

108年公務人員特種考試警察人員、一般警察人員考試及
108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

考試別：警察人員考試

等別：四等考試

類科別：行政警察人員、交通警察人員

科目：中華民國憲法與警察專業英文

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)本科目共 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 有關立法委員之罷免，下列敘述何者錯誤？
(A)就職未滿 1 年者不得罷免
(B)罷免案之投票，原則上不得與其他各類選舉同時舉行
(C)罷免案通過者，被罷免人自解除職務之日起，4 年內不得為同一公職人員候選人
(D)全國不分區及僑居國外國民立法委員選舉之當選人，不適用罷免之規定
- 2 下列何者屬憲法第 129 條所稱之選舉原則？
(A)平等原則 (B)公正原則 (C)比例原則 (D)公開原則
- 3 依司法院大法官解釋，有關財產權限制之敘述，下列何者錯誤？
(A)應符合比例原則 (B)應踐行正當法律程序 (C)應給予合理補償 (D)應符合利益共享原則
- 4 有關監察院彈劾權行使之對象，下列何者不屬之？
(A)地方政府行政首長 (B)總統
(C)經國家考試及格任用之公務人員 (D)軍人
- 5 依憲法增修條文之規定，關於直轄市、縣市選出之立法委員，下列敘述何者錯誤？
(A)應按各直轄市、縣市人口比例分配
(B)每選舉區僅得選出 1 人
(C)全國當選名單中，婦女不得低於二分之一
(D)任期 4 年，連選得連任，連任次數不受限制
- 6 關於司法院大法官解釋之效力，下列敘述何者錯誤？
(A)大法官作成之解釋，具有拘束全國各級機關及人民之效力
(B)各該解釋皆自解釋公布之日起算至第 3 日起發生效力
(C)大法官作成之憲法解釋，與憲法立於同等之法位階
(D)確定終局裁判所適用之法律或命令，經宣告違憲，聲請人得以該解釋為再審或非常上訴之理由
- 7 依憲法本文規定，下列有關國稅與縣稅之劃分的敘述，何者正確？
(A)由中央立法並執行 (B)由中央立法，但交縣、市執行
(C)由中央與地方協商立法並執行 (D)由憲法直接規定，並交各級政府執行
- 8 總統缺位時，應如何處理？
(A)由立法院補選之人代行職務，至總統任期屆滿為止
(B)由行政院院長代行總統職務，至總統任期屆滿為止
(C)由副總統繼任，總統任期重新起算
(D)由副總統繼任，至總統任期屆滿為止
- 9 依司法院大法官解釋，關於憲法選舉權，下列敘述何者正確？
(A)對於民意代表候選人設定學、經歷限制，大法官曾宣告牴觸憲法
(B)對於無黨籍總統候選人採行連署制度，大法官曾宣告牴觸憲法
(C)要求總統候選人繳納競選保證金，大法官曾宣告牴觸憲法
(D)政黨推薦公職人員選舉之候選人減半繳納保證金，大法官曾宣告牴觸憲法
- 10 依憲法增修條文與司法院大法官解釋，下列關於立法委員選舉制度之敘述，何者錯誤？
(A)不分區立法委員依政黨名單投票選舉之
(B)不分區立法委員當選後，無法由人民罷免
(C)不分區立法委員若失去黨員資格，則喪失立法委員資格
(D)政黨至少要得到百分之五的政黨票，始得分配不分區立法委員席次之規定，違憲

- 11 下列何種職業證照，經大法官解釋後，方納入專門職業及技術人員之考試範圍？
(A)記帳士 (B)職業小客車駕駛 (C)不動產估價師 (D)中醫師
- 12 依司法院大法官解釋意旨，有關人民應考試、服公職之權利，下列敘述何者錯誤？
(A)專門職業人員應試科目之決定，限制人民職業自由及應考試之權，不得由考試機關基於法律授權以命令規定
(B)曾受刑之宣告者，不得報考國軍志願役專業預備軍官預備士官班，與憲法保障人民服公職之權利意旨不符
(C)機關因改組、解散或改隸致對公務人員之憲法所保障服公職之權利，有重大不利影響者，應設過渡條款
(D)以外國學歷應牙醫師考試者，須在主管機關認可之醫療機構完成臨床實作訓練之規定，合憲
- 13 下列何者並非憲法明文列舉之權利？
(A)秘密通訊自由 (B)宗教自由 (C)應考試權 (D)隱私權
- 14 依司法院大法官解釋，下列有關憲法第 14 條結社自由之敘述，何者錯誤？
(A)人民組織政黨須事前取得許可，以避免危害中華民國之存在
(B)人民組織政黨無須事前許可，即使有危害自由民主憲政秩序之虞
(C)結社自由保障人民團體成立時之命名權
(D)結社自由保障人民團體成立後之更名權
- 15 依憲法及司法院大法官解釋，有關人民受教育之權利，下列敘述何者錯誤？
(A)憲法保障人人享有受教育之公平機會
(B)人民得請求國家提供以國民教育為內容之給付
(C)人民受國民教育以外教育之權利，並未受憲法保障
(D)若基於非人力所得控制之分類標準，對人民受教育之權利予以差別對待，應受較為嚴格之審查
- 16 依司法院大法官解釋，下列關於言論自由之敘述，何者有誤？
(A)正確之商品標示亦有自我實現之功能
(B)消極不表意自由亦受憲法第 11 條之保障
(C)出於營利目的之性言論不受憲法保障
(D)社會多數共通之性價值秩序得為限制性少數言論之正當目的
- 17 依司法院大法官解釋意旨，下列關於平等權之敘述何者錯誤？
(A)對於不同意改建之原眷戶得逕行註銷其眷舍居住憑證之規定，不違反平等權
(B)所得稅法以一定年齡為減除免稅額之要件，違反平等權
(C)要求達一定規模之政府採購得標廠商需進用一定比例原住民之規定，不違反平等權
(D)限制兼具藥師及護理人員資格者，只能在同一處所執業之規定，不違反平等權
- 18 依司法院釋字第 708 號解釋，關於外國人受驅逐前之暫時收容，下列敘述何者錯誤？
(A)外國人之人身自由亦受我國憲法保障
(B)對於外國人之暫時收容，亦屬對於人身自由之剝奪
(C)關於人身自由之保障，刑事被告與非刑事被告不必完全相同
(D)對於外國人之收容無須經法院審查
- 19 有關憲法之施行及修改之相關疑義，應由下列那一機關解釋之？
(A)立法院 (B)總統 (C)司法院大法官 (D)各級法院
- 20 依憲法與憲法增修條文之規定，下列何者不屬總統之職權？
(A)發布緊急命令 (B)任免文武官員
(C)解散立法院 (D)至立法院發表國情咨文並備質詢
- 21 有關獨立行政機關，下列敘述何者錯誤？
(A)獨立機關之存在對於行政一體及責任政治有所減損，其設置應屬例外
(B)獨立機關之委員應依各政黨在立法院所占席次比例產生，行政院僅有名義上之提名與任命權
(C)獨立機關為依據法律獨立行使職權自主運作，不受其他機關指揮監督之合議制機關
(D)國家通訊傳播委員會及公平交易委員會為獨立機關
- 22 依司法院釋字第 530 號解釋意旨，為實現審判獨立，下列那一機關得就審理事項發布規則？
(A)法務部 (B)司法院 (C)大法官 (D)法官之職務法庭

- 23 依司法院大法官解釋，有關司法權之敘述，下列何者錯誤？
(A) 憲法第 8 條第 1 項所稱之司法機關，包括檢察機關
(B) 公證屬實質意義之司法
(C) 憲法第 8 條第 2 項所稱之法院，不包括檢察機關
(D) 固有意義之司法，包括違憲政黨解散之審理
- 24 關於我國憲法基本國策之規定，下列敘述何者正確？
(A) 憲法增修條文第 10 條第 10 項取消了憲法本文關於教育、科學、文化預算經費之下限，僅規定教育經費仍應優先編列
(B) 6 歲至 15 歲之學齡兒童，一律受基本教育，免納學費
(C) 國家應扶助並保護中小型經濟事業之生存與發展
(D) 環境及生態保護應優先於經濟及科學技術發展
- 25 依司法院大法官解釋意旨，戶政事務所拒絕為相同性別之二人辦理結婚登記，涉及下列何種基本權利？
(A) 婚姻自由及人身自由 (B) 人格權及婚姻自由 (C) 財產權及婚姻自由 (D) 婚姻自由及平等權
- 26 Police officers are sometimes hurt or killed when they are sent to incidents, so they have to carry equipment or weapons to _____ themselves.
(A) attack (B) defend (C) suspend (D) inspect
- 27 Popular TV shows like *CSI (Crime Scene Investigation)* have _____ the general public's knowledge of applying "forensic science" to analyze evidence and solve crimes.
(A) possessed (B) decreased (C) dismissed (D) promoted
- 28 When the police arrest someone, they must obtain a _____ issued by a judge.
(A) warning (B) warrant (C) guarantee (D) rejection
- 29 The police are responsible for enforcing laws, maintaining public _____, preventing crimes, protecting lives and property, etc.
(A) order (B) health (C) school (D) opinion
- 30 For dealing with diverse situations, a good police officer should have effective _____ skills, problem-solving skills, team-working skills, negotiation skills, as well as sound judgment.
(A) information (B) communication (C) exaggeration (D) complication
- 31 In recent years, the rapid pace of change in Taiwan has caused crime rates to rise, which has made people feel _____.
(A) exhausted (B) relieved (C) complacent (D) unsafe
- 32 John is an extremely careless driver; that is why he has been fined many times for _____ of traffic regulations.
(A) abolitions (B) compilations (C) contradictions (D) violations
- 33 In dealing with a disaster, the police are responsible for directing traffic and setting up a safety _____ around the disaster area.
(A) zone (B) belt (C) helmet (D) purpose
- 34 Nowadays people have more awareness of human rights and will not _____ being tortured by brutal police in criminal cases.
(A) enjoy (B) suffer (C) tolerate (D) complain
- 35 In many countries, there is a common emergency service number that allows the police, firefighters, or medical services to be _____ to an emergency.
(A) rendered (B) moved (C) summoned (D) posted
- 36 Every local government in Taiwan has a police department responsible for planning and performing police operations within their _____.
(A) condition (B) position (C) foundation (D) jurisdiction
- 37 Utilization of _____ Forces has been involved in assisting with police work.
(A) Volunteer (B) Vulnerable (C) Vocational (D) Vocal
- 38 Drug-related offenses are _____ by laws in all nations around the world.
(A) debatable (B) discussable (C) punishable (D) treatable
- 39 Illegal possession of firearms, ammunitions and weapons constitutes a _____ in Taiwan.
(A) disturbance (B) felony (C) mischief (D) misdemeanor
- 40 Police officers could quickly retrieve the required criminal images from the Cloud Image Retrieval System to _____ a criminal case as soon as possible.
(A) chase (B) manage (C) locate (D) solve

請依下文回答第 41 題至第 45 題

On April 22, 2019 (Sunday), close to 1,000 Uber drivers protested in front of the Presidential Office against the government's proposed regulation to limit Uber's business activities. In 41 of the protest, Uber also terminated its service for six hours on the same day. In February, the Ministry of Transportation and Communications (MOTC) announced a draft amendment on Article 103-1 of "Regulations for Automobile Transportation Operators," otherwise known as the "Uber Clause," calling for stricter rules that would essentially force Uber out of business. The amendment, if passed on April 26, would require Uber to 42 customers by a minimum of one hour in any given trip, regardless of distance. 43, the rental car drivers working with Uber would have to return to their vehicle to the rental shop after every ride. According to Uber Taiwan, the amendment will 44 at least 3 million riders and 10,000 Uber drivers. 45 will have to pay for an hour-long fare even if the trip only lasts 10 minutes. Waiting time will also increase significantly since every driver will have to return the vehicle to its "garage."

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|----|----------------|------------------|------------------|----------------|
| 41 | (A) support | (B) contrast | (C) case | (D) summary |
| 42 | (A) pay | (B) owe | (C) charge | (D) compensate |
| 43 | (A) Apparently | (B) Incidentally | (C) Additionally | (D) Obviously |
| 44 | (A) allow | (B) affect | (C) force | (D) effect |
| 45 | (A) Drivers | (B) Inspectors | (C) Conductors | (D) Passengers |

請依下文回答第 46 題至第 50 題

Police career is a profession that demands higher ethical standards than others. It is often said that police officers are like living in a transparent fish tank, being watched all the time. The majority of police officers are dedicated and hard-working, serving the people and doing the right things. All police officers have ideals: integrity and honesty, justice and courage. Yet, sometimes, we heard stories of bad cops doing bad things—bribery, misuse of force, abuse of authority, etc. These are the black sheep that hurt the entire profession and violate police code of ethics. Police officers should never permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence their decisions. The following Law Enforcement Oath of Honor is recommended by the International Association of Chiefs of Police (IACP) as a symbolic statement of commitment to ethical behavior :

On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold my community and the agency I serve.

The Oath of Honor's brevity allows it to be constantly referred to and reinforced during conversations and ceremonies. It is strongly recommended by the IACP that all agencies adopt the Law Enforcement Oath of Honor.

- 46 Which of the following statements correctly translates the sentence "police officers are like living in a transparent fish tank"?
- (A) They are treated as valuable golden fish.
 (B) They are being watched all the time.
 (C) They are living in a self-enclosed space.
 (D) They are highly respected by the public.
- 47 Which of the following should police officers have to influence their decisions?
- (A) Prejudices (B) Ethical codes (C) Friendships (D) Political beliefs
- 48 What does it mean when some police are referred to as the black sheep to the entire profession?
- (A) Bad cops are considered a disgrace to the whole group of police officers.
 (B) Good cops are as rare as a black sheep in a group of white sheep.
 (C) Bad cops are outstanding for being unique.
 (D) Good cops should tolerate bad cops for being black sheep.
- 49 What is the benefit of the brevity of the Law Enforcement Oath of Honor recommended by IACP?
- (A) Police officers can be reminded of it frequently.
 (B) Police officers might easily replace it.
 (C) Police officers can remove it from their desks.
 (D) Police officers can sing it during ceremonies.
- 50 According to the passage, which of the following is true about the police career?
- (A) It necessitates higher authority than others. (B) It establishes its own special system of rules.
 (C) It demands more respect from the general public. (D) It requires ethical standards higher than others.