

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	25-0379
Klageren:	XX Kina
Indklagede:	Movia
CVR-nummer:	29 89 65 69
Klagen vedrører:	Kontrolafgift på 1.000 kr. grundet rejse på en udløbet 5-dages billet
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at kontrolafgiften koster næsten det samme, som hun allerede havde betalt for 5-dages-billetten, og kort efter kontrolafgiften købte hun en ny 1-dagsbillet. 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. december 2025 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:

Klageren var turist i Danmark og købte den 7. september 2025 et 5-dages "Discover Card", der udløb den 12. september 2025 kl. 12:21, og så således ud på hendes telefon:



Den 12. september 2025 rejste hun med bus til Grundtvigs Kirken, mens hendes Discover Card stadigvæk var gyldigt.

På returrejsen steg hun om bord på buslinje 6A ved stoppestedet, Tuborgvej, som bussen ankom til kl. 13:53:19. På dette tidspunkt, var kortet imidlertid ikke længere gyldigt, hvilket hun ikke havde opdaget. Derfor blev hun ved en efterfølgende kontrol pålagt en kontrolafgift på 1.000 kr. kl. 14:00:45.

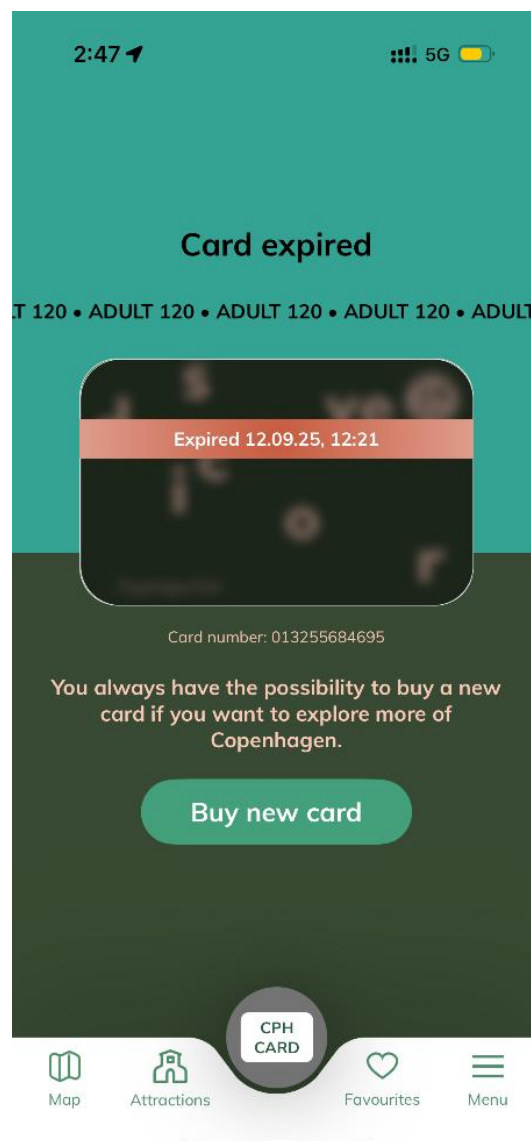
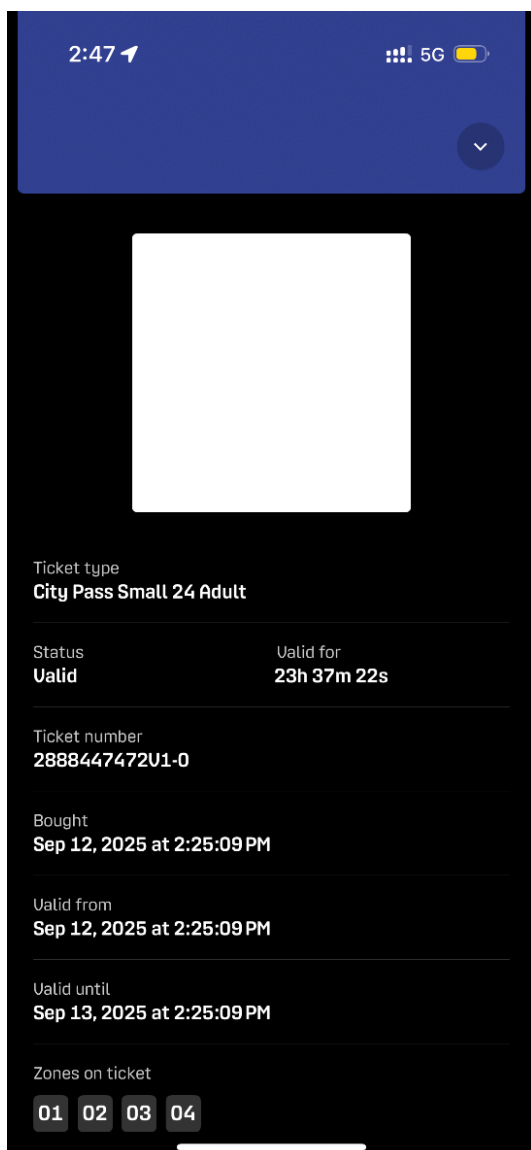
Fra bussens GPS:

#	Stoppested	Stopindikator		Pl. ank.	Pl. afg.	Obs. ank.	Obs. afg.
5	Tuborgvej (7039)	●	●	13:55	13:55	13:53:19	13:53:19
6	Bispebjerg Hospital (7040)	●	●	13:56	13:56	13:54:49	13:54:49
7	Lygten (7041)	●	●	13:57	13:57	13:55:51	13:56:42
8	Bispebjerg St. (2770)	●	●	13:58	13:58	13:57:16	13:58:07
9	Rovsingegade (7042)	●	●	13:59	13:59	13:59:18	13:59:41
10	Skjolds Plads St. (7043)	●	●	14:00	14:00	14:00:37	14:00:53

Den elektroniske kontrolafgift:

Zone	002
Linje	6A
Bus nummer (Gåseddel)	3054
Køretøjs nummer	
Endelig destination	
Stop ID	2770
Stop	Bispebjerg St.
Påstigning	12-09-2025 13:57:27
Udstedt dato/tid	12-09-2025 14:00:45
Stået af	12-09-2025 14:02:01
Passager tal	15
Kontrol spørgsmål stillet	Nej
Kunden har forespurgt chauffør	Nej
Kort inddraget	Nej
Sprog	Dansk
Årsag	Billet udløbet
Bemærkning	Copenhagen card er udløbet Kunden er fra kina
Id forevist	Pas

Efterfølgende anmodede klageren Movia om at annullere kontrolafgiften, fordi hun straks købte en 1-dagsbillet efter kontrolafgiftens udstedelse for at sikre, at hun havde gyldig rejsehjemmel resten af dagen.



Movia fastholdt kontrolafgiften, da gyldighedsperioden fremgik tydeligt på forsiden af kortet, der udløb kl. 12:21, og kontrollen fandt sted kl. 14.00. Den nye billet blev først købt efter påstigning på bussen, men ifølge reglerne skal alle mobile billetter være købt og modtaget inden påstigning i køretøjet.

Dette fik klageren til at skrive til Movia igen, at der gik noget tid mellem kontrollen og købet af hendes nye billet, hvilket skyldtes, at hun spurgte kontrolløren til råds om, hvad hun skulle gøre, men hun fik kun at vide, at hun skulle betale kontrolafgiften, og fik ingen vejledning om, hvordan hun kunne købe en gyldig billet. Dette gjorde hendes frustreret og usikker, og hun havde brug for tid til at falde til ro og undersøge, hvad hun skulle gøre. Hendes handlinger var rimelige og skete i god tro, og enhver ville blive chokeret over beløbet på 1.000 DKK. Hvis hun havde været klar over, at kortet var udløbet, før hun steg på bussen, ville hun have købt en gyldig billet. Hun vedhæftede en mobilbillet fra om morgenen den 7. september 2025 for at vise, at hun også inden købet af Discover Card havde haft købt billet, da hun ikke var en snyder.

Movia fastholdt kontrolafgiften på ny.

Derefter indbragte klageren sagen for ankenævnet.

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Klagerens 120-timers kort stod anført til at udløbe den 12. september 2025 kl. 12:21. Klageren havde dermed ikke gyldig rejsehjemmel, da hun steg om bord på buslinje 6A den 12. september 2025 kl. 13:53.

Herefter blev kontrolafgiften til klageren pålagt med rette, og da det ikke er en betingelse for at pålægge en kontrolafgift, at passageren bevidst har søgt at unddrage sig at betale for rejsen, finder ankenævnet, at der ikke har foreligget sådanne særlige omstændigheder, at kontrolafgiften skal frafaldes.

Den omstændighed, at klageren efter kontrolafgiften købte en ny dagsbillet, kan ikke føre til et andet resultat.

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 trafikselskaberne – som monopoliggende 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. Dette ændrer ikke sagens udfald, men kontrolafgiften bør nedskrives til 750 kr.”

RETSGRUNDLAG:

Ifølge lov om trafikselskaber § 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 Rejekort 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 am a foreign visitor travelling alone in Europe for the first time and unfamiliar with the local ticketing system in Copenhagen. I had purchased a 5-day Copenhagen Card, which I used responsibly for my sightseeing and transport. On 12 September 2025, while travelling on bus 6A, I was inspected after the card had just expired. I did not realise it had expired, as earlier the same day it was still valid for my outbound trip to Grundtvigs Kirke.

Once I calmed down from the inspection experience and understood the issue, I immediately purchased a 1-day ticket to ensure I had valid travel rights for the rest of the day. There was a short gap between the inspection and the purchase because I first asked the inspector for advice on what I should do, but I was only told to pay the inspection fee without being guided on how to obtain a valid ticket. This left me confused and frustrated, and I needed time to research the correct step myself before buying the new ticket.

I would also like to highlight that on 7 September, before buying the Copenhagen Card, I purchased a single ticket for my journey. This clearly demonstrates that I had no intention of travelling without paying. The inspection fee of 1,000 DKK is extremely high, almost the same as the cost of the 5-day Copenhagen Card I had already purchased, and feels very disproportionate for what was an honest mistake.

Ønsker at opnå: I respectfully request that the inspection fee be reduced or cancelled. I acted in good faith, had already paid for valid travel with a Copenhagen Card, and immediately corrected the issue by buying a 1-day ticket. I hope the Appeals Board can consider the principle of fairness and proportionality, and resolve this case with a more reasonable outcome for a visitor who tried their best to comply with the system."

Oversat til dansk med Chatgpt:

Jeg er udenlandsk turist og rejser alene i Europa for første gang, og jeg er derfor ikke fuldt fortrolig med billetteringssystemet i København. Jeg havde købt et 5-dages Copenhagen Card, som jeg brugte korrekt til både sightseeing og transport. Den 12. september 2025, mens jeg rejste med bus 6A, blev jeg kontrolleret kort efter, at kortet desværre var udløbet. Jeg var ikke klar over, at det var udløbet, da det tidligere samme dag stadig var gyldigt på min udrejse til Grundtvigs Kirke.

Da jeg efterfølgende forstod situationen og havde fået lidt ro på efter oplevelsen med kontrollen, købte jeg straks en 1-dagsbillet for at sikre mig gyldig rejsehjemmel resten af dagen. Der var en kort tidsforskel mellem kontrollen og købet, fordi jeg først forsøgte at spørge kontrolløren om råd til, hvordan jeg kunne købe en gyldig billet. Jeg blev dog kun informeret om kontrolafgiften og fik ingen vejledning om, hvordan jeg skulle fortsætte. Dette skabte forvirring og usikkerhed, og jeg måtte derfor selv undersøge, hvordan jeg korrekt kunne købe en billet, før jeg foretog købet.

Jeg vil også gerne fremhæve, at jeg den 7. september, før jeg købte Copenhagen Card, købte en enkeltbillet til min rejse. Dette viser klart, at jeg ikke havde til hensigt at rejse uden gyldig billet. Kontrolafgiften på 1.000 DKK er meget høj – næsten samme pris som selve Copenhagen Card'et – og føles derfor meget uforholdsmæssig i forhold til det, der var en ærlig og uforvarende fejl.

Ønsket resultat:

Jeg anmoder respektfuldt om, at kontrolafgiften enten nedsættes eller annulleres. Jeg handlede i god tro, jeg havde allerede betalt for gyldig transport gennem mit Copenhagen Card, og jeg sørgede straks for at købe en gyldig 1-dagsbillet, så snart jeg forstod situationen. Jeg håber derfor, at I vil tage hensyn til principet om rimelighed og proportionalitet, og nå frem til en mere medgørlig løsning for en besøgende, der gjorde sit bedste for at overholde reglerne.

Indklagede anfører følgende:

”Movia respectfully maintains that the inspection fee was correctly issued. This is based on the fact that the complainant was unable to present a valid ticket upon the inspector’s request on board the bus.

The complainant’s case concerns the expiration of her Copenhagen Card at 12:21, while the inspection took place close to 14:00. At that time, her ticket had been invalid for over one and a half hours.

Cf. § 2.4 it is always the customer’s responsibility to have a valid travel document upon boarding. On receipt of a travel document, the customer must make sure that the single ticket is in accordance with requirements.

According to the applicable travel regulations, it is not permitted to purchase a new mobile ticket after boarding the bus upon discovering that a previously held ticket has expired. Passengers are required to be in possession of a valid ticket before the start of their journey.

In the present case, the complainant did not meet this requirement, as her previous ticket had expired 1 hour and 39 minutes prior to the inspection. At the time of boarding, she did not hold a valid ticket, and the inspection fee was therefore correctly imposed.

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.

2.4.2. Concerning the use of mobile products in particular (delivered via text message or app) *It is the customer’s own responsibility to ensure that the travel document has been received on the mobile device before boarding. It is not sufficient that the order has been commenced.*

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 6A at 13:57:27 at Bispebjerg St. on the 12.09.2025. Complainant claims to have boarded the bus at Tuborgvej, which was 3 stops and 4 minutes earlier.

Where did you board the bus?: Tuborgvej

Complainant presents a Copenhagen Card where it is clearly stated that it expired at 12:21.

The reason for the inspection fee is "Ticket expired" -> "Billet udløbet".

Årsag

Billet udløbet

Therefore, the inspection fee was issued at 14:00:45.

Comments and decision

According to the GPS of the bus, the bus departed from Tuborgvej at 13:53:19.

Therefore, complainant's ticket was invalid from 12:21 until 13:53.

Excerpt from the complaint on 12.09.2025:

"On the way to Grundtvigs Kirke earlier the same day, my Copenhagen Card was still working fine, so I did not realise it had expired and assumed it would continue to cover my return journey. I only became aware of the expiry when I spoke to the inspector. As soon as I realised this, I immediately purchased a 1-day ticket to ensure I had valid travel rights for the remainder of the day. However, the inspector had already issued an inspection fee of 1,000 DKK, which is unfortunately very difficult for me to afford as a visitor."

While we understand that the complainant is new to the Danish public transport system, we must emphasize that the full responsibility for holding a valid ticket lies with the passenger.

In this case, the expiry time was clearly stated on the Copenhagen Card, and it is therefore the complainant's own responsibility to ensure that the ticket was valid at the time of boarding. This responsibility is not transferred to Movia, regardless of the passenger's familiarity with the system.

It is a fundamental requirement that all passengers must hold valid travel documentation before boarding the bus. Purchasing a new ticket after a ticket inspection has begun does not retroactively validate the journey or exempt the passenger from the inspection fee.

We refer to § 2.4, in which it is written that it is always the customer's own responsibility to have a valid travel document upon boarding. On receipt of a travel document, the customer must make sure that the single ticket is in accordance with requirements.

We therefore believe that the responsibility lies with the complainant herself.

Movia does not assess the reason behind the absence of a valid ticket whether it results from deliberate fare evasion, an oversight, forgetfulness, or any other cause. An inspection fee is issued solely based on the fact that the passenger is unable to present valid travel documentation at the time of inspection.

In other words, the issuance of an inspection fee is not dependent on the passenger's intent or the circumstances leading to the situation, but strictly on whether a valid ticket can be presented when checked.

Movias conclusion

The complainant's case concerns the expiration of her Copenhagen Card at 12:21, while the inspection took place close to 14:00. According to the GPS of the bus, the complainant boarded the bus at Tuborgvej at 13:53, meaning her card had already been invalid for 1 hour and 32 minutes at the time of boarding.

According to the applicable travel regulations, passengers are required to hold a valid ticket *before* boarding public transport. It is the passenger's responsibility to check the validity period of their travel card, which in this case was clearly stated on the Copenhagen Card. Movia does not distinguish between whether a missing or expired ticket is due to an oversight, misunderstanding, or intentional fare evasion. An inspection fee is issued solely on the basis of not being able to present a valid ticket at the time of inspection. It is an area with a high risk of circumventing the rules on being able to present a valid ticket if it is accepted that you can travel on an expired ticket without receiving a fee.

In cases where a valid ticket cannot be presented on request, it must be accepted that a fee is issued. This basic rule is a prerequisite for the self-service system that applies to journeys by public transport in the Capital area.

Movia does not find grounds to assume responsibility for the expired ticket presented on the day in question. Accordingly, the inspection fee is maintained."

Klageren har anført hertil:

"I understand the regulations, but I wish to maintain my complaint for review. I recognise that it was my mistake and that it is the passenger's responsibility to hold a valid ticket. I fully respect Movia's role and the rules in place, which is why I am submitting this further complaint for consideration.

I would like to highlight my arguments again:

1. My intention was never to travel without a valid ticket. Although the gap was about an hour and a half, I had been using the Copenhagen Card for five days during which I was not required to scan or check it regularly, only when asked by an inspector. Unfortunately, this meant I did not develop the habit of checking the card before each trip. The bus ride in question was my first trip after the card expired, and I had not met any inspector on the train earlier that day and the church I visited did not require a ticket so I did not need to present it.
2. I fully understand and respect that the rules exist to ensure all passengers travel with a valid ticket, and I appreciate that the high fee may serve as an effective deterrent for local residents. However, as a first-time solo traveller in Europe, I was unfamiliar with the system and unaware of how strict the penalty would be. Had I known the fine was so high, I would have been extremely careful to check my card each day — even though there are already many things for a solo traveller to be mindful of when navigating a new city. During my six-week solo trip across Europe, I also made small ticketing mistakes in Berlin and Prague, but inspectors and their systems there were more understanding and supportive in resolving the situation.

I have also seen other people online sharing similar experiences, and I am aware that many foreigners simply choose not to pay the fee nor make any effort to file a complaint. However, as I mentioned, I truly

respect the system and the rules. I genuinely enjoyed my stay in Copenhagen and hope to return again in the future. I am making this effort because I want to achieve the best possible outcome while keeping the friendly and happy impression I had of the city untouched by this incident.

While I completely agree that foreign visitors must also follow local rules, I do not believe the amount of 1,000 DKK is proportionate to the nature of this honest mistake, especially given that a 5-day Copenhagen Card costs 1,339 DKK. The fine seems excessive and discouraging for visitors who genuinely wish to follow the system and like to revisit again.

I therefore kindly ask the Board to consider the proportionality and fairness of this penalty in my case, especially as a foreign visitor acting in good faith."

På ankenævnets vegne



Lone Bach Nielsen
Nævnensformand