

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer: 2021-0050

Klageren: XX
Malmø, Sverige

Indklagede: Movia
CVR-nummer: 29 89 65 69

Klagen vedrører: Kontrolafgift på 750 kr. grundet rejse uden billet – klageren kunne ikke checke ind, da saldoen på hendes rejsekort var for lav

Parternes krav: Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at hun ikke kunne købe billet hos chaufføren, at hun med sin udenlandske mobiltelefon ikke kunne købe en sms-billet, at der ikke var tilgængelig information om, hvordan hun kunne købe en anden billet, samt at hun ville stige af ved den første station for at tanke op

Indklagede fastholder kontrolafgiften

Ankenævnets sammensætning: Nævnensformand, landsdommer Tine Vuust
Gry Midttun
Torben Steenberg
Helle Berg Johansen
Susanne Beyer Svendsen

Ankenævnet for Bus, Tog og Metro har på sit møde den 10. november 2021 truffet følgende

AFGØRELSE:

Movia er berettiget til at opretholde kravet om betaling af kontrolafgiften på 750 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.

-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 forsikringssselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren, som er svensker og bosat i Sverige, rejste om morgenen den 12. maj 2021 med Movias buslinje 250S fra Vestamager st. til Gladsaxe, og ved rejsens afslutning checkede hun sit rejsekort anonymt ud. Herved kom kortets saldo ned på 50,12 kr. og dermed under minimusbeløbet på 70 kr. for at kunne foretage check-ind på rejsekortet.

Rejsekorthistorik									
Rejsenr.	Dato	Tid	Fra	Tid	Til	Beløb kr.	Saldo kr.		
	114	12-05-2021 07:39	Vestamager St.	08:30	Linje : 250S Sydmarken/Gladsaxe Møllev	-23,10	50,12		

Senere samme dag skulle klageren rejse videre fra Gladsaxe til Forum st. Hun steg på buslinje 250S ved stoppestedet Sydmarken, hvortil bussen ankom kl. 16:27:56, men kunne ikke checke ind pga. den lave saldo.

Ifølge klageren ville hun købe en kontantbillet hos chaufføren, hvilket imidlertid ikke var muligt som følge af Movias Covid-19-restriktioner, hvorefter billetsalget i bussen var suspenderet. Klageren har oplyst, at hun ikke så andre muligheder end at blive i bussen for at rejse til nærmeste togstation og tanke rejsekortet op der, idet hun ikke kunne købe en sms-billet med sin svenske mobiltelefon.

Bussen afgik fra stoppestedet kl. 16:28:18 og ca. 11 minutter senere, kl. 16:39:07, ankom den til stoppestedet Mellemvangen, hvor kontrollører steg ombord på bussen.

Fra bussens GPS-log:

Linje	Tur	Fra	Til	Stop	StopNavn	PlanAfg	Forv.Ank	Forv.Afg	Fakt.Ank	Fakt.Afg	Opdateret	Status	Bus	CS	Forsinkelse	Ophold
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	25076	Bagsværd St., terminalen	16:10	16:10:00	16:10:00	16:08:10	16:10:11	16:10:22	Realtid	8436	1	11	121
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	257	Grønvej	16:11	16:12:07	16:12:23	16:12:16	16:12:16	16:12:18	Realtid	8436	1	76	0
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	2256	Gladsaxe Trafikplads, terminalen	16:20	16:19:43	16:26:41	16:18:41	16:26:46	16:26:51	Realtid	8436	1	406	485
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	219	Sydmarken	16:21	16:28:27	16:28:36	16:27:56	16:28:18	16:28:20	Realtid	8436	1	438	22
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	220	Mørkhøj	16:22	16:29:21	16:29:35	16:29:50	16:30:25	16:30:31	Realtid	8436	1	505	35
250S	31	Bagsværd St.. terminalen	Dragør Stationsplads	223	Mellemvangen	16:32	16:40:31	16:40:40	16:39:07	16:39:23	16:39:29	Realtid	8436	1	443	16

Ved kontrol af klagerens rejsehjemmel blev hun herefter kl. 16:42 pålagt en kontrolafgift på 750 kr. for ikke at være checket ind på rejsekortet.

Rejsekorthistorik									
Rejsenr.	Dato	Tid	Fra	Tid	Til	Beløb kr.	Saldo kr.		
	12-05-2021	16:39	Kontrolmærke		Linje : 250S Mellemvangen		50,12		
	12-05-2021	16:40	Kontrolmærke		Linje : 250S Bellahøj		50,12		
	12-05-2021	17:03	Tank-op		Forum St.	200,00	250,12		
	115	12-05-2021 17:03	Forum St.	17:24	Vestamager St.	-18,10	232,02		

Klageren anmodede Movia om at fratage kontrolafgiften og anførte som ovenfor, samt at hun på grund af sin bopæl i Sverige ikke kunne få et rejsekort personligt med tank-op-aftale. Hun forklarede videre, at nærmeste station, hvor hun kunne tanke op, lå flere kilometer borte, at chaufføren

ikke kunne hjælpe, og at der ikke var information om, hvordan hun alternativt kunne købe en billet, og derfor havde hun ikke set nogen anden mulighed end at blive i bussen.

Movia fastholdt kontrolafgiften med henvisning til selvbetjeningsprincippet og anførte, at det var klagerens ansvar at holde øje med saldoen på rejsekortet, og at hun havde fået en påmindelse fra rejsekortstanderen om den lave saldo, da hun checkede ud. De anførte videre, at når hun ikke kunne checke ind, skulle hun have ventet med at stige på bussen, indtil hun havde tanket op eller købt anden rejsehjemmel, hvilket hun kunne have gjort via DOT-mobilappen.

Klageren anmodede på ny Movia om at frafalde kontrolafgiften og gjorde gældende, at hun ikke havde mulighed for at købe en sms-billet eller bruge DOT-appen, ligesom hun ikke kunne få et rejsekort personligt med tank-op-aftale på grund af hendes bopæl i Sverige.

Movia fastholdt igen kontrolafgiften og henviste til, at billetsystemet er baseret på selvbetjening, hvorfor det var klagerens eget ansvar at have gyldig billet, samt at det er muligt at bruge DOT-appen med et svensk mobilnummer, og at det er muligt at få et rejsekort personligt, når man har bopæl i udlandet.

Klageren har indsendt følgende information, som hun har affotograferet fra stoppestedsskiltet ved Forum st.:

stoppested nr. 678

Er bussen mere end 20 minutter forsinket?
Få refunderet dine udgifter til en taxa. Under 'Rejsegaranti' på dinoffentligetransport.dk kan du læse mere.

DOT Kundeservice 70 15 70 00

When will the bus arrive?
Send a text message to 1250 and receive a text message with the next departures from your stop. Text "S 678" to 1250. This service is only possible if your mobile phone provider is Danish.

You can view the timetable on dinoffentligetransport.dk/stoppested. If you wish to plan or follow your journey, you can use the Rejseplanen app.

Find and purchase the right ticket
You can purchase mobile tickets using DOT's app. You can also purchase mobile tickets by text message and pay via your mobile phone bill.


Send a text to 1415 with your start zone, number of zones and type of ticket (e.g. '1 2 v' for a 2 zone adult ticket from zone 1).
On dinoffentligetransport.dk you can find a map, where you can view the number of zones required for your journey. This service is only possible if your mobile phone provider is Danish. Find out more about tickets on dinoffentligetransport.dk. Make sure you have received your ticket before boarding the bus.

Is your bus more than 20 minutes late?
Then you are entitled to a refund of your taxi fare. Find out more on dinoffentligetransport.dk under 'Rejsegaranti'.

DOT customer service +45 70 15 70 00

Du betaler almindelig datakost ved download af app'en. Mobilbillet App er gratis. SMS koster alm. SMS takst.

13.12.20



Movia har oplyst, at ovenstående information er tilgængelig ved alle stoppesteder og har været det siden december 2019. Stoppestedet, som klageren benyttede den pågældende dag, var stoppested nr. 219, hvor informationstavlen også findes på den anden side af standeren modsat køreplanerne:

Stop	StopNavn
2256	Gladsaxe Trafikplads, terminalen
219	Sydmarken
220	Mørkøj
223	Mellemvangen
2149	Bellahøj
2150	Hulshøj



SEKRETARIATETS BEMÆRKNINGER:

Fra Movias hjemmeside

Fra pressemeddelelse 7. april 2021:

”Regeringens genåbningsaftale indebærer, at den kollektive transport gradvist skal følge med det øgede aktivitetsniveau i samfundet. Som led i den første fase af genåbningen kan man derfor fra 8. april igen bruge fordøren, alle sæder og halvdelen af ståpladserne i bussen.”

Pressemeddelelse 13. januar 2021:

”Movia indstillede i foråret al betaling med kontanter i busser og flextrafik som led i håndteringen af COVID-19-epidemien. Beslutningen blev taget for at undgå unødigt smitterisiko ved tæt kontakt mellem chauffører og kunder. Siden marts har det således ikke været muligt for kunderne at betale med kontanter i de sjællandske busser eller i flextrafikken.

Nu har forbrugerombudsmanden slået fast, at Movias praksis er i overensstemmelse med de gældende regler for pligten til at modtage kontanter. Hermed har Forbrugerombudsmanden fjernet den tvivl, som nogle kunder kan have haft om, hvorvidt Movia har lov til at sige nej tak til kontanter i busserne og i flextrafik-bilerne.”

ANKENÆVNETS BEGRUNDELSE:

Ved kontrollen i Movias buslinje 250S den 12. maj 2021 var klageren ikke checket ind på sit rejsekort og kunne ikke forevise anden gyldig rejsehjemmel.

Kontrolafgiften på 750 kr. blev derfor pålagt klageren med rette.

Ifølge selvbetjeningsprincippet er det passagerernes eget ansvar at have gyldig rejsehjemmel, og i henhold til Rejsekort Kortbestemmelser punkt 1.8.2 er kortihænderen af et rejsekort anonymt forpligtet til løbende at kontrollere bl.a. kortsaldoen.

Ankenævnet finder herefter, at klageren selv må bære ansvaret for, at hun ikke holdt øje med, om hun havde tilstrækkelig saldo til at rejse videre fra Gladsaxe den pågældende dag.

Det kan ikke føre til et andet resultat, at klageren tidligere uden held havde forsøgt at få et rejsekort personligt.

Den omstændighed, at klageren ikke kunne købe en kontantbillet hos chaufføren, kan ligeledes ikke føre til et andet resultat, da Movia i henhold til Forbrugerombudsmandens udtalelse af 17. november 2021 var undtaget fra pligten til at modtage kontanter, som følge af at Movias busser var indrettet som et selvbetjeningsmiljø.

Ankenævnet bemærker, at klageren med sit svenske mobilnummer kunne have oprettet en profil i DOT-appen og købt en mobilbillet, således som der blev henvist til på informationstavlen på stoppestedsskiltet.

Det er ikke en betingelse for at pålægge en kontrolafgift, at passageren bevidst har forsøgt at unddrage sig betaling for rejsen, og da dette er et område med stor mulighed for omgåelse af passagerens pligt til at sørge for betaling af sin rejse, hvis det accepteres, at der er checket ind på rejsekortet, uanset at dette ikke er tilfældet, finder ankenævnet herefter, at der ikke har foreligget sådanne særlige omstændigheder, at kontrolafgiften skal frafaldes.

Ankenævnet bemærker afslutningsvis, at det er uklart, hvortil følgende information på stoppestedsskiltet hæfter sig: "This service is only possible if your mobile phone provider i Danish". Ankenævnet henstiller derfor til, at informationen på stoppestedsskiltene tydeliggøres, fx ved at indsætte mellemrum.

RETSGRUNDLAG:

I lov om trafikkselskaber § 29 fremgår trafikkselskabernes adgang til at opkræve kontrolafgift og ekspeditionsgebyr for passagerer, der ikke foreviser gyldig rejsehjemmel (billetter og kort).

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 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 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. Rejsekortet må endvidere ikke være så slidt/tildækket, at navnet ikke kan læses.

Fra Rejsekort Kortbestemmelser (1. marts 2018 – 1. september 2021):

”

1.8.2 Rejsekort anonymt

Kortihænderen af et rejsekort anonymt er forpligtet til løbende og omhyggeligt at kontrollere posteringer af rejser [rejsehistorik] rejsepriser samt kortsaldo. Ihænderen af et rejsekort anonymt er ligeledes forpligtet til at kontakte Rejsekort Kundecenter snarest muligt, hvis det konstateres, at der er foretaget uautoriserede eller fejlagtige posteringer, eller der forekommer priser, som efter kortihænderens opfattelse ikke er korrekte. Ved korrekt check ud efter gennemførelse af en rejse, vises rejsens pris på kortlæserens skærm. Rejsens pris for de seneste fem rejser kan også kontrolleres på en rejsekortautomat eller ved henvendelse i salgssteder, hvor denne service tilbydes. Der henvises i øvrigt til afsnit 5.3 om indsigelsesfrister.

”

Fra punkt 2.3. Køb af rejsehjemmel

”Ved rejser med tog, bus og metro skal kunden være i besiddelse af gyldig rejsehjemmel. Ved rejser med bus kan enkeltbillet købes kontant ved påstigning. Visse buslinjer kan undtages herfra jævnfør nærmere oplysning på www.dinoffentligetransport.dk. Chaufføren er kun forpligtet til at tage imod kontanter op til nærmeste hundrede kroner.”

Forbrugerombudsmandens konklusion om Movias stop for kontantsalg i busser:

”Under henvisning til det af Movia oplyste ved brev af 25. juni 2020 om indretningen af Movias busser og betalingen for brug af flextrafikken i forbindelse med det midlertidig stop for kontantsalget lægger Forbrugerombudsmanden til grund, at busserne og flextrafikken midlertidigt er undtaget fra pligten til at modtage kontanter efter betalingslovens § 81, stk. 2 [ankenævnets understregning].

Forbrugerombudsmanden foretager sig herefter ikke yderligere i sagen.”

Link til hele afgørelsen: <https://www.moviatrafik.dk/media/8261/afgoerelse-af-sag-om-kontantreglen.pdf>

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

”The 12.05.2021 at approximately 4.30pm at the station Sydmarken, I entered the bus 250S to get to Forum St. and my rejsekort did not want to work, as it said that it had low saldo (50kr) I asked the busdriver to buy a ticket in the bus, and the guy did not give me information, and there was not any other information in the station regarding another form to pay, therefore I decided to take the bus until the next metro sta-

tion (norrebro) where I could charge my card with more money and continue the travel, I did not have another option as Sydmarken St. is kilometers away to another station.

Three or four stations later the controllers entered the bus, and I explained to them that because I am Swedish (work in Denmark and live in Sweden), I tried to order a personal rejsekort many times and that for me was impossible to buy a ticket in the bus, so I tried to get into the next train station to fix the problem.. His answer is that I should buy an sms ticket, and I was, what sms ticket? In the bus station there had not been any info on sms ticket, and that anyway as my phone was Swedish I could not do it, then because I insisted, he told me that why didnt I use the Swedish app, again I answered, that because of the restrictions I was staying with a friend, and because I was not travelling to Sweden that day, I used the rejsekort from time to time to travel within the city, and I cannot buy a ticket CPH-only in the Skanetrafiiken app (I tried). At the end, he did not want to listen and insisted that was my responsibility to get a ticket. This left me frustrated, but understood that it was his job, and gave him my id-card and got the fine.

Two days later I called rejsekort, because I did not know who else to call, as I tried movia and it just did not work out, and the rejsekort people told me that this was not their issue but DOT. I went into the DOT website to make the complain, but as it was impossible for me to find where to do it. I just called the client service number, and a very nice lady told me to call the next Monday at 9am and gave me another number. At monday (16.05) I called, and again the guy in the other line, insisted that this should be my responsibility and insisted with the sms ticket, again I told him that I could not purchase a sms ticket because I have a Swedish number, and I did not have any information where to obtain the app, he told me that this information is in every bus station, and that is not true, as I never see this kind of info in any bus station, curiously as he sensed my distress, he told me that I should write a written formulary for the complain, and tried to send me a sms and did not work out, so he send me an email, and again he told me I have the right of a rejsekort.

I filed the complain, explaining all over again the same tale, the rejsekort issue, that I could not see any information about any app or sms ticket and that I could not find them in my google play or send the sms ticket because of my Swedish number, their answer "It is client self-service and responsibility" you can pay with sms or the app and you can get a personal rejsekort. So here am I filing an appeal because I feel like I had been mistreated."

Indklagede anfører følgende:

" Movia maintains that the fare evasion ticket issued 12.05.2021 is rightly imposed and we do so on the grounds that complainant did not present a valid check in on the ticket inspectors inquiry in the bus.

Rejsekort

A rejsekort is used to pay for journeys. To pay as you go, you reload the rejsekort with money. After each journey, the cost of that specific journey is deducted from the rejsekort account. When the rejsekort is checked in, the card constitutes a legally valid travel document. A rejsekort must be checked in at the very start of the journey or when a change between different means of transport occurs. For all means of transport where a check in is carried out within the means of transport, the customer must check in immediately after boarding.

Failure to check in means that the card bearer travels without a legally valid travel document and a fare evasion ticket may therefore be issued.

When a check in is made a prepayment for that journey is deducted from the rejsekort. You cannot use the rejsekort if the balance on the card is not the minimum sum required for prepayment. This is shown on the rejsekort-display in the bus when checking in accompanied with a humming noise as well.

The remaining balance is also shown on the display when checking out. The card bearer of a Rejsekort Anonymous has a duty to continually and carefully check journey history, prices charged and the card balance, according to Rejsekort Terms and Conditions.

The fare evasion ticket

The ticket inspectors enters the bus at Mellemvengen bus stop and begins a ticket inspection. Complainant is already on the bus. According to complainant she gets on the bus at Sydmarken bus stop and has therefore been in the bus for at least 11 minutes without a valid ticket:

Linie	Tur	Fra	Til	Stop	StopNavn	PlanAfg	Forv.Ank	Forv.Afg	Fakt.Ank	Fakt.Afg	Opdateret	Status	Bus	CS	Forsinkelse	Ophold
250S	31	Bagsværd St., terminalen	Dragør Stationsplads	25076	Bagsværd St., terminalen	16:10	16:10:00	16:10:00	16:08:10	16:10:11	16:10:22	Realtid	8436	1	11	121
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250S	31	Bagsværd St., terminalen	Dragør Stationsplads	223	Mellemvengen	16:32	16:40:31	16:40:40	16:39:07	16:39:23	16:39:29	Realtid	8436	1	443	16

Complainant does not show a valid ticket upon the ticket inspectors enquiry and a fare evasion ticket is issued.

Comments and decision

On May 17 complainant calls the office for fare evasion tickets. During the conversation complainant informs that she was aware of the low balance but claim that she is without guilt since she can not refuel her rejsekort at the bus stop or in the bus. At the same time, complainant explains that she can not get a personal rejsekort nor buy an SMS ticket.

A note is made during the conversation:

Ikke betalt	Ikke betalt	Har henvist til reku og app'en		17-05-2021 11:41:21
Ikke betalt	Ikke betalt	Føler ikke hun havde andre muligheder end at køre med, da hun ikke kunne tanke sit kort op eller købe en sms-billet med et svensk telefonnummer. Har fortalt, at det er eget ansvar at tanke sit kort op for rejsen ud, så man også kan komme hjem. Jeg synes hun på et tidspunkt nævnte, at hun havde musik i øret. Hun fortæller, at hun ikke kan få et personligt rejsekort.		17-05-2021 10:26:52

Complainant is instructed how to make a written complaint and a link to the web form is sent to complainant via e-mail.

On May 17 at 12:17 Movia receives a complaint regarding fare evasion ticket number xx.

Complainant is correct when stating it is not possible to purchase an SMS ticket with a foreign telephone number. It is, however, possible to use the app DOT Tickets or DSB app.

According to complainant it is not possible to get a Rejsekort Personal when not living in Denmark:

Hereby I send you pictures of the bus stop at Sydmarken for you to see that there are not any information about app or sms pay possibility. I attached as well a word document with screenshots of the rejsekort web-site that clearly shows the impossibility of getting a personal rejsekort for a Swedish resident...

This is regarding my appeal case.

We can inform complainant that It is possible to acquire a Rejsekort Personal without a Danish address.

From Rejsekort Personal on www.rejsekort.dk/en:

Send in a customer form

If you don't have a payment card, a Danish cpr-number or a Danish home address you need to fill in a customer form.

[Order here](#)

Customer identification (ER200)



According to The EC Money Laundry Act, proof of identify is needed for all Rejsekort customers
If you do not have a Danish CPR number, you can use this form to become a customer or to block a rejsekort Anonymous.

CUSTOMER INFORMATION		(Machine readable – one character per box)	
* Mandatory. Residential address – must be verified by ID on which the address must appear.			
* First name(s)	<input type="text"/>		
* Family name	<input type="text"/>		
* Addressline 1	<input type="text"/>		
Addressline 2	<input type="text"/>		
* Postal code	<input type="text"/>	* City	<input type="text"/>
State / Province	<input type="text"/>		
* Country	<input type="text"/>		
CPR number	<input type="text"/>		
ATTACH TWO DIFFERENT COPIES OF IDENTIFICATION			
ID1: Valid ID (preferably with photo)	ID2: Valid ID (Address must appear)		
→ Passport	→ Social security ID	→ Social security ID	ID2 must:
→ Driver's license	→ Birth/name certificate	→ Proof of residence	→ Be issued by an official authority.
→ Residence permit	→ Proof of residence	→ Other	→ Include contact information on the authority concerned.
SOLOMN DECLARATION			
I hereby solemnly declare, that the information I have given are correct.			
Date	Signature		

On the photos provided by complainant it clearly shows information at the bus stop regarding the purchase of tickets:

Er bussen mere end 20 minutter forsinket?

Få refunderet dine udgifter til en taxa. Under 'Rejsegaranti' på dinoffentligetransport.dk kan du læse mere.

DOT Kundeservice 70 15 70 00

When will the bus arrive?

Send a text message to 1250 and receive a text message with the next departures from your stop. Text "S 678" to 1250. This service is only possible if your mobile phone provider is Danish.

You can view the timetable on dinoffentligetransport.dk/stoppested. If you wish to plan or follow your journey, you can use the Rejseplanen app.

Find and purchase the right ticket

You can purchase mobile tickets using DOT's app. You can also purchase mobile tickets by text message and pay via your mobile phone bill.

Send a text to 1415 with your start zone, number of zones and type of ticket (e.g. '1 2 v' for a 2 zone adult ticket from zone 1).

On dinoffentligetransport.dk you can find a map, where you can view the number of zones required for your journey. This service is only possible if your mobile phone provider is Danish. Find out more about tickets on dinoffentligetransport.dk. Make sure you have received your ticket before boarding the bus.

Is your bus more than 20 minutes late?

Then you are entitled to a refund of your taxi fare. Find out more on dinoffentligetransport.dk under 'Rejsegaranti'.

DOT customer service +45 70 15 70 00

Du betaler almindelig data-takst ved download af app'en. Mobilbillet App er gratis. SMS koster alm. SMS takst.

13 12 20



In our decision Movia puts emphasis on

- Complainant did not leave the bus after the failed check in.
- It is possible for complainant to purchase a ticket via DOT app.
- It is card holders own responsibility to make sure that the required balance is present on a Rejsekort Anonymous.

Movia finds no reason in this case for complainant not to be able to show a valid ticket and Movia finds no reason to treat this case different from our other customers.

When a fare evasion ticket is issued, we have no reason to believe that this is anything but a regrettable mistake, but on the other hand, Movia has no way of assessing whether the missing travel document is due to a mistake, attempts at deliberate cheating, oversight or other things. Therefore, we cannot relate to it. A fare evasion ticket is not conditional on whether the customer have deliberately tried to evade payment or whether there are errors or misunderstandings, but only if the customer can present a valid ticket in the control situation. Since the customer has not been able to present a valid ticket during ticket inspection Movia finds that the fare evasion ticket has been correctly issued.

In this case, complainant could not produce a valid ticket more than 11 minutes after embarking the bus and the fare evasion ticket has therefore been correctly issued."

Hertil har klageren bemærket:

"Im really sorry I could no answer before. But if possible insist that I could not get a chance to upload the rejsekort, and that the information that is available it is very difficult to find for the user. The pictures that movie are showing highlighting the information are not the same I have sent, and anyway a tiny read in a photocopied washed away piece of paper is not enough...There is not information about the app...And eventhough now after this incident and a lot of calls I finally got my personalized rejsekort I cannot access to it online because of my address in Malmö, that never changes...

Then I still insist that in my case it is an unfair situation, as I did not have alternatives or been informed of them, and counting that Copenhagen is a capital city and very international, especially with a lot of EU workers it is plain ridiculous that we, the ones without a Danish number do not get the chance to buy the ticket with the bus driver, like everywhere else in the world, and the lack of information from movia-DOT and rejsekort is very telling."

Movia har svaret:

"Movia maintains the fare evasion ticket and has no further comments. The photo provided by complainant taken at the bus stop clearly shows an alternative to Rejsekort."

Klageren har videre anført:

"Funny they speak about the pictures I have sent, because the two I have sent do not have that information and it is have it, it is very hidden and hard to read...And what about the impossibility of paying at the bus or the charging of the rejsekort online..There are a lot of international workers in Copenhagen and it is embarrassing the lack of information provided for the use, there is not information regarding the app, and to download it was very difficult (after this incident, I tried)..My bus stop was very far(kilometers) from other station...I tried before to get the personal rejsekort(without any success, there is another lack of informati-

on gap)..I was going to down step in the next train station to recharge my rejsekort and continue my travel...My appeal here is not to discuss a fare evasion, but about the why it happened, because of lack of information and possibilities.

DOT needs to offer more choices for the users...And I know this have nothing to do with my appeal but bus 250S is almost always late or cancelled without further notice, last Thursday I had to wait more than 40 minutes (between 5 and almost 6pm) and the bus never came,no info in the screens or the app..That happens very often, so DOT mishandled users but have no mercy on extraordinary situations like mine..Funny how on these days no controls are made on busses?

Here I adjunt again the pictures I have taken..This appeal is to make aware DOT of the lack of information for the customers..I wanted to pay but just literally could not, there was not possibility for me,if this control would had been after the bus passed a metro/train station then yes, but it was in the middle of nowhere, could not pay in the bus, buses are impuctual, no info about an app, could not pay with sms (because of my Swedish number) and DOT just stand highlighting something hidden in the pictures I have not sent? There is a mistake here as well.. Please compare the pictures I have sent and the ones from DOT I think they are not the same, but because the information on a photocopied black and white sheet can be deceiving, well maybe I'm the one mistaken. I still want to highlight my special situation at that day."

Samt:

" Thank you for the answer, now I can see what you mean,but the third picture where the highlight corresponds, is from another bus stop,for stopstep 678 I think (it is in the picture) if you see the other pictures where the bus stop in Sydmarken (The station I took the bus that day) There is not any information regarding the app or in English or Danish for that matter,confirming again the lack or in this case availability of information in the billboards..Again is for you legible all the information? A photocopied text...

I get it was a mistake but with this I want to make aware how difficult and how few the options are for the users to have access to the correct fare/tickets..Look at my situation with the rejsekort, the lack of information about the app or other options of payment, my case was a emergency where I was already late in the afternoon, no other option available near..I did not had another choice..I already paid the fine long time ago, and if I'm still fighting this is because I want to make awareness on the lack of information from these transport companies (movia, DOT and rejsekort) to the users...I never before had an incident like this and it is just that the options are so narrow..I live in Malmo and normally buy the Skanetrafiiken app, but because at the time there had been restrictions because of Corona I had stayed with my boyfriend who happens to live in CPH..I have tried to get the personalised rejsekort without avail.. I find kind of harsh the treatment I have got after explaining over and over what happened with proving of good will by my part. I still insist that there is a lot of information missing for the user, I did not known of the DOT before, only after this happened I knew about the app, and it is very complicated to use(compared with its Swedish counterpart), in Sweden and Germany countries where I lived, it is possible to buy a bus ticket by card, or in another store like pressbyrån, at least or to recharge the card, and if the machine is broken they give you the alternative to get to the next station to charge it, there are stickers and colorfull information about the apps and methods of travelling, it is quite a shame CPH public transport service does not offer this as well..

I dont want to avoid my responsibility in this, but please mention to the board my situation and my track record and the circumstances, because it was not only me, but the system that needs to rethink how to do customer service."

Movia har hertil oplyst:

" Stoppestedet Sydmarken har nummer hhv. 219 (retning Dragør) og 245 (retning Gladsaxe). Det er 219 som klager efter eget udsagn er steget på ved. Kontrollørerne stiger på ved Mellemvangen 223:

Stop	StopNavn
2256	Gladsaxe Trafikplads, terminalen
219	Sydmarken
220	Mørkhøj
223	Mellemvangen
2149	Bellahøj
2150	Hulshøjde Blade

Klager indsender billeder af stoppested 245 samt 678, som er Forum St.

Vi har undersøgt sagen yderligere hos afdelingen, der er ansvarlig for køreplaner ved stoppestedet.

De svarer:

Info tavlerne er altid med info på både dansk og engelsk og de har siddet i alle stoppesteder siden december 2019:



Trafikinfo

Sydmarken

Zone 31, stoppested nr. 245

Hvornår kommer bussen?

Få besked på din mobiltelefon om, hvornår næste bus kører. Send en SMS til 1250 og få en SMS med bussens næste afgangstider. SMS "S 245" til 1250.

Se hvornår bussen kommer til stoppestedet på dinoffentligetransport.dk/stoppested eller få besked om ændringer i Rejseplanens app.

Find den rigtige billet for dig

I DOTs app kan du købe en mobilbillet. Du kan også købe din billet på SMS. Send en SMS til 1415 med startzone, antal zoner og billettype (f.eks. '1 2 v' for en 2-zoner voksenbillet fra zone 1). Se startzonen for dit stoppested øverst på tavlen. På dinoffentligetransport.dk finder du et kort, hvor du kan se hvor mange zoner, du skal købe billet til. Her kan du også tjekke hvilken billettype, der passer bedst til din rejse. Du skal købe og modtage din billet, inden du stiger på bussen.

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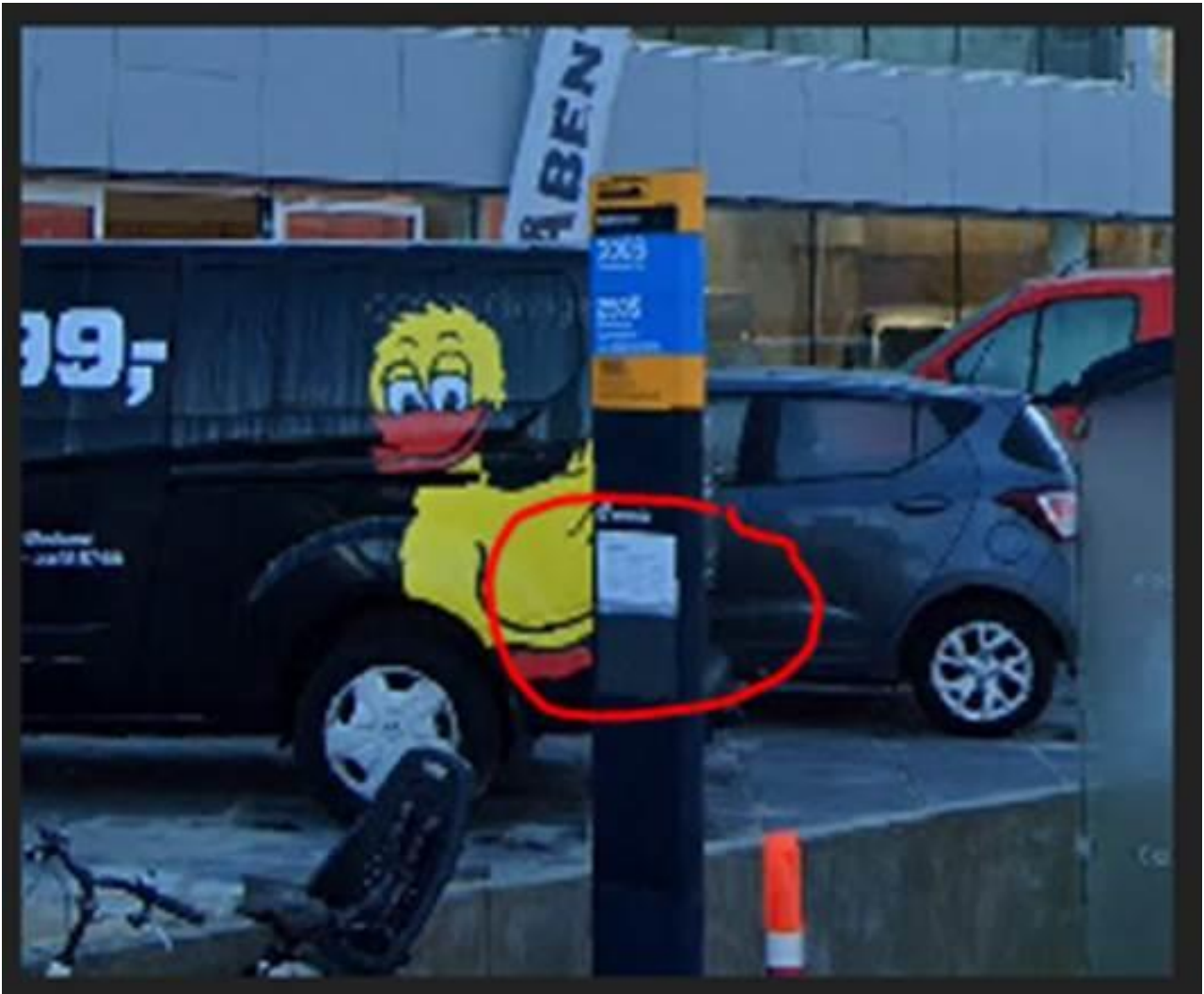
DOT customer service +45 70 15 70 00

Du betaler almindelig datatakt ved download af app'en. Mobilbillet App er gratis. SMS koster alm. SMS takst.

11.04.21



Vi har to billeder af stoppestedet Sydmarken. Det er ikke de bedste billeder, men det er dog tydeligt at se, at informationen findes på bagsiden af standen i forhold til klagers billede.





Stoppestedet, som klager rent faktisk har benyttet den pågældende dag, er stopnr. 219, hvor informationstavlen også findes på den anden side af standeren modsat køreplanerne:



Udover de to ovenstående, har vi ikke benyttet andre billeder i sagen end de billeder, som klager selv har indsendt.”

Til dette har klageren bemærket følgende:

” Thank you for the information, but if what movia is saying is true then why the information regarding the app is not the same in the other pictures I have sent, from the Sydmarken bus stop, taken two days after the incident..I'm going to take pictures today of the bus stop again, but who can guarantee that it did not change after this time?

The information is not the same in all boards and that is shown in the pictures I have sent, and whenever there is information like in Forum,the information is barely legible and very difficult to find (again showed by the pictures)..

Movia states that all billboards have the information and that was not true at the time of the incident, no idea now anyway...And again what about the possibility of buying a ticket in the bus, what happens if your phone breaks and like in my case you are nowhere near to manually charge the rejsekort...Remember that I tried as well to get a personalized rejsekort and though I have a CPR number and an address in Malmo, it was impossible..Onmy after this happened and called many times it was informed to me that I could go to the central station to apply for one..

Is not only the information about the app, but the routes, the payment choices..Sydmarken is in the middle of nowhere and there are not many options if your rejsekort fails..

This only shows the abuse the users are getting from DOT and movia with their arrogant attitude, not providing enough information or options for the users..Again embarrassing if you compare it with Skanetrafiken or the BVG in Berlin (The ones I know very well) but for example in Greece you cannot but the bus tickets with the driver but near every stop there is a shop and there you can buy a ticket..
Anyway.. I just want to insist on my situation at that moment and how the lack of empathy options and information from movia affected me greatly, and want to prevent from happening again to someone more vulnerable that am I, by getting movia give more options and better information to the users..”

På ankenævnets vegne

A handwritten signature in black ink, appearing to read 'Tine Vuust', written in a cursive style.

Tine Vuust
Nævnnsformand