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103年公務人員特種考試警察人員考試 103年公務人員特種考試一般警察人員考試 103年特種考試交通事業鐵路人員考試試題

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科:消防警察人員 類

目:中華民國憲法與消防警察專業英文 科

座號: 考試時間: 2小時

※注意:禁止使用電子計算器。

甲、申論題部分: (25分)

(一)不必抄題,作答時請將試題題號及答案依照順序寫在申論試卷上,於本試題上作答者,不予計分。 □請以藍、黑色鋼筆或原子筆在申論試卷上作答。

一、中翻英: (10分)

延長線常是造成電器火災的原因。只有在必要且臨時狀況下,才使用延長線。使用 延長線,應確保不會輕易被扯開。如果有過熱情形,延長線必須進行更換。

二、英文作文: (15分)

每年夏、秋雨季為臺灣溺水事故發生最頻繁之季節,請闡述內政部消防署應如何推 動各項防溺宣導及警戒工作,期能降低溺水事故發生率。

乙、測驗題部分: (75分)

代號:2506 (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60 題,每題1.25 分,須用2B鉛筆在試卡上依題號清楚劃記,於本試題或申論試卷上作答者,不予計分。

1 從歷史的演進可以看出,現代憲法是以何者為核心內容?

(A)政治體制的確立

- (B) 立國的精神
- (C)基本人權的保障
- (D)憲法的變遷
- 2 公務員違法侵害人民之權利,應依法律負一定責任,其責任不包括:
 - (A)民事上損害賠償
- (B)依刑法受到訴追
- (C)經法定程序罷免
- (D)依考績法為懲處
- 我國憲法第8條規定,人民因犯罪嫌疑被逮捕、拘禁後,至遲於多久時間內,須將被逮捕、拘禁之人, 移送該管法院審問?

(A) 24 天

(B) 5 天

(C) 3 天

(D) 1 天

- 有關人民除現役軍人外,不受軍事審判之敘述,下列何者錯誤?
 - (A)軍事審判機關所行使者,亦屬國家刑罰權之一種,具司法權之性質
 - (B)司法審判與軍事審判兩種刑事訴訟程序,在本質上並無不同
 - (C)人民之自由、權利所受之損害,不因受害人係屬依刑事訴訟法或依軍事審判法受理之案件而有異,均 得依法向國家請求賠償
 - (D)軍校學生應視同現役軍人,一律接受軍事審判
- 有關姓名權之敘述,下列何者正確?
 - (A)屬於憲法明文列舉規定保障的範圍
- (B)屬於憲法未明文列舉規定保障的範圍

(C)不屬於憲法保障的範圍

- (D)屬於憲法隱私權保障的範圍
- 6 依地方制度法之規定,下列何者為公法人?

10

- (B) 市政府
- (C) 區

(D)區公所

- 7 下列何者不是地方自治立法機關?
 - (A)直轄市議會
- (B)縣議會
- (C)鄉鎮市民代表會
- (D)省諮議會

- 下列何者,非我國憲法關於土地所採之基本國策?
 - (A)中華民國領土內之土地屬於全體國民
 - (B)附著於土地之礦,及經濟上可供公眾利用之天然力,屬於國家所有
 - (C)土地價值非因施以勞力資本而增加者,國家應無償強制徵收
 - (D)國家對於土地之分配與整理,應以扶植自耕農及自行使用土地人為原則
- 下列何者非用來指稱法律?

(C)規則

(D)條例

- (A)律 (B) 通則
 - 司法程序中,「提審票」應由何機關核發? (A)警察機關 (B)檢察署
- (C)監察院
- (D)法院
- 如果有法律規定,雇主對受僱者之退休、資遣、離職及解僱,不得因性別或性傾向而有差別待遇,是為 11 了落實何項基本權利?
 - (A) 選舉權
- (B)平等權
- (C)生存權
- (D)財產權

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下列關於法律之制定程序,何者正確? 12 (A)立法院議決法律案,必要時,得以交付公民投票方式取代三讀程序 ®法律案經立法院通過後,總統認為必要時,得交付公民投票複決 (C)總統依法公布法律,須經行政院院長之副署,或行政院院長及有關部會首長之副署 D)總統依法公布法律前,如認為法律與憲法有無牴觸發生疑義,應移請司法院解釋 關於人身自由,下列敘述何者正確? 13 (A)犯罪嫌疑人不問何人皆得逕行逮捕之 (B)人民非由法院依法定程序,不得審問處罰 C)鐵路警察發現正在破壞鐵軌之人,應通知當地警察分局處理,不得逕行逮捕 (D)檢察官對於有逃亡之虞之被告,得逕行羈押之 依司法院解釋,下列何者尚不違反「平等原則」? (A)法律對菸品業者要求於其菸品上標示有害健康之警語,但對人工果汁商品則無類此要求 (B)政黨推薦之候選人減半繳納保證金,但政黨撤回推薦者,應全額繳納 (C)父母對於未成年子女權利之行使不一致時,由父行使之 (D)妻以夫之住所為住所 憲法規定,除現行犯之逮捕由法律另定外,非經司法或警察機關依法定程序,不得逮捕拘禁,此係為保 15 障人民何種基本權利? (A)宗教自由 (B)集會自由 (C)結社自由 (D)人身自由 依司法院釋字第331號解釋意旨,下列何者不屬於罷免權行使之對象? 16 (A)全國不分區選舉產生之立法委員 (B)總統、副總統 (C)縣市長 (D)縣市議員 17 父母若未讓學齡兒童接受國民教育,依法律規定政府應採取何種態度? (A)不聞不問 (B)強迫入學 (C) 判處拘役 (D) 判處徒刑 依憲法第 129 條規定,選舉應以普通、平等、直接及無記名投票方式為之。關於選舉區與應選名額之決 18 定,主要涉及憲法上開何種選舉原則之具體落實? (C)直接選舉 (B)平等選舉 (A)普通選舉 (D)無記名選舉 下列室外之集會遊行,依司法院解釋,何者在性質上無法對之施以事前行政管制? 19 (A)學術藝文活動 (B)體育競賽活動 (C)宗教民俗活動 (D)偶發性集會遊行 司法院釋字第 509 號解釋指出關於誹謗罪,「行為人雖不能證明言論內容為真實,但依其所提證據資料, 20 認為行為人有相當理由確信其為真實者,即不能以誹謗罪之刑責相繩」,乃是以下何種原則的表現? (A)法律明確性原則 (B)接近媒體使用權 (C)恣意禁止 (D)真實惡意原則 21 下列何項基本人權,係指人民認為其權利遭受不法侵害時,得請求法院審判排除侵害或賠償,以維護其權利? (B)參政權 (C)社會權 (D)訴訟權 人民權益遭受公權力不法侵害,依法請求損害賠償時,應先向何機關請求之? 22 (A)賠償義務機關 (B)行政院國家賠償委員會 (C)行政法院 (D)普通法院 23 有關總統、副總統選舉結果,下列敘述何者正確? (A)選舉結果須候選人得票數達選舉人總數半數以上時始為當選 (B)若得票數相同時,候選人應抽籤決定誰當選 (C)候選人僅有一組時,其得票數須達選舉人總數百分之三十始為當選 (D)同一組副總統候選人死亡,該組總統候選人仍當選為總統時,其副總統視同缺位 24 依憲法增修條文規定,總統任期為: (B) 4年 (C) 5年 (D) 6年 (A) 3年 依司法院釋字第328號解釋,以下有關中華民國領土之敘述,何者正確? 25 (A)中華民國領土,憲法第4條採列舉方式 (B)憲法並未設有領土變更之程序 (C)固有疆域範圍之界定,為重大之政治問題 (D)國家領土之範圍,應由行使司法權之釋憲機關予以解釋 行政院應將預算案提出於那一個機關? 26 (A)監察院 (B)立法院 (C)審計部 (D)司法院 必須超出黨派以外,依法獨立行使職權者,下列何者不屬之? 27 (C)考試委員 (D)法務部部長 (B)監察委員 現代民主國家的國會有所謂二院制(參議院與眾議院)與一院制(單一國會),下列何者不是二院制的優點? 28 (A)兩院議員來源不同,可代表不同的社會階級 (B)兩院審查法案,集思廣益 (D)國會意志統一,制衡行政部門 (C)避免一院制可能的專橫或腐化 依憲法增修條文第4條規定,有關立法委員之選舉,下列敘述何者錯誤? 29 (A)立法委員任期 4 年 (B)全國不分區及僑居國外國民之立法委員依政黨名單投票選舉之,由獲得百分之五以上政黨選舉票之政

(D)於每屆任滿前 4 個月內,依規定選出新任立法委員

黨依得票比率選出之

(C)連選得連任

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30	依憲法增修條文之規定, (A)監察院與立法院	憲法修正案於何機關提出	? (C)立法院	(D)行政院
31	以下何者為憲法所禁止?		(O) 1L/AP)L	(四月1年X16月
	(A)監察委員並任監察院院	長	(B)立法委員兼任內政部部	3長
	(C)政務委員兼外交部部長		(D)大法官並任司法院院長	5
32		方式,係完全依政黨比例		
		(B)婦女保障名額	(C)自由地區山地原住民	(D)僑居國外國民
33	法官於具體個案審判時,			
2.4	(A)司法院大法官解釋		(C) 憲法	(D)行政命令
34	下列何者不是司法院之權			内如理宝公
25		(B)犯罪偵查	(C)統一解釋法律命令	
35			採二審終結且不得提起再	番之
	(B)選舉訴訟重在公益之維	度及相關程序,屬立法機 :誰		
	(C)現行選舉、罷免訴訟採			
	(D)公職人員任期有一定之			
36			法院發布規則或命令之內	交?
50	(A)與審理程序有關之原則		(B)與審理程序有關之細節	
	(C)與審理程序有關之技術		(D)有關司法行政事務之事	
37			掌有關司法機關之組織事	
	(A)報請總統諮商立法院提		(B)應由立法委員以立法委	
	(C)自行向立法院提出		(D)應由行政院代為提出	
38	依憲法增修條文規定,考	試院考試委員應如何產生	?	
	(A)由總統提名,經行政院	同意任命之	(B)由總統提名,經監察院	[同意任命之
	(C)由總統提名,經立法院		(D)由總統提名,經國民大	(會同意任命之
39		何者非屬監察院之職權?		
	(A)審計權	(B)同意權	(C)彈劾權	(D)糾舉權
40	我國「公職人員財產申報		(a) the house	
4.4	(A)法務部調查局		(C)考試院	(D)行政院
41			ed a flame retardant techn	ology patent for
	combustible substances fro		(C)pretending	(D)proventing
42	(A) preserving Firefighters are instructed to	to take the stairs when ness		elevators, including inspecting
42			below the fire to walk the re	
	(A)precedence	(B)presumptions	(C)precautions	(D)preparation
43	•	1 1	•	considered to be indicative of a
	er ma		w miles compensation of the many many many many many many many many	
	(A)products of combustion		(B) a rate of rise in temperat	ure
	(C) the decrease of an ionize	ed current	(D)monochromatic light bea	ams
44	Most deaths resulting from	m fires do not result from	burns. Nearly two thirds of	f all fire-related deaths result
	· · · · · · · · · · · · · · · · · · ·	monoxide, smoke or toxic g		
	(A)inhalation	(B)ingredients	(C) deficiencies	(D)detoxication
45		produce significant yields of	f CO, can lead to incapacita	tion in roughly 1 to 2 hours in
	typical dwelling spaces?	(D) D : 1	(c)D:cc :	(D) T 1
1.0	(A) Smoldering	(B) Premixed	(C)Diffusion	(D)Torch
46				for fire suppression purposes.
	-	-	CO ₂ on both frammable no	quids and, because of its poor
	conductivity, fi (A)pool	(B) water reactive	(C)electrical	(D)reactive metal
47	•			1994, systems and
. ,			suitable replacement agents	-
	(A) substitute	(B) existing	(C) alternative	(D) complement
48		•		in vehicle, but can
	also be used in some forcib		•	
	(A)strands	(B)repairs	(C)stagnation	(D)extrication

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49	A mouth-to-mask ventilat	tion device consists of a mag	sk that fits over the victim's f	ace, a one-way valve, and a			
	mouthpiece through which	h the rescuer breathes. Becar	use mouth-to-mask devices pro	event direct contact with the			
	victim, they reduce the ris	k of					
	(A)foreign body airway ob	structions	(B)transmitting infectious disc	eases			
	(C) gastric distention		(D)cardiac arrests				
50	A charred V-pattern on a	wall indicates that fire spread	d up and out from something a	t the base of the V, while an			
	inverted V-pattern on a w	all could indicate that a flam	mable liquid was used along the	he base of the wall to set the			
	fire intentionally. A fire but	rning across a wide area at the	floor level can funnel into a the	rmal column as it,			
	creating the inverted-V pa	attern.					
	(A)filters	(B) snuffs	(C)exposes	O)rises			
51	Secondary contamination	n occurs when a person o	or object transfers the conta	mination or the source of			
	contamination to another	person or object by	In such cases, fire fighters	s may become contaminated			
	and if they subsequently	handle tools and equipmen	t, and touch door handles or	other responders, they will			
	spread the contamination.						
	(A)water spray	(B)chemical reaction	(C)airborne infections (I	O)direct contact			
52	Which of the following p	roducts, according to Article	e 11 of the Fire Services Act,	is allowed to be used in any			
	building of eleven floors of	or taller without a flame-proc	f label attached?				
	(A)Sofa	(B)Drape	(C)Carpet (I	D)Billboard			
	In an earlier report publ	lished in <i>Fire Findings</i> w	e discussed results from tes	ting performed on certain			
	• •		h is purchased in rolls. This	• .			
		,	1	-			
53	on attic floors (above	ve the insulation) to provi	de an effective thermally re	eflective barrier above the			
		• •	de an effective thermally re that, if electrically energ				
ceilii	ng of a building. That te	esting demonstrated 54	_ that, if electrically energ	ized by incidental contact			
ceilii with	ng of a building. That te a powered conductor in	esting demonstrated 54 a standard branch circuit,	_ that, if electrically energ this material would arc and	ized by incidental contact d55_ rather violently			
ceiling with and w	ng of a building. That te a powered conductor in would frequently catch fi	esting demonstrated 54 a standard branch circuit, ire and sustain flame. Clea	_ that, if electrically energ	ized by incidental contact d55_ rather violently			
ceiling with and w	ng of a building. That te a powered conductor in	esting demonstrated 54 a standard branch circuit, ire and sustain flame. Clea	_ that, if electrically energ this material would arc and	ized by incidental contact d55_ rather violently			
ceiling with and with mate 53	ng of a building. That te a powered conductor in would frequently catch firials, and thus initiate a r	a standard branch circuit, ire and sustain flame. Clear major structure fire. (B) introduced	that, if electrically energ this material would arc and arly, this could56 other	ized by incidental contact d55 rather violently er nearby more flammable			
ceiling with and with mate 53	ng of a building. That te a powered conductor in would frequently catch fi rials, and thus initiate a r (A)installed	a standard branch circuit, ire and sustain flame. Clear major structure fire. (B) introduced	that, if electrically energenthis material would are anotherly, this could56 otherwise (C)inscribed	ized by incidental contact d55_ rather violently er nearby more flammable (D)instilled			
with and with mate 53	ng of a building. That te a powered conductor in would frequently catch fi rials, and thus initiate a r (A)installed (A)conceitedly	a standard branch circuit, ire and sustain flame. Cleanajor structure fire. (B)introduced (B)conclusively	that, if electrically energenthis material would are anotherly, this could56 otherwise (C)inscribed (C)conceivably	ized by incidental contact d55 rather violently er nearby more flammable (D)instilled (D)conceptually			
ceilin with and with mate 53 54 55 56	ng of a building. That te a powered conductor in would frequently catch fi rials, and thus initiate a r (A)installed (A)conceitedly (A)spew (A)incur	a standard branch circuit, ire and sustain flame. Clear major structure fire. (B) introduced (B) conclusively (B) split (B) inflate	that, if electrically energe this material would are and arly, this could 56 otherwise (C)inscribed (C)conceivably (C)sprint	ized by incidental contact d55 rather violently er nearby more flammable (D)instilled (D)conceptually (D)spark (D)ignore			
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ceilin with and with mate 53 54 55 56 gener	ng of a building. That te a powered conductor in would frequently catch fi rials, and thus initiate a r (A)installed (A)conceitedly (A)spew (A)incur The remote firefighting appear al location of a fire, connects	a standard branch circuit, ire and sustain flame. Clear major structure fire. (B) introduced (B) conclusively (B) split (B) inflate paratus of this invention provected to a water supply hose	that, if electrically energe this material would are and arly, this could 56 otherwise (C) inscribed (C) conceivably (C) sprint (C) ignite wides a firefighting vehicle where the country of the	ized by incidental contact d55 rather violently er nearby more flammable (D)instilled (D)conceptually (D)spark (D)ignore ich can be transported to the self-contained control to the			
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測驗式試題標準答案

考試名稱: 103年公務人員特種考試警察人員考試、103年公務人員特種考試一般警察人員考試及

103年特種考試交通事業鐵路人員考試

類科名稱: 消防警察人員

中華民國憲法與消防警察專業英文 (試題代號:2506)

科目名稱:

單選題數:60題 單選每題配分:1.25分

複選題數: 複選每題配分:

標準答案:

題號	第1題	第2題	第3題	第4題	第5題	第6題	第7題	第8題	第9題	第10題
答案	С	С	D	D	В	A	D	С	С	D
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答案	В	С	В	A	D	A	В	В	D	D
題號	第21題	第22題	第23題	第24題	第25題	第26題	第27題	第28題	第29題	第30題
答案	D	A	D	В	С	В	D	D	D	С
題號	第31題	第32題	第33題	第34題	第35題	第36題	第37題	第38題	第39題	第40題
答案	В	D	D	В	С	A	С	С	В	В
題號	第41題	第42題	第43題	第44題	第45題	第46題	第47題	第48題	第49題	第50題
答案	D	С	В	A	A	С	В	D	В	D
題號	第51題	第52題	第53題	第54題	第55題	第56題	第57題	第58題	第59題	第60題
答案	D	A	A	В	D	С	A	В	A	D
題號	第61題	第62題	第63題	第64題	第65題	第66題	第67題	第68題	第69題	第70題
答案										
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題號	第91題	第92題	第93題	第94題	第95題	第96題	第97題	第98題	第99題	第100題
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