gyldig billet til hunden.

Af Movias oplysninger fremgår, at kontrolløren steg på bussen ved Ishøj Station kl. 09:36:38. Ved kontrollen kunne klageren ikke forevise en billet til hunden, hvorefter der blev udstedt en kontrolafgift kl. 09:40:10.

Klageren har oplyst, at hunden under hele rejsen befandt sig i en taske, som var indrettet til transport af hunde med tæppe i bunden og en åbning til hovedet, så hunden kunne se og trække vejret. Tasken befandt sig på klagerens skød under rejsen. Klageren har gjort gældende, at han inden rejsen undersøgte reglerne og forstod dem således, at en lille hund kunne medbringes gratis i en taske. Under ankenævns sagen har klageren desuden oplyst, at han under selve kontrollen tog hunden op af tasken for at berolige den, mens han besvarede kontrollørens spørgsmål og fandt hundens ID.

Movia har fremlagt et foto taget af kontrolløren under kontrollen, hvor hunden ses siddende på klagerens skød uden at være anbragt i en transporttaske. Movia har på den baggrund vurderet, at hunden ikke blev transporteret på en måde, der opfyldte betingelserne for gratis medtagning, og at der derfor skulle være købt billet til hunden.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

"I received ticket no. 26017412 on bus line 400S. A fine of 500 kr was issued on March 13, 2026.

I wrote that I've been driving for over 10 years and never received a ticket. Now my situation is very difficult; I'm on sick leave due to health issues.

I transported my dog in a bag once, and the bag had a cutout for the head. The bus driver and the ticket inspector saw this.

Before getting on the bus, the ticket inspector saw the dog for about 10 minutes. The driver saw me getting on with the dog and saw me punching my ticket. No one said anything. And remember, I had the dog in the bag the entire time (I have photos). Before the ride, I checked the information online and it said I could travel with my dog in a bag without a ticket. (I can also send a photo of this information.)

The ticket inspector approached me, refused to listen to my explanation, and issued me a ticket.

I told him I could get off at the next station, but he issued me a ticket anyway. I told him I could buy a ticket for the dog. He wasn't interested.

The dog was small and suffers from epilepsy. He had to be under special protection, and during the ride, the bag with the dog was on my lap the entire time.

There were few people on the bus, but I wasn't bothering anyone.

In light of this information, I request that my ticket for not having a dog ticket be canceled."

Indklagede anfører bl.a. følgende:

" Movia maintains that the inspection fee is rightly imposed, and we do so on the grounds that complainant did not present a valid ticket for his dog on the inspectors' inquiry on the bus.

According to the Joint National Travel Regulations § 5, only small animals can travel for free provided they are placed in a bag, cage, or transport box during the entire journey. For travelling without a cage, box or the likes, the customer must pay a ticket to the animal in the form of a ticket on child rate.

This important rule for dog owners appears in both the official Joint Travel Regulations and on the public transport's website. For information about tickets or other rules regarding the public transport, a customer can always ask the driver during boarding for any questions.

We also refer to § 2.4 in where it is stated that any customer travelling in the public transport must agreed 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 have a valid travel document. The customer must ensure himself that everything is in accordance with the requirements.

It should be noted that bus drivers do not carry out automatic ticket inspections or verify compliance with ticket requirements for all passengers or accompanying animals. Drivers may respond to questions from customers if such inquiries are made, but they are not responsible for ensuring that the correct tickets are held for all aspects of a journey.

Accordingly, the absence of any comment or intervention from the driver regarding the dog ticket cannot be interpreted as approval or confirmation that the dog could be transported without a valid ticket. The responsibility for ensuring valid travel documentation, including any required dog ticket, rests with the passenger.

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.

The driver can upon request provide guidance on travel documents but does not perform systematic single ticket inspection.

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.

5. Animals

Small animals, including small dogs, may be carried free of charge by bus, train, light rail and metro according to the rules for carry-on luggage in section 4.2, provided they are placed in a bag, cage or transport box intended for that purpose during the entire journey.

It is also permitted to carry larger dogs, provided that the dog is on a lead and under the customer's control. 'Larger dogs' means dogs that are not transported in a bag, cage or transport case. For large dogs and dogs in 'dog carts', the child price is paid. No more than 1 dog, on a lead or in a 'dog cart', may be carried per customer. It is always the staff who assess whether there is space, and instructions from staff must be followed. See section 5.1, however.

Customers with animals must show particular consideration for other customers and follow the instructions of the staff. Animals must not be on the seats.

Inspection fee

The inspector entered the bus at 09:36:38 at Ishøj St. on the bus 400S on the 13.03.2026. When the inspector was about to control the ticket of complainant and his dog, no ticket for the dog could be presented on the request.

Since it is mandatory to purchase a ticket on child rate when travelling with an animal who is not placed on any equipment, a rightly imposed fee was issued to complainant at 09:40:10.

Stop	Ishøj St.
Påstigning	13-03-2026 09:36:38
Udstedt dato/tid	13-03-2026 09:40:10
Stået af	13-03-2026 09:57:08

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

Arsag	Ingen billet fremvist
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Comments and decision

Below is the photo taken by the inspector of the complainant and his dog on the bus. As shown, the dog was placed on the complainant's lap and was not positioned in a transport carrier. The dog was not enclosed in any way; although it was sitting on a piece of covering, it was not properly contained or transported in accordance with the requirements. It is clearly visible in the photo that the majority of the dog was exposed and not placed inside a bag, cage, or transport box intended for that purpose.



Extracts from complainant: *“Before traveling with my dog, I prepared a special bag with a blanket for him to keep him hidden. Only his head was visible. I held him on my lap during the bus ride (I have photos of everything).”*

For a small dog to be transported free of charge, it is a requirement that the animal is placed inside a suitable bag, cage, or transport box intended for that purpose, and that it remains enclosed therein for the entire duration of the journey.

It is therefore not sufficient that the dog is sitting on or partially covered by a blanket, rain cover, or other piece of fabric. The requirement entails that the dog must be properly contained and fully enclosed in an appropriate carrier. This condition was not met in the present case.

“Before traveling, I asked people if I could travel with a small dog, but everyone said yes and I didn't need a ticket. I checked the information online, and it said that in Denmark, you don't need a ticket for a small dog, as long as it's secured and I'm holding it on my lap.” “the bus driver saw it too. No one told me I needed a ticket. “

In response to the complainant's statement, Movia notes that information obtained from other passengers or third parties cannot be considered binding or responsibility-transferring.

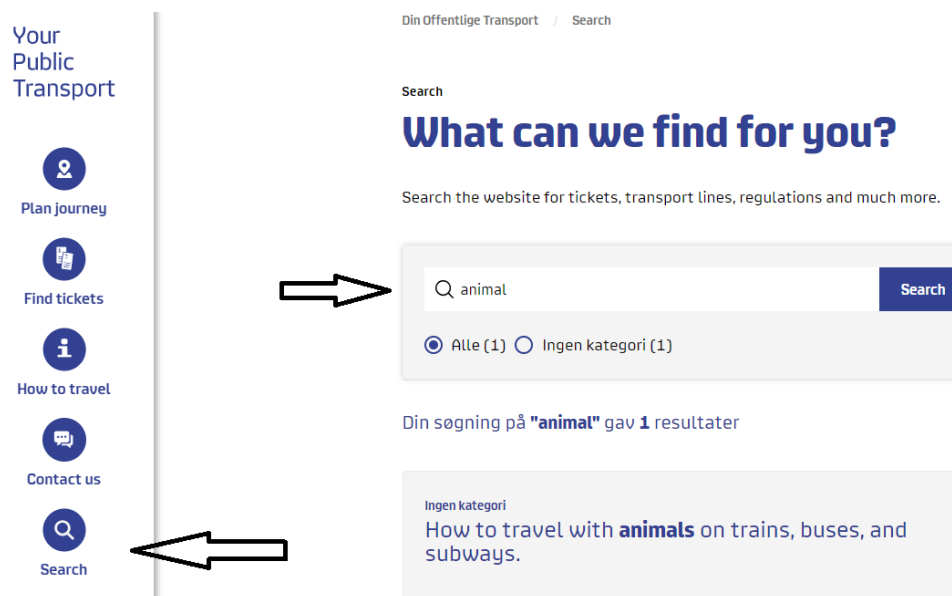
Movia cannot be held accountable for guidance provided by individuals not employed to give official information. Furthermore, such guidance can only be considered relevant if a clear and direct inquiry has been made to a bus driver or authorised staff member, which does not appear to be the case here.

Movia also has no influence over which persons the complainant may have asked prior to the journey.

The applicable rules are publicly available and clearly state that animals must be transported in a suitable bag, cage, or transport box in order to be carried free of charge. This information is readily accessible in the travel regulations as well as on the public transport website.

For illustrative purposes, we have included below an example of the information presented when searching for “animals” on the public transport website, which shows that the applicable rules regarding transportation

of dogs are straightforward and easy to find.



“

Til dette har klageren bl.a. anført:

“My dog was in a bag during the entire journey. The bag was specially made for a dog. There was a blanket on the bottom and a cutout for her head, allowing her to see and breathe.

The dog was on my lap during the entire journey. The dog was also... According to information I found online, I could transport my dog on the bus for free. This information can be found by searching online. The driver also noticed that I was with a small dog when boarding and during ticket inspection. We stood at the bus stop for a long time, waiting for the bus to depart. I didn't run away or hide from anyone.

I'm attaching photos from the bus.

The regulations I received from you also mention "bag." I had a bag, but it doesn't specify what kind of bag it should be. Please remember that this was my first time traveling with a dog. During my 10-year stay in Denmark, I always had a ticket when checked. I've never received a single ticket. And I use public transportation frequently.

Therefore, I was hoping for at least some understanding and understanding.

Please allow my health and the dog's health to be a mitigating factor.

My dog has epilepsy; it was the dog I cared for for a few days while my sister was away.

The fee for a fine from the sickness benefit I receive is very high and could impact my lifestyle. I receive less than 10,000 DKK per month.

I request that the penalty be annulled based on the reasons I have presented.







Please add that the dog was in a bag the entire time.

During the inspection, I let the dog out so he could feel comfortable because I had him on my lap, and I had to answer questions and look for his ID.
The dog had a bag with a blanket and a hole for his head.
He was secured the entire way.”

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Det følger af de fælles landsdækkende rejseregler, at mindre hunde kan medbringes gratis, hvis de under hele rejsen er anbragt i en taske, et bur eller en transportkasse beregnet til formålet. Medbringes hunden på anden måde, skal der købes billet til børnetakst.

Ankenævnet lægger på baggrund af det fremlagte foto fra kontrolsituationen til grund, at hunden på kontroltidspunktet sad på klagerens skød og ikke var anbragt i en taske, et bur eller en transportkasse. Betingelserne for at medbringe hunden gratis var derfor ikke opfyldt.

Klagerens oplysninger om, at hunden forud for kontrollen havde befundet sig i en taske, og at den alene blev taget op under kontrollen for at berolige den og finde dens ID, kan ikke føre til en anden vurdering. Ankenævnet bemærker, at det efter rejsereglerne er passagerens ansvar at sikre, at betingelserne for gratis medtagning af dyr er opfyldt under rejsen og ved billetkontrol.

Det forhold, at chaufføren ikke gjorde indsigelse ved påstigning, kan heller ikke føre til et andet resultat, da chaufføren ikke foretager systematisk kontrol af passagerernes rejsehjemmel eller af, om reglerne for medtagning af dyr er opfyldt.

Klagerens personlige og økonomiske forhold samt oplysningerne om hundens helbred kan efter ankenævnets praksis ikke føre til, at en korrekt udstedt kontrolafgift skal frafaldes.

Da klageren ikke havde købt billet til hunden, og betingelserne for gratis medtagning ikke var opfyldt, var Movia berettiget til at udstede en kontrolafgift på 500 kr.

Forbrugerrådets repræsentanter udtaler kritik af kontrolafgiftens størrelse:

”Forbrugerrepræsentanterne finder, at kontrolafgifter over 375 kr. for hunde 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 trafikelskaberne – som monopol-lignende virksomheder – selv fastsætter kontrolafgifternes størrelse. Dette giver selskaberne mulighed for at indføre kontrolafgifter, som ville være forretningsskadelige, 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 trafikelskaber § 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.

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.

På ankenævnets vegne



Lone Bach Nielsen
Nævningsformand