

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

- Journalnummer:** 23-0039
- Klageren:** XX
2500 Valby
- Indklagede:** Metroselskabet I/S v/Metro Service A/S
CVR-nummer: 21 26 38 34
- Klagen vedrører:** Kontrolafgift på 750 kr. grundet manglende check ind på Rejsekort
- Parternes krav:** Klageren ønsker, at ankenævnet annullerer kontrolafgiften mod betaling af rejsens pris. Hun gør gældende, at hun er sikker på, at hun checkede ind, men at hun samtidig oplevede stress og panik, da hun skulle rejse mellem to arbejdsadresser. Hun har anført, at hun er neurodivergent, og at dette bør medtages i bedømmelsen af sagen
- Indklagede fastholder kontrolafgiften
- Ankenævnets sammensætning:** Nævnensformand, landsdommer Tine Vuust
Jacob Ruben Hansen (2 stemmer)
Helle Berg Johansen
Dorte Lundqvist Bang

Ankenævnet for Bus, Tog og Metro har på sit møde den 14. juni 2023 truffet følgende

AFGØRELSE:

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

Klageren har indbetalt beløbet til Metroselskabet I/S v/Metro Service A/S.

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 forsikringssselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren rejste den 5. januar 2023 med Metroen mellem to forskellige arbejdsadresser og benyttede et Rejsekort Erhverv til rejsen. Da der var kontrol ombord på Metroen, foreviste hun Rejsekortet, hvorefter hun blev pålagt en kontrolafgift på 750 kr. for manglende check ind.

Den 12. januar 2023 anmodede klageren Metro Service om at frafalde kontrolafgiften og anførte, at hun er særligt sensitiv og neurodivergent, hvilket påvirker hende meget, og da hun ved kontrollen blev mødt med mistænksomhed og aggression af stewarden, havde det været meget oprørende. Hun begrundede det videre med, at hun er en trofast kunde, som altid betaler for sine rejser, og at hun havde sin arbejdsgivers Rejsekort Erhverv til at betale for rejsen, hvorfor hun ikke havde grund til at forsøge at undgå at betale for rejsen.

Metro Service fastholdt kontrolafgiften den 13. januar 2023 med henvisning til selvbetjeningssystemet. De undskyldte, at klageren havde haft en dårlig oplevelse i Metroen, men anførte, at da hun ikke havde været checket ind på det foreviste Rejsekort, var kontrolafgiften korrekt udstedt.

Uddrag af rejsehistorikken fra det foreviste Rejsekort Erhverv:

05-01-2023 08:54:57	05-01-2023 09:06:11	01-01-2023	Check ind	Check ind	30843		117	40	Vigerslev Allé St.	VAL_25063 - 1393DC
05-01-2023 09:10:13	05-01-2023 09:21:41	01-01-2023	Check ind	Check ind	30843		118	40	Nørrebro St.	VAL_66985 - 139AE5
05-01-2023 09:18:38	05-01-2023 11:10:15	01-01-2023	Check ud	Check ud	30843		119	40	Poul Henningsens Plads St.	VAL_67583 - 130CB3
05-01-2023 12:15:11	06-01-2023 06:33:50	01-01-2023	Kontrolmærke	Kontrol	30843		119		Kongens Nytorv St.	MARK_53571 0989C3
05-01-2023 15:51:21	05-01-2023 17:11:29	01-01-2023	Check ind	Check ind	30843		120	41	Nørrebro St.	VAL_66981 - 139BA4

ANKENÆVNETS BEGRUNDELSE FOR AFGØRELSEN:

Ankenævnet har fra Metro Service modtaget oplysninger fra rejsehistorikken i Back Office om denne sags konkrete rejse, som bekræfter oplysningerne om, at der ikke var checket ind på det foreviste Rejsekort Erhverv ved kontrollen i Metroen den 5. januar 2023.

Ankenævnet har derfor ikke grundlag for at konstatere, at klageren havde checket Rejsekortet korrekt ind på den pågældende rejse, idet check ind ikke var noteret på Rejsekortet eller fremgår af oplysningerne i Back Office.

Ifølge Rejsekort kortbestemmelser og Fælles Landsdækkende Rejseregler skal Rejsekort checkes ind ved rejsens begyndelse, og det er passagerens eget ansvar at være checket korrekt ind.

Kontrolafgiften for manglende check ind blev dermed pålagt klageren med rette.

Det oplyste om, at klageren er neurodivergent, kan ikke medføre, at hun ikke selv bærer ansvaret for at sikre, at hun var checket ind på Rejsekortet, før hun steg ombord på Metroen, og kan dermed heller ikke føre til, at kontrolafgiften skal frafaldes.

Ankenævnet bemærker, at det i Metroen er muligt at få assistance, hvis der er behov herfor, ved enten at kontakte Metroens personale på perronen, eller – hvis der ikke er personale til stede – ved at ringe op på et af de gule opkaldspunkter, der findes på Metroens stationer.

For så vidt angår det anførte om, at stewarden truede med at tilkalde politiet, bemærker ankenævnet, at passagerer har pligt til at legitimere sig i kontrolsituationen, og i tilfælde, hvor en passager ikke vil legitimere sig, kan politiet tilkaldes for at medvirke til at få oplyst den pågældendes identitet.

Ankenævnet bemærker videre, at det ikke er en betingelse for at pålægge en kontrolafgift, at passageren bevidst har søgt at unddrage sig betaling for rejsen.

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 registreret på kortet eller i back office.

Herefter finder ankenævnet, at der ikke har foreligget sådanne særlige omstændigheder, at klageren skal fritages for kontrolafgiften.

Metro Service har oplyst, at klageren har betalt kontrolafgiften den 6. marts 2023.

RETSGRUNDLAG:

Ifølge § 2, stk. 1, jf. § 3 nr. 3 i lovbekendtgørelse nr. 686 af 27. maj 2015 om lov om jernbaner, gælder loven også for metroen. Ifølge § 2 i lov nr. 206 af 5. marts 2019 om ændring af lov om trafikelskaber og jernbaneloven fremgår det, at jernbanelovens § 14, stk. 1, affattes således:

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

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

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

I de Fælles landsdækkende rejseregler (forretningsbetingelser), som trafikvirksomhederne har vedtaget, præciseres hjemmelen til udstedelse af en kontrolafgift.

Det anføres således bl.a., at passagerer, der ikke på forlangende viser gyldig rejsehjemmel, herunder er korrekt checket ind på Rejsekort til deres rejse, skal betale en kontrolafgift på 750 kr. for voksne. Det 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.

Uddrag af de Fælles landsdækkende rejseregler:

”

2.7.4. Identifikation

I kontrolsituationen skal kunden legitimere sig ved kørekort eller andet retsgyldigt dokument. Der kan foretages opslag i CPR-registret til identifikation eller kontrol af kundens oplysninger.

Kunden skal på forlangende kvittere for modtagelse af kontrolafgift. Kunden skal ved sin underskrift bekræfte rigtigheden af de angivne oplysninger, hvor det er påkrævet.

Politiet kan medvirke eller tilkaldes under kontrollen, hvis kontrolpersonalet skønner det nødvendigt.

...

3. Personer med permanent eller midlertidigt handicap

3.1. Assistance

...

Metro

Det er ikke nødvendigt at bestille assistance i forvejen ved rejse med metro.

Ved brug for hjælp eller for ekstra tid ved af- og påstigning, kan kunden kontakte metroens stewards eller kontrolrummet ved brug af de gule opkaldspunkter i metrotogene og på perronerne (grøn INFO knap og ved akut fare, rød ALARM knap).

”

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

” On the 5th Jan I was issued an evasion fine for a missed check in. I was not aware I had missed it and upon the embarrassment of realising, I offered to pay my missed fare on the spot. I have a neurodevelopmental disorder and was travelling between 2 works sites whilst experiencing panic, overwhelm and stress. When experiencing this with a neurodevelopmental disorder, very honest mistakes are made. I was using my work travel card (one I do not pay for, therefore do not profit from), and I went the wrong way on the train as I was so stressed. For further context, I have never been issued a fine because I do not evade fare.

I sent a complaint about this, as I felt this was wholly unfair and inconsiderate of those like myself. I was unhappy with the response. I think for fair determination you should see all the communication accurately, so I had hoped to attach the receipt of my complaint but I cannot see where to attach documents. However, I also noticed on my receipt of complaint, that only some of the text I sent was there - can you confirm for me, is this just the formatting of the receipt? Did they receive the whole text correctly? I can share this document with you for reference. Since I am unable to share my initial comms with you, I will share Xx's response with you:

”[Svar fra Metro Service udeladt] ”

I cannot provide you with the full context of the experience again, but in short, it was extremely intimidating and wholly more stressful than necessary. Below I would like to go through some of the parts of Xx's response. Some of this is to help illuminate from a neurodivergent perspective (as it feels there is little to none in terms of understanding from my experiences with public transport ticket enforcers and complaint handling), and explain my dispute properly.

"If you ever require assistance, you are also always welcome to contact us through the yellow call points on our stations and ticket machines. The call points are connected to our control room, which is always staffed. They can help you over the call point or send a steward to the station if you require personal assistance."

This was a kind offer, I am not sure if this was in response to the way I was spoken to and approached by the ticket enforcement officer, but it was nice to have this clarified as I was unaware. However, if it was in response to the ticket enforcer, he stated that should I deny him by name or try to leave he would contact the police. So this would not have felt optional, should I have been aware of it. If it was in response to my confusion in travelling in general due to neurodivergence/stress, then again, a very kind offer of information. I shall keep it in mind for the future. For the information of travel institutions, it can be very difficult to pinpoint the kind of assistance required when experiencing sensory overload and high stress with ADHD. Patience and understanding is what most sufferers find to be helpful, rather than practical help. But again, this was a kind offer nonetheless.

Xx then went on to say, "The stewards cannot determine whether an error has happened, and they cannot and should not consider whether or not a passenger is attempting to consciously evade paying for their trip. It is a determination they cannot possibly make accurately, or even fairly enforce, and they should instead refer passengers to Metro Customer Service for any inquiries and complaints." Which I believe to be completely understandable and fair, provided that the complaint handling is considerate in their determination. Which has not been the case.

Xx then says, "However, we expect our stewards to be on their best behaviour and I do sincerely apologize for your experience. We never want anyone to feel unsafe or spoken down to." I appreciate this apology, and I hope it is supported with further thought into sensitivity training with practical customer/human related issues, such as neurodivergence, trauma etc. I understand these experiences are likely to be very unpleasant by nature; it is embarrassing, and does feel like a shameful, public accusation of theft. But the intimidating physical proximity, instantly combative manor and aggressive communication tone made it needlessly worse.

Xx then goes on to say, "I understand this was a regrettable mistake, but it is not possible for us to take good faith or intentions into consideration, unfortunately." There is no explanation as to why this is. I am being fined for evasive misconduct, then it is arguable that intention is highly relevant. I had already made an offer to pay for the fare that was missed, it was not intentional - it is not evasion by nature. Evasion implies intent.

To contextualise, my trip was to travel between my work locations in Tasingegade 29 at Poul Henningsen Plads to Svanevej at Norrebro. Xx mentions good faith, however I believe you are able to determine fairly accurately whether someone is likely to be intentionally evading fare. Firstly, I have never received a fine. I can share with you my personal travel card details to confirm this. I would not and will not evade fare. I believe in the importance of social dependency and responsibility. Secondly, it is a business travel card. There is no gain or loss for me as an individual in the evasion of payment, I do not pay for it. This can be evidenced with ease. Thirdly, pattern recognition of usage would clearly show the locations used for. I used that Rejsecard card to get to and from home, and between my 2 work destinations (home being Vigerslev

Alle, and Norrebro or Poul Henningsplads for work destinations). Sometimes you can see, I travel between the 2 sites throughout the day. Occasionally a detour on the way home. If it can serve in more accurate determinations, I can even provide you with copies of my work schedules, personal appointments and sick days over a specific sample time period, so you can see the card use corresponds with my schedule, and therefore see how consistently it is used. Then it will be possible to determine, without relying on good faith, that it was not a case of evasion. I had intended to pay for that specific fare. I still very much would like to.

Xx then states, "Moreover, it is not possible to take travel history into consideration, as we are obligated to treat all customers equally and in accordance with the rules for public transport.". I believe this is a lack of depth in exploration of obligations. There is an obligation to equality yes, but true equality is about equity too; for the very same reasons why children are charged less than adults, why babies don't work, or people with disabilities can get assistance. Sometimes, we do not need to be treated equally, as things are already quite unequal for people. Equity is required, or it actually ends up feeling like discrimination.

In the case where you are determining whether a fine should be upheld for a neurotypical person that cannot produce a valid ticket, then I would understand it is frustrating and unfortunate, and that intention and historical behaviour cannot be taken into account. The fine should be paid and they should try harder to remember - fair.

However, in a case when there is a missed check from someone who is suffering from a neurodevelopmental disorder that directly affects attention and Executive Function, particularly when under high stress, then intention and historical behaviour are highly relevant. To uphold a fine for someone who is:

- 1) a loyal paying customer
- 2) with no intention to evade fair and can evidence this
- 3) who, suffering from neurodevelopmental issues, experienced a disruption when struggling with an unusually stressful day

It would be essentially fining someone for no other reason than their condition, as the condition was the reason it happened. Therefore, this will be the reason I am punished.

I understand you will argue that public transport is an open system with widespread self-service, and it is therefore always the customer's responsibility to have a valid travel authorization upon boarding. But once again I emphasise, the customers are real human beings. They should be fit for the purpose and use of real human beings. All of them, not just neurotypical people. And when wrongdoing happens, punishment and fines should be relevant to the crime.

I work very, very, very hard to try to function in the world as neurotypical people do. Partner, home, job, hobbies, dog - the whole nine yards. That's because, even though at times I am not able to function as well as others, I have the right just like everyone else to live this way. Free from extortion. Independently, autonomously, and without surrender. Unfortunately, my brain doesn't always cooperate. Especially if under a great deal of stress.

Thanks to the efforts of shame and guilt through decades of not being diagnosed (and in attempts to mask symptoms and function freely), I have been able to painstakingly develop a multitude of coping mechanisms to manage many of the symptoms I experience. For example, I suffer from time blindness, therefore I play music I know well when I need to manage time throughout a task, so I know how much time has passed.

For the most part, I do this successfully. Part of this success is down to the patience and understanding of

others, who take the time to understand all the shades and sizes of the population. Those who make necessary considerations and accommodations to achieve true equality. Many of the necessary services I use have provided flexibility to me at times where I have struggled to keep up with the administration necessary. For example, I forgot to change my payment details on Swapfiets when I changed to a Danish account (the only one I missed), and when I explained this was an error they very kindly understood and allowed me to make the payment when I said I would.

Public transport services are an integral need. I ask that travel services and/or complaint handling services, please amend the cultures, approaches, and rules to suit the real public. It is possible to make them suitable for all people, and not just neurotypical people.

I do not propose I know what would be the best way to enact appropriate consideration for diversity and neurodiversity in the population in relation to missed check-ins and fines, but I would think the rules would be more suitable when there is reasonable flexibility with situations related to neurodivergent people. Perhaps a more appropriate reprisal would be considered. For example, the regularity of the travellers check in history to be considered, along with any potential extenuating circumstances (such as knowledge of the travel card being a work card, or experiencing stress and/or panic) to pay the exact journey fair that was missed, rather than the sizable (and unreasonable) 750kr fine.

I would like to state once more that:

- 1) It is a work card and I have no incentive to cheat the use of it, as I make no profit or loss from missing a check in
- 2) I regularly check in, and this is an anomalous situation incurred by stress and poor Executive Function due to a disorder
- 3) If allowed time I can provide evidence or doctors report of neurodivergence

My request is that the The Board of Appeal for Bus, Train and Metro make reasonable adjustments and compassionate considerations in the context of fining rules to those with neurodivergence and neurological disorders now and moving forward in your verdicts. I ask this as I reviewed some of the previous decisions made and upheld, and was saddened at some of the outcomes and responses. Particularly one related to Alzheimers, which as you may know is a devastating disease in terms of Executive Function, I found to be very deeply upsetting. People have the right to live freely as others, from extortion. Enforcing someone with Alzheimer's to pay a collective 850kr fine (including administration fee fine, because they forgot, obviously because of the degenerative brain disease they are enduring) when they could have simply paid the fare that was owed, seems a lot like modern extortion. I feel that this is illustrated when Xx mentions that, "An inspection fee is, legally, considered to be an expensive train ticket". It may be legally considered so, yes, What about morally and ethically, though? How does the public transport intend to operate, simply legally?

I hope you see the importance of what I am trying to achieve. There are so many people out there suffering from related disorders that are enduring constant immense literal mental pain, that are simply trying to keep their heads above the water. And can do so with a little patience and awareness. Please help me in shaping a precedent of reasonable compassion and understanding in these situations to those with divergent minds and behaviour. It is not our fault that we struggle sometimes more than others, and treating us as such with everything else we are managing feels unreasonable, discriminatory and extortive.

I ask that you uphold my request to reverse the 750kr fine, and that you instead charge me exactly for the appropriate journey (which was Poul Henningsplads to Marmorkirken, then Marmorkirken to Norrebro - as

you will see from my previous communication with Xx, I took the wrong train and had to go back), as this is what I owe and would be fair to pay.”

Indklagede anfører følgende:

” The complainant has received the fine 5. January 2023, at 12:18, as she could not show valid travel documents at the time of ticketing. The complainant was met by the inspector after the metro had left the Triangle station.

The complainant presented a rejsekort that had not been checked in before boarding the metro.

The Copenhagen Metro operates like all other means of public transportation in the greater Copenhagen area according to a common set of rules, the Joint Nation Travel Regulations.

Cf. the travel regulations, it is the passenger's own responsibility before boarding to secure a valid travel document, which can be presented to the inspector upon inspection.

In cases where a valid travel document or card cannot be presented when asked for by the inspector, it must be accepted to pay a fine, which - when using the metro - is 750 kr. for an adult. This basic rule is a prerequisite for the self-service system that applies to journeys by public transport. This information can be seen partly on the information boards set up at all metro stations and partly from the Joint Nation Travel Regulations, which are available on [DOT's website](#).

In the [Joint National Travel Regulations](#) it is, among others, stated: Scope, Purchase of travel document, Use of Rejsekort, Inspection of travel documents and Fees.

1.1. Scope

The Joint National Travel Regulations apply to travel with the aforementioned companies in Denmark. This means travel by bus, harbour bus, Metro, local train and light rail, and travel by Arriva Tog, DSB and Nordjyske Jernbaner (hereinafter referred to as bus, train and metro).

The travel regulations also apply to travel using the means of transport provided by the companies as replacement transport, as well as to duplication of transport. By duplication of transport is meant extra transport to increase capacity.

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. On receipt of a travel document, the customer must make sure that the single ticket is in accordance with requirements.

2.4.3. Use of Rejsekort

Rejsekort, issued by Rejsekort Rejseplanen A/S, can be used as a travel document, except on Bornholm and small islands. See travels at www.rejseplanen.dk.

A Rejsekort must be checked in (see the list of validation rules below) before the start of the journey. For all means of transport for which check in takes place inside the means of transport, the customer must check in immediately after boarding, without any unnecessary delay, and before taking a seat. The Rejsekort must also be checked in on every transfer to a bus, train or Metro train, and checked out at the end of the journey.

A Rejsekort Anonymous must have the 'rejse mellem landsdele' (inter-regional travel) setting to be valid for travel between regions of Denmark. Be aware of increased prepayment - see [Terms and conditions for Rejsekort](#).

It is the customer's responsibility to ensure that the Rejsekort is set correctly for the customer(s) travelling on the Rejsekort, i.e. correct customer type, number of passengers, and dogs and bicycles. For travel on the Metro, the Rejsekort card reader located on the Metro stations must be used to check in (also when changing from train and bus).

2.6. Inspection of travel documents

Throughout the journey, the customer must cooperate with ticket inspection staff. This obligation also applies immediately after the customer has left the bus or train, and until they have left the platform or the Metro area. If the inspection staff consider this necessary, the police may be involved or called in during the inspection. See also section 2.7.4 concerning identification.

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. This also applies if the customer has purchased a travel document via a mobile device that cannot be inspected, for example if it has run out of power or been broken.

2.7.2. Fees

The Public Transport Operators determine the size of Inspection fees. The size of inspection fees can therefore be changed following a decision by the individual Public Transport Operator. This will be notified within one month and will appear on the website of the Public Transport Operator in question (see section 17).

The Inspection fee is issued by the Public Transport Operator the customer has travelled with and at the Public Transport Operators tariff.

The Inspection fee for the individual customer groups in the individual Public Transport Operator currently amounts to:

Public Transport Operator	Adult and Youth	Children and dogs	Bicycles
DSB	DDK 750	DDK 375	DDK 100
Arriva Tog	DDK 1.000	DDK 500	DDK 250
Nordjyllands Trafikselskab	DDK 1.000	DDK 500	DDK 100
Midttrafik	DDK 1.000	DDK 500	DDK 100
Sydtrafik	DDK 1.000	DDK 500	DDK 100
Fynbus	DDK 1.000	DDK 500	DDK 100
Trafikselskabet Movia	DDK 1.000	DDK 500	DDK 100
Metroselskabet I/S	DDK 750	DDK 375	DDK 250
BAT	DDK 750	DDK 375	DDK 100

As shown from the overview and from the travel regulations, there are no graduated rates, depending on the reason for the fine being issued.

The only exception to this is customers who has forgotten their valid commuter cards, in these cases the fine can be reduced to 125 kr.

We fully understand that it is a really unfortunate situation that the complainant has found herself in, but as we want to treat all our customers equally, we do relate to whether the lack of a valid ticket or card is due to a conscious or unconscious act, whether it is a child, a student, a pensioner, a tourist, or if the lack of valid travel permit is due to illness or a diagnosis - we deal solely with the fact that it is the passenger's responsibility to secure a valid ticket or a valid card before boarding.

In connection with case processing, we also do not relate to any previous travel history.

At all metro stations there are information board and on **Travel information** it is, among others, stated:



Kontrolafgift Fare evasion tickets

Husk, det er dit ansvar at have en gyldig billet eller kort til rejsen for både dig og dine eventuelle ledsagere, inden du stiger på metroen. Passagerer, der rejser uden gyldig billet eller kort, skal betale en kontrolafgift på 750 kr. Se dinoffentligetransport.dk for yderligere information.

Please remember that it is your responsibility to have a valid ticket or travel card for both you and your potential companions before entering the train. Passengers travelling without a valid ticket or card must pay a fare evasion ticket of kr. 750. Go to publictransport.dk for applicable travel rules and penalty fares.



Hav billetten klar Have your ticket ready

Husk at have gyldigt kort eller billet klar inden du står på – du kan ikke købe billetter i metrotoget. Hvis du rejser uden billet, vil du ved kontrol få en afgift på 750 kr.

You must have a valid ticket before boarding – you cannot buy tickets on the metro train. Travelling without a valid ticket will lead to a fine of kr. 750.

... and on the information board **Welcome to the Metro** :



Rejser med Metroen kræver gyldigt kort eller billet inden påstigning. Der findes Rejsekort- og billetautomater på alle stationer. Billetkontrol kan ske både under rejsen, ved udstigning og på stationen efter endt rejse. Har du ikke gyldigt kort eller billet udstedes kontrolafgift efter gældende regler.

Travelling on the Metro requires a valid ticket. Tickets are available from ticket vending machines at the stations. Ticket control may be performed during the journey, when leaving the train and at the station after the journey has ended. Passengers boarding a train without a valid ticket will be liable to pay a fare evasion ticket.

Due to the above we must conclude that the fine is correctly issued and following correctly maintained, as the complainant could not present a valid ticket or card, which is why we uphold our claim om 750 kr."

Hertil har klageren bemærket:

"I have ADHD and in truth this process has been extremely frustrating, and this is why I've avoided it. I have been fined before for a missed check in, and whilst I think it's a heavy fine for a genuine error ultimately it was fair, as I had not checked in.

This case is really frustrating and takes a lot of energy because I was checked in. I know this because 1) I remember checking in, and 2) I was checked by the 1st ticket officer without issue (this was confirmed by the passenger / police officer who saw this dispute). It's disturbing and stressful to think that even if I have not made a mistake I will still be fined. I don't know why my travel journeys for the day were not present/readable upon the 2nd ticketed officers check (within 5 mins from the first check), but it is not my mistake. I get very upset and stressed to think I could be charged/humiliated at any time, even if following rules."

Hertil har indklagede bemærket:

"Som det fremgår, er stewardens kontrolmærke sat på kortet kl. 12:15:11, og transaktionen før dette, er et check ud kl. 09:18:38 på Poul Henningsens Plads st.

Reg. udstyr dato/kl.	Modtaget, system dato/kl.	Regnskabsperiode	Handling	Transakt.type	Kortnr.	Kortsekv.nr.	Rejseseqv.nr.	Lokation	Udstyr / -nr.
04-01-2023 09:16:16	04-01-2023 09:39:22	01-01-2023	Check ind	Check ind	308430	106	36	Vigerslev Allé St.	VAL_25063 - 1393DC
04-01-2023 09:29:11	04-01-2023 12:00:52	01-01-2023	Kontrolmærke	Kontrol	308430	106	36	Fuglebakken St.	MARK_61425 - 098BA7
04-01-2023 09:30:27	04-01-2023 09:49:00	01-01-2023	Check ind	Check ind	308430	107	36	Nørrebro St.	VAL_66985 - 139AE5
04-01-2023 09:37:18	04-01-2023 11:11:08	01-01-2023	Check ud	Check ud	308430	108	36	Poul Henningsens Plads St.	VAL_67583 - 13CCB3
04-01-2023 11:21:14	04-01-2023 13:07:50	01-01-2023	Check ind	Check ind	308430	109	37	Poul Henningsens Plads St.	VAL_67595 - 139B31
04-01-2023 11:35:17	04-01-2023 11:56:04	01-01-2023	Check ud	Check ud	308430	110	37	Nørrebro St.	VAL_66995 - 139977
04-01-2023 15:19:24	04-01-2023 15:30:39	01-01-2023	Check ind	Check ind	308430	111	38	Nørrebro St.	VAL_66985 - 139AE5
04-01-2023 15:21:49	04-01-2023 15:49:04	01-01-2023	Kontrolmærke	Kontrol	308430	111	38	København H	MARK_53568 - 0989C0
04-01-2023 15:26:02	04-01-2023 17:02:26	01-01-2023	Check ud	Check ud	308430	112	38	Poul Henningsens Plads St.	VAL_67583 - 13CCB3
04-01-2023 15:58:05	04-01-2023 17:17:22	01-01-2023	Tank-op-aftale	Tank-op-aftale	308430	113		Poul Henningsens Plads St.	VAL_67595 - 139B31
04-01-2023 15:58:05	04-01-2023 17:17:22	01-01-2023	Check ind	Check ind	308430	114	39	Poul Henningsens Plads St.	VAL_67595 - 139B31
04-01-2023 16:06:57	04-01-2023 16:17:34	01-01-2023	Check ind	Check ind	308430	115	39	Nørrebro St.	VAL_72110 - 13C6B3
04-01-2023 16:19:25	04-01-2023 17:20:57	01-01-2023	Check ud	Check ud	308430	116	39	Vigerslev Allé St.	VAL_25068 - 139D1D
05-01-2023 08:54:57	05-01-2023 09:06:11	01-01-2023	Check ind	Check ind	308430	117	40	Vigerslev Allé St.	VAL_25063 - 1393DC
05-01-2023 09:10:13	05-01-2023 09:21:41	01-01-2023	Check ind	Check ind	308430	118	40	Nørrebro St.	VAL_66985 - 139AE5
05-01-2023 09:18:38	05-01-2023 11:10:15	01-01-2023	Check ud	Check ud	308430	119	40	Poul Henningsens Plads St.	VAL_67583 - 13CCB3
05-01-2023 12:15:11	06-01-2023 06:33:50	01-01-2023	Kontrolmærke	Kontrol	308430	119		Kongens Nytorv St.	MARK_53571 - 0989C3
05-01-2023 15:51:21	05-01-2023 17:11:29	01-01-2023	Check ind	Check ind	308430	120	41	Nørrebro St.	VAL_66981 - 139BA4

Afslutningsvis kan det oplyses, at vi har modtaget klageren indbetaling på 750 kr. den 6. marts 2023."

På ankenævnets vegne

Tine Vuust
Nævnformand