

104年公務人員特種考試警察人員、一般警察人員考試及104年
特種考試交通事業鐵路人員、退除役軍人轉任公務人員考試試題

等 別：四等警察人員考試

類 科 別：消防警察人員

科 目：中華民國憲法與消防警察專業英文

考試時間：1 小時

座號：_____

※注意：(一)本試題為單一選擇題，請選出一個正確或最適當的答案，複選作答者，該題不予計分。

(二)共 50 題，每題 2 分，須用 2B 鉛筆在試卡上依題號清楚劃記，於本試題上作答者，不予計分。

(三)禁止使用電子計算器。

- 1 關於憲法概念及特徵，下列敘述何者錯誤？
(A)憲法具有最高之法規範效力
(B)成文憲法之變動，僅有重新制憲之唯一可能性
(C)基本權之保障及權力分立之設計，為現代立憲主義憲法之重要判準
(D)國家為憲法之主要規範對象
- 2 政府採購法規定得標廠商於履約期間必須僱用一定比例之原住民，僱用不足者應繳納代金。司法院釋字第 719 號解釋認為此一規定並未違憲，本號解釋並未引據下列何種規範？
(A)憲法第 5 條各民族一律平等
(B)原住民族基本法第 1 條促進原住民族發展，建立共存共榮之族群關係
(C)聯合國原住民族權利宣言第 21 條各國應採取有效措施，確保原住民族之經濟得到持續改善
(D)國際勞工組織原住民和部落人民公約第 20 條各國應確保原住民族勞動者在受僱上受到有效保障
- 3 下列何稅為憲法明定應徵收者？
(A)所得稅 (B)房屋稅 (C)土地增值稅 (D)契稅
- 4 依據憲法之規定，獨佔性企業之經營原則為何？
(A)以公營為原則 (B)以國民經營為原則
(C)以公民營合力經營為原則 (D)以公民營自由競爭為原則
- 5 下列何者為憲法第 170 條所稱之法律？
(A)地方稅法通則 (B)非都市土地使用管制規則
(C)就業促進津貼實施辦法 (D)臺北市都市更新自治條例
- 6 為消弭人民對某政務官健康警訊疑慮，行政院公布該官員之就醫病歷。此舉可能侵害到該官員之何種基本權？
(A)服公職權 (B)資訊隱私權 (C)平等權 (D)人身自由
- 7 人民因犯罪嫌疑被逮捕拘禁時，本人得聲請該管法院，將之從逮捕機關移送法院審問之程序，稱為：
(A)拘提 (B)管收 (C)提審 (D)糾舉
- 8 依司法院大法官之解釋，下列何者非屬宗教自由之保障範圍？
(A)內在信仰之自由 (B)宗教行為之自由 (C)宗教營業之自由 (D)宗教結社之自由
- 9 依司法院大法官之解釋，下列何者非屬居住及遷徙自由之保障範圍？
(A)旅行 (B)遊行 (C)出境 (D)入境
- 10 依司法院大法官之解釋，下列何者不受結社自由之保障？
(A)主張共產主義者 (B)主張分裂國土者 (C)從事組織犯罪者 (D)強制加入職業團體者
- 11 下列何者非屬服公職權之保障範圍？
(A)晉敘陞遷權 (B)俸給權 (C)身分保障權 (D)轉任權
- 12 下列何者不屬於憲法保障人民訴訟權之內涵？
(A)三級三審之審級救濟權 (B)聽審權 (C)適時救濟請求權 (D)公平審判請求權

- 13 依司法院釋字第 720 號解釋意旨，羈押被告係涉及下列何種基本權之限制？
(A)人身自由 (B)隱私權 (C)居住自由 (D)生存權
- 14 依司法院釋字第 719 號解釋，人民營業之自由，係下列何種憲法基本權所保障之內涵？
(A)生存權 (B)工作權及財產權 (C)遷徙自由 (D)訴願權及訴訟權
- 15 依司法院釋字第 716 號解釋意旨，買賣交易之契約自由係源自於憲法所保障之何種基本權？
(A)憲法第 15 條之生存權 (B)憲法第 15 條之工作權
(C)憲法第 15 條之財產權及第 22 條之概括基本權 (D)憲法第 15 條之生存權及第 16 條之訴訟權
- 16 憲法第 133 條規定，被選舉人得由原選舉區依法罷免之。依憲法及公職人員選舉罷免法之規定，下列敘述何者錯誤？
(A)直轄市長得由該直轄市之選舉人罷免之
(B)區域立法委員得由原選舉區之選舉人罷免之
(C)不分區立法委員以全國為選舉區，得由該選舉區之選舉人罷免之
(D)平地原住民立法委員以平地原住民為選舉區，得由該選舉區之選舉人罷免之
- 17 立法院依憲法及憲法增修條文規定所提之議案，下列何者無須經中華民國自由地區全體選舉人投票決定？
(A)總統彈劾案 (B)總統罷免案
(C)領土變更案 (D)監察院與立法院合併之修憲案
- 18 憲法增修條文第 4 條有關立法委員選舉制度之規定，下列敘述何者正確？
(A)每一縣（市）無論其人口多寡，至少選出立法委員 1 人
(B)政黨得票率達百分之三以上者，始得參加政黨比例代表之席次分配
(C)政黨當選名單中，任一性別不得低於三分之一
(D)立法委員任期為 3 年
- 19 依司法院釋字第 627 號解釋意旨，下列何者非屬總統享有之特權？
(A)刑事豁免權
(B)言論免責權
(C)決定國家機密不予公開之權力
(D)就國家機密事項於刑事訴訟程序之拒絕證言權
- 20 關於公務員懲戒制度之說明，下列何者錯誤？
(A)公務員懲戒委員會非屬司法機關 (B)不服公務員懲戒議決，不得提出上訴
(C)懲戒處分影響人民服公職權利 (D)懲戒處分之審議應符合正當法律程序
- 21 憲法第 53 條規定，行政院為國家最高行政機關。此規定之目的係為維護下列何種原則？
(A)法律保留原則 (B)法律優位原則 (C)比例原則 (D)行政一體原則
- 22 總統於立法院解散後發布緊急命令，若新任立法委員尚未選舉產生，應由何者召集遭解散之立法院追認緊急命令？
(A)總統 (B)立法院院長 (C)立法院自行集會 (D)行政院院長
- 23 依憲法規定，立法院不得對何種事項進行議決？
(A)法律案 (B)預算案 (C)決算案 (D)媾和案
- 24 依憲法第 81 條規定，為保障法官，將法官轉為非法官職務，應以下列何種規範定之？
(A)法律 (B)職權命令 (C)行政規則 (D)職務命令
- 25 監察院審計長應於行政院提出決算後至遲幾個月內完成審核？
(A)1 個月內 (B)2 個月內 (C)3 個月內 (D)4 個月內

- 26 Firefighters must be able to think critically and solve problems quickly when _____ fire at a fire scene.
(A)executing (B)combating (C)abolishing (D)dispensing
- 27 The fire department is seeking new _____ to use helmet-mounted cameras for novel ways to reduce injuries and make firefighting more efficient.
(A)demands (B)forecasts (C)impacts (D)approaches
- 28 Periodic inspection and regular _____ of the wiring system of a building can help prevent overloading of the wiring or short-circuit from happening.
(A)maintenance (B)clearance (C)tolerance (D)sequence
- 29 With the changes our industrial activities have brought to the environment, many weather related natural disasters have gained in both frequency and _____.
(A)accuracy (B)intensity (C)distinction (D)operation
- 30 Temporary shelters were set up for the victims who lost their homes to the _____ earthquake which claimed many lives in the remote village.
(A)epidemic (B)outrageous (C)formidable (D)devastating
- 31 Units from the city's Fire Department were sent to an amusement park to rescue the people _____ on a roller coaster ride that stopped in midair.
(A)besieged (B)stranded (C)detached (D)transmitted
- 32 Wildfires must be detected and _____ prior to reaching an uncontrolled state if we want to significantly reduce the damage and cost of them.
(A)accommodated (B)manipulated (C)suppressed (D)overturned
- 33 A man reported a rockslide instance and gave a clear _____ of what happened as well as how many people were injured.
(A)account (B)claim (C)vision (D)boast
- 34 When rescuing injured workers at construction sites where the stairs are not accessible, a moving ladder is a good _____ to consider.
(A)warranty (B)episode (C)transaction (D)alternative
- 35 A mysterious giant sinkhole has appeared in the suburb of the capital city, _____ 20 meters in width and up to 30 meters in depth.
(A)amounting (B)occupying (C)measuring (D)contributing
- 36 When the firefighters arrived, they tried to find out how many people were _____ in the fire.
(A)tapped (B)tipped (C)taped (D)trapped
- 37 Live fire trainings usually take place in structures, built or acquired, to be _____ burned for firefighting practices.
(A)circularly (B)ambitiously (C)intentionally (D)magnificently
- 38 When we use the washer, we should make sure that the right plug and outlet are used and that the machine is _____ properly.
(A)contacted (B)connected (C)contracted (D)contented
- 39 In order for supplies and relief efforts to flow smoothly into the _____ areas after a natural disaster, government agencies must be in close contact with each other.
(A)affected (B)captured (C)estimated (D)preserved

- 40 After _____ their climbing equipment and rescue gear, the team members began to ascend the cliff to meet the sick climber.
(A)compiling (B)harnessing (C)discharging (D)launching
- 41 Emergency warning _____ can be electronic or manual and are designed to alert members of the public and other road users by sound that an emergency vehicle is approaching.
(A)lights (B)beacons (C)monitors (D)sirens
- 42 The National Fire Protection Association's (NFPA) Fire Sprinkler initiative has _____ a new grant program to ramp up sprinkler-related efforts across America.
(A)launched (B)missed (C)recovered (D)concealed

請依下文回答第 43 題至第 46 題：

Searching for people trapped under debris of a collapsed building should be done very carefully. As you clear the wreckage, you could be changing the balance of it, and further 43 the structure. Therefore, proper safety precautions should be taken at all times. Before starting to move large pieces of the wreckage, you should make 44 contact with the people trapped under it by calling out to them. You also need to make an effort to listen below the debris to catch any sign of 45. Victims may respond to your call by uttering a word or tapping the debris. Even if there is no response, it 46 assumed that there is nobody below. The trapped person could be unconscious, or, might be too feeble to respond.

- 43 (A)formulating (B)destabilizing (C)reformatting (D)consolidating
- 44 (A)implicit (B)verbal (C)touching (D)physical
- 45 (A)awareness (B)movement (C)deception (D)exchange
- 46 (A)should be (B)should have been (C)should not be (D)should not have

請依下文回答第 47 題至第 50 題：

The New York City Fire Museum operates a world-class fire safety education program in conjunction with the New York City Fire Department. The program 47 teaching visitors how to prevent fires within the home and how to protect themselves and escape should a fire occur.

The program consists of two components – classroom training and a simulated fire event in a mock home environment. During the first portion, visitors are shown a video 48 fire safety and burn prevention. Immediately following the video, a New York City firefighter leads a discussion to reinforce safety information presented in the video.

During the second half of the program, the firefighter leads the visitors through various rooms in a mock apartment. In each room (living room, kitchen, bathroom and bedroom), various fire and burn hazards are black-lit and the firefighter spends time explaining how each can cause a fire and 49 can be done to prevent it. When the group reaches the bedroom, the firefighter closes the door to continue his/her discussion. 50, the firefighter's assistant fills the rest of the apartment with theatrical smoke. A smoke alarm sounds and the firefighter teaches the visitors how to escape from the bedroom, and then helps them practice.

- 47 (A)counts on (B)runs out (C)calls for (D)aims at
- 48 (A)regarding (B)regarded (C)being regarded (D)regarded as
- 49 (A)how (B)what (C)which (D)when
- 50 (A)Practically (B)Roughly (C)Consequently (D)Simultaneously