

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	26-0250
Klageren:	XX 2650 Hvidovre
Indklagede:	Movia
CVR-nummer:	29 89 65 69
Klagen vedrører:	Kontrolafgift på 1.000 kr. grundet manglende check ind i Rejsekort-appen
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at han checkede ind i Rejsekort-appen inden påstigning, men grundet en teknisk fejl automatisk blev checket ud igen Indklagede fastholder kontrolafgiften
Ankenævnets sammensætning:	Nævnensformand, dommer Lone Bach Nielsen Andreas Sabroe Dorthe Thorup Helle Berg Johansen Dorte Lundqvist Bang

Ankenævnet for Bus, Tog og Metro har på sit møde den 28. oktober 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 forsikringsselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klagen angår en kontrolafgift på 1.000 kr., som klageren blev pålagt den 30. marts 2026 for manglende gyldig rejsehjemmel på buslinje 4A. Som rejsehjemmel anvendte klageren Rejsekort-appen på sin telefon.

Klageren anfører, at han inden påstigning swipedede sit check ind, men at check ind efterfølgende forsvandt som følge af en teknisk fejl i appen.

Movia har fastholdt kontrolafgiften med henvisning til, at der ikke var registreret et check ind på det relevante tidspunkt, og at det er passagerens ansvar at sikre, at check ind i Rejsekort-appen gennemføres inden påstigning.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

"I am appealing inspection fee 26023307 (Movia case 157696). I maintain that the fine is unjust as it resulted from a documented technical failure of the official Rejsekort App, not passenger error.

The Incident: Before boarding, I swiped the check-in slider. The app provided haptic feedback and showed an active session with a timer. However, during inspection, the session had spontaneously disappeared. My device was updated, and my connection was stable. This is a critical software bug.

I have previously submitted comprehensive evidence to Movia, including screenshots of my flawless payment history, current Youth Card (Ungdomskort), and future bookings. These documents prove I am a loyal passenger with no intent to evade payment. I am ready to provide these files to the Appeal Board immediately upon request.

Movia dismissed this as an "external factor." I disagree. A failure within the official government-sanctioned travel app is an internal system responsibility. Charging a student 1,000 DKK for their own technical glitch is disproportionate and unfair.

Ønsker at opnå: 1. Full cancellation of inspection fee 26023307.

2. A formal recognition that the current Rejsekort App has technical instabilities (session drops) that unfairly penalize honest passengers.

As physical Rejsekort cards are being phased out, passengers are forced to rely on this digital platform. My experience has completely broken my trust in the system. It is unacceptable to be placed in such an embarrassing and financially draining situation due to a software bug. The transport authorities must fix these vulnerabilities instead of shifting the financial burden onto students and law-abiding citizens."

Indklagede anfører bl.a. følgende:

"Movia hereby responds to the complaint regarding the inspection fee 26023307 issued on the bus 4A on 30.03.2026 to the complainant.

Movia considers the inspection fee to be correctly issued, as the complainant was unable to present a valid ticket when inspected on board.

On the day in question, the complainant boarded the bus without a valid ticket or completed check-in.

The inspection fee was issued on the basis of "no ticket presented" at the time of inspection.



Movia wishes to emphasize that technical difficulties with ticketing solutions may arise from a wide range of factors outside Movia's control. Such factors may include, but are not limited to, outstanding payments from previous journeys, lack of application updates, technical issues with the mobile device, internet connectivity problems, or other system-related disruptions.

Regardless of the nature of any such issue, it is always the passenger's responsibility to ensure that valid travel authorization is in place prior to boarding the bus. Any technical or practical obstacles must be resolved before entering the vehicle.

Inspection fee

On the day in question, the inspector boarded bus 4A at Nørrebro St. at 18:38:48. The inspector observed that the complainant was boarding 1 stop later at Hillerødgade. According to the inspector, complainant did not present anything during the inspection.

Bemærkning Kunden stiger på bussen på Hillerødgade

The complainant also states in his objection that he boarded the bus at Hillerødgade, as noted by the inspector.

Hvor steg du på bussen?: Hillerødgade

As the complainant did not present any valid ticket, an inspection fee was issued at 18:47:24.

Stop	Nørrebro St.
Påstigning	30-03-2026 18:38:48
Udstedt dato/tid	30-03-2026 18:47:24
Stået af	30-03-2026 18:56:12

Comments and decisions

The complainant contacted us on the same day the inspection fee was issued and stated that he normally uses a Youth Card, but not on the day in question, where he intended to use the Rejsekort app, which he claims did not function properly.

The complainant himself believed that he had successfully checked in; however, data from his Rejsekort travel history, together with the inspector's observations, indicate that no valid check-in had been completed at the time of travel.

Complainant: "I usually use my Youth Card (Ungdomskort), but this time I used the new Rejsekort app, which unfortunately failed me. Before boarding the bus, I swiped the slider in the app and felt the haptic vibration, so I was 100% sure the check-in was successful. When the inspector (ID XXX) approached me, I confidently opened the app, but was shocked to see that the ticket didn't register due to a technical glitch. "

It appears from the complainant's Rejsekort travel history that no check-in had been registered at the relevant time, the 30.03.2026 at 18:38. In contrast, the data shows that the complainant successfully checked in twice earlier on the same day, as well as on both the preceding and following day, which raises questions regarding the claimed malfunction of the app.

09.04.2026	DK-rejsekort	08.50 09.38	Københavns Lufthavn St. (Metro) Årmarken St.	Personal	29,75 kr.
31.03.2026	DK-rejsekort	11.41 12.20	Årmarken St. Københavns Lufthavn St. (Metro)	Personal	23,80 kr.
30.03.2026	DK-rejsekort	14.44 15.04	Marmorkirken St. (Metro) Årmarken St.	Personal	23,75 kr.
30.03.2026	DK-rejsekort	12.00 12.25	Hillerød motorvej, Tingbjerg (Hillerød motorvej) Gammel Strand St. (Metro)	Personal	19,00 kr.
29.03.2026	DK-rejsekort	23.55 00.31	Gammel Strand St. Christiansborg (Vindebrogade) Tingbjerg, Gavhusvej (Terrasserne)	Personal	17,60 kr.
29.03.2026	DK-rejsekort	15.11 15.26	Årmarken St. Nørreport St.	Personal	17,60 kr.

When checking in, it is the passenger's responsibility to verify on the mobile device that a journey has in fact started. Once a journey has been successfully initiated, this will be clearly reflected in the Rejsekort app history. This applies regardless of any subsequent changes, cancellations, or so-called "zero journeys", where the system would still show that a check-in attempt and journey initiation had taken place.

Since all available Rejsekort data indicate that no check-in was registered at the time of travel, it is not possible that the complainant received any valid confirmation or indication of a successful check-in.

Movia's conclusion

Movia maintains that the inspection fee was correctly issued, as the complainant boarded the bus on the day in question without ensuring that a valid and successfully completed check-in had been established prior to boarding.

Travel data from earlier journeys on the same day demonstrates that the complainant was able to complete check-ins without issue, indicating that the system was functioning and that successful check-in was possible at the relevant time. This is also evidenced by successful check-ins recorded on the preceding and following days, which calls into question the claimed app malfunction.

Movia emphasizes that technical difficulties with ticketing solutions may arise from various factors outside Movia's control, including but not limited to unpaid prior journeys, missing app updates, device malfunctions, connectivity issues, or other system-related disruptions.

Regardless of the cause, it remains solely the passenger's responsibility to ensure valid travel authorization is completed prior to boarding, and any such issues must be resolved before entering the bus.

When checking in, passengers must verify that a journey has been successfully initiated on their device, as this will be clearly reflected in the Rejsekort app history. Once a journey is started, it remains visible regardless of later changes.

Movia maintains that mobile ticketing must be fully completed and verifiable before boarding to ensure a fair and enforceable system. Without this requirement, passengers could potentially board without valid travel documentation and only attempt check-in upon the presence of inspection.

On this basis, Movia upholds the issued inspection fee."

Til dette har klageren anført:

“Please review my arguments against Movia's statements below:

1. **Consistency is Proof, Not an Argument Against Me:** Movia uses my successful travel history from earlier that day (30/03/2026) to claim the app was flawless. I strongly disagree. The fact that I successfully checked in at 12:00 and 14:44 proves that I am a loyal, routine user of the system who always pays for transport. It shows that I had no intention of evading payment at 18:47. Software glitches are, by nature, unpredictable; the fact that an app works at 14:00 does not mean it cannot crash or drop a session at 18:00.
2. **The App Misled Me (The Haptic Feedback Bug):** Before boarding, I performed the check-in action. The app provided the standard animation and haptic vibration feedback, confirming the process was successful. I entered the bus with 100% confidence that my journey was registered. When the inspector approached me, the app interface was suddenly blank. This is not a "reception issue" or a "user error" it is a major software malfunction where the app registers an action locally but fails to maintain the session interface.
3. **Honest Passengers vs. Fare Evaders:** I understand that transport companies face issues with passengers who lie about technical errors to avoid fines. However, my extensive documentation including years of continuous Youth Card (Ungdomskort) purchases, active future bookings, and regular Rejsekort payments clearly distinguishes me from a fare evader. To slander a demonstrably honest user and demand a 1,000 DKK penalty for a software failure is deeply unjust.
4. **Systemic Unfairness:** As public transport moves toward phasing out physical cards, passengers are being forced to rely entirely on digital apps. If these apps are unstable, the financial risk and burden cannot simply be shifted onto the consumers, especially students on tight budgets.

I am not lying, and I am not trying to escape a legitimate payment. I am fighting for basic fairness. I kindly ask the Board to re-examine my flawless history, reconsider the technical nature of this app failure, and overturn Movia's disproportionate decision.”

Til dette har indklagede anført:

“We emphasize that the consistency of the records shows that the app was functioning as intended. Movia has no way of verifying when a ticket had been purchased, or whether it had been purchased at all, if no ticket inspection had taken place on the specific departure in question.

Passengers board the bus at their own risk if they cannot clearly see that they have successfully checked in. Any technical or app-related issues must be resolved outside the bus before travelling.

Movia is rarely able to determine whether a passenger was travelling without a valid ticket intentionally or unintentionally. However, regardless of intent, passengers are responsible for holding a valid ticket for the entire journey, and an inspection fee must be paid if they travel without one.

It is true that passengers are becoming increasingly dependent on digital solutions. However, it is still possible to travel using physical cards, such as the Basiskort (Basic Card). If you frequently experience problems with your phone, we would therefore recommend obtaining a Basiskort (Basic Card) as an alternative travel solution.”

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

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

Således som sagen foreligger oplyst med data fra Rejsekort-systemet, lægger ankenævnet til grund, at der ikke var registreret et aktivt check ind på Rejsekort-appen på tidspunktet for klagerens påstigning og den efterfølgende billetkontrol.

Ankenævnet bemærker, at det er kundens ansvar at sikre sig gyldig rejsehjemmel inden påstigning. Det forhold, at klageren ifølge egne oplysninger kunne se et aktivt check ind i appen efter at have swipet, kan ikke i sig selv føre til, at der forelå gyldig rejsehjemmel, når der ikke efterfølgende er registreret et check ind i Rejsekort-systemet.

Ankenævnet finder herefter, at klagerens oplysninger om en teknisk fejl i appen ikke er tilstrækkelige til at godtgøre, at der var gennemført et gyldigt check ind inden påstigning, som efterfølgende blev afbrudt.

Ankenævnet bemærker i den forbindelse, at reglen om, at passageren skal gennemføre sit check ind inden påstigning, er vigtig for at sikre trafikvirksomhedernes billetindtægter, idet passageren ellers vil kunne vente med at checke ind, til passageren får øje på en kontrollør.

Det forhold, at klageren tidligere samme dag og på de omkringliggende dage havde gennemført check ind i Rejsekort-appen, kan ikke i sig selv dokumentere, at appen fungerede fejlfrit på det relevante tidspunkt. Det kan imidlertid heller ikke på det foreliggende grundlag godtgøre, at der faktisk var gennemført et check ind inden påstigning i forbindelse med klagerens rejse den 30. marts 2026.

Kontrolafgiften til klageren blev dermed pålagt med rette.

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 trafiksselskaberne – 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 trafiksselskaber § 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 Rejekort app, skal passageren swipe sit check ind inden påstigning, idet Rejekort 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:

Tillæg til Fælles landsdækkende rejseregler pr. 9. april 2024

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

Rejser, der foretages med Rejekort som app, vil være omfattet af "Vilkår for Rejekort 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 Rejekort 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 Rejekort som app

Rejekort som app kan benyttes som rejsehjemmel dog undtaget på Bornholm og mindre øer. Se rejser på www.rejseplanen.dk.

Rejekort 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 Rejekort som app ikke mulighed for at medtage medrejsende på Rejekort 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.rejekort.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 Rejekort som app efter påstigning
- Man checker ud, mens rejsen er i gang.

„

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På ankenævnets vegne



Lone Bach Nielsen
Nævnshoved